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REVIEW OF ENVIRONMENTAL IMPACT ASSESSMENT.

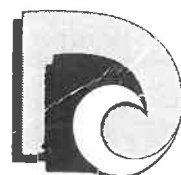
PAIHIA MARINA

VERONICA BAY, BAY OF ISLANDS,
NEW ZEALAND.

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AUGUST 1988.

**NORTHLAND
REGIONAL
COUNCIL**





REVIEW OF ENVIRONMENTAL IMPACT ASSESSMENT.

PAIHIA MARINA.

VERONICA BAY, BAY OF ISLANDS, NEW ZEALAND.

**Review coordinated by the Northland Regional Council,
Whangarei, New Zealand.**

August 1988.

This report should be referenced as:

Northland Regional Council 1988

Review EIA Paihia Marina, Technical Publication 1988/3.

(i)

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EXECUTIVE SUMMARY.

The Paihia Marina Joint Venture proposes to build a 245 berth marina in a small bay commonly known as Veronica Bay in the Bay of Islands, New Zealand.

This document comprises the Review of the Environmental Impact Assessment produced by the Paihia Marina Joint Venture for its proposed marina.

The Review has been coordinated by the Northland Regional Council.

This Review document has three parts:

1. An independent technical audit of the EIA,
2. A summary of public submissions on the EIA,
3. An identification of the key technical and public issues of concern.

The Conclusion summarises the issues of concern and identifies matters which need to be further addressed by the developer.

INTRODUCTION.

The Paihia Marina Joint Venture proposes to build a 245 berth marina in a small bay commonly known as Veronica Bay in the Bay of Islands Harbour, Northland, New Zealand, (Figure 1).

Agreement has been reached between the developers and the statutory consent authorities involved that this development proposal shall go through the Multiple Consent Procedures outlined in the Second Review of the Bay of Islands County Council's District Scheme, (Appendix I & II).

The purpose of these Multiple Consent Procedures is to attempt to coordinate and streamline the processing of the several statutory consents required for major developments, thereby saving the developer and the consent authorities time and money; and to ensure that the public has the necessary information and the maximum opportunity to participate in the decision-making process, a process which often seems complex and contradictory to members of the public.

The statutory consent authorities and the Paihia Marina Joint Venture have met and agreed on procedures and timetabling for processing the Joint Venture's development application, (Appendix III).

It has been agreed that the Northland Regional Council will coordinate an independent Review of the Paihia Marina Joint Venture's Environmental Impact Assessment of its proposed marina development at Veronica Bay.

This document comprises that independent Review of the Paihia Marina Environmental Impact Assessment.

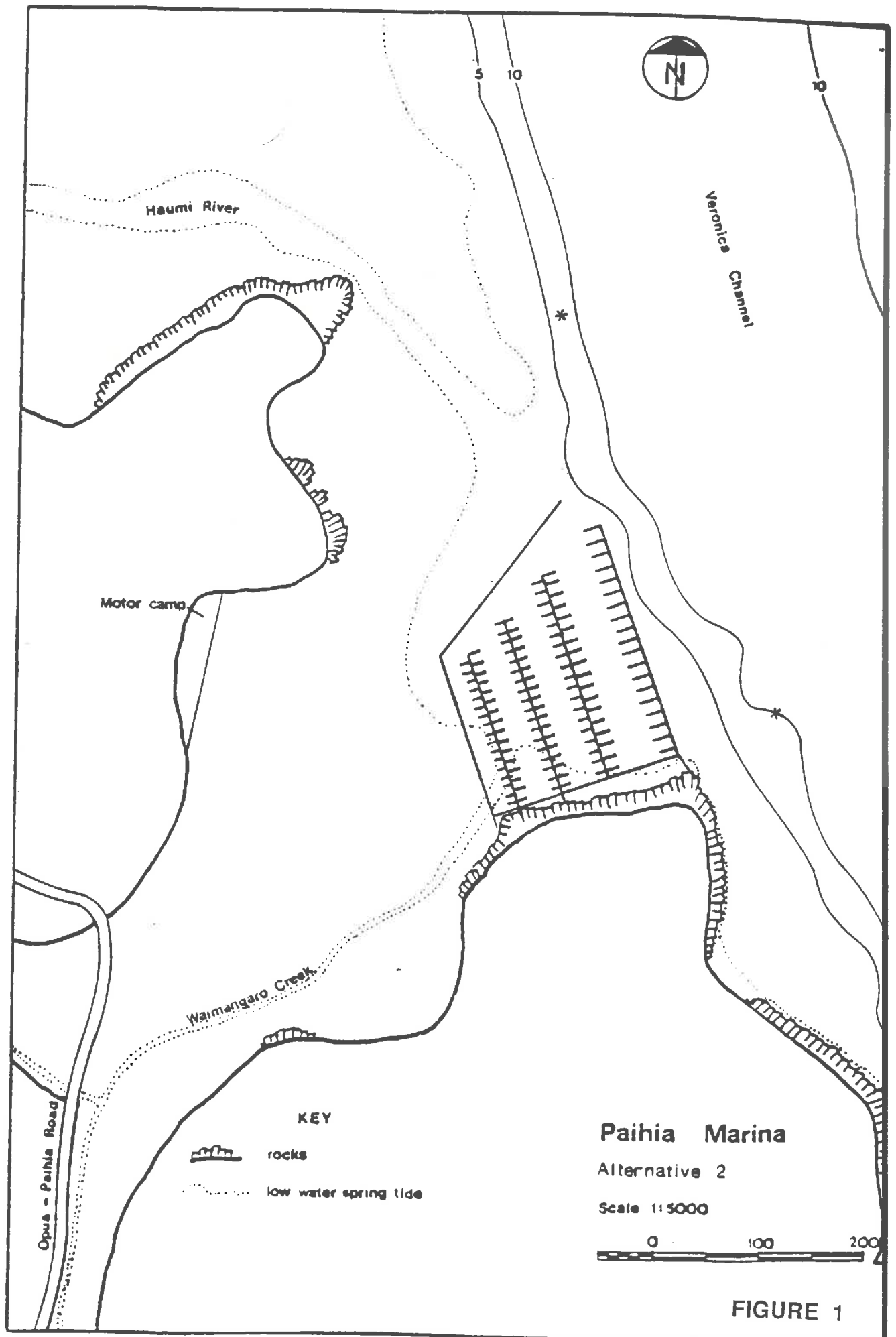


FIGURE 1

REVIEW DOCUMENT.

This Review Document has three parts:

- 1. An independent technical audit of the EIA.**
- 2. A summary of public submissions on the EIA.**
- 3. An identification of the key technical and public issues of concern.**

The conclusion summarises the issues of concern and identifies any gaps in the EIA that the developer should address. This Review Document should be read in conjunction with the Paihia Marina Joint Venture's Environmental Impact Assessment for the proposed Paihia Marina.

REVIEW OF THE PAIHIA MARINA ENVIRONMENTAL IMPACT ASSESSMENT.

1. TECHNICAL AUDIT.

Structure of the EIA.

The EIA is divided up into eight sections:

1. Introduction.
2. Proposal Objective and Options.
3. The Existing Environment.
4. Proposed Development.
5. Environmental Impacts and Safeguards.
6. Proposed District Scheme Review and Criteria.
7. Maori Implications.
8. Conclusions.

The EIA has eight specialist reports attached:

- | | |
|---------------------|------------------------------|
| Specialist Report 1 | Planning. |
| Specialist Report 2 | Geotechnical Investigations. |
| Specialist Report 3 | Hydrological Investigations. |
| Specialist Report 4 | Water Quality. |
| Specialist Report 5 | Biological Investigations. |
| Specialist Report 6 | Archaeological Report. |
| Specialist Report 7 | Traffic Engineering. |
| Specialist Report 8 | Acoustic Studies. |

A letter from the Department of Conservation outlines cultural matters that the Department would like to see addressed in the EIA.

This is a satisfactory standard structure for an EIA.

Technical Reports.

Summarised below are Review comments on each of the Specialist Reports.

Specialist Report 1 Planning.

The Planning Report states that its primary purpose is:

"to identify the immediately obvious planning issues and the procedure for the evaluation of these issues."

This has been done satisfactorily and the immediately obvious planning issues incorporated well in the EIA itself, but with a slight underemphasis on some points which are detailed below.

From page 5 of the specialist report, it could be erroneously assumed that the land at Lot 29 of the Veronica Point subdivision provides public access to the water. This is in fact private land with very limited road access to the coast.

The proposed upgrade of the boat ramp at Smith's Motor Camp is unlikely to be practical because:

- (i) Camping sites exist on Crown Grant road reserve land,
- (ii) Road access and turning area is very limited,
- (iii) The boat ramp itself is very small,
- (iv) The ramp can only be used by small craft, (5m maximum) for about 45 minutes either side of high tide. Limited use is made of the ramp presently, and that mostly by locals.

The planning report only comments on the parts of the Regional Planning Scheme which could be seen to favour the marina proposal. Some comment should be made on the balancing exercise necessary between sometimes conflicting objectives and policies in the Regional Scheme when applied to proposals like this one.

The issue of the planning impact of the proposed dredging and reclamation is inadequately addressed. Comment should

have been made on the appropriateness of the preferred option in terms of the wisest use of the land and water areas involved. Nowhere in the planning report is the appropriateness of the proposed upgrade of the boat ramp discussed, or the impact of the intensification of the use of the existing boat ramp on the other uses of land and water space looked at.

It is the Reviewer's opinion that a boat launching facility is better provided into the existing Waimangaro channel near the proposed marina, allowing a small increase in the reclamation area as necessary to accommodate carparking and turning circles for boat trailers and so on.

Other Conclusions presented in the report are satisfactory. Some conclusions are matters of opinion open to challenge, for example the point made in paragraph four of page 28 regarding the development's impact on the neighbouring residential subdivision.

Specialist Report 2: Geotechnical.

The Geotechnical Investigation has been done in a professional manner.

The Geotechnical Investigation was carried out in order to:

(1) Determine the feasibility of dredging soft material in the berthing area and disposing of the dredging material.

The material can be successfully dredged and disposed of. Depositing the material on a land site is the Reviewer's preferred option. A site inspection of the proposed disposal area lead to the conclusion that the total of 3.87 ha quoted on page 77 of the EIA was not likely to be totally available for dredging disposal. **It needs to be confirmed that the proposed area for dredging disposal is of sufficient capacity to accommodate the quantity of material to be produced.**

(2) Determine the feasibility of excavating the weathered rock in the berthing area.

Such material is commonly ripped by the method described in the EIA.

(3) Determine that the materials proposed for the reclamation area would be a suitable foundation for the proposed uses.

The material is suitable, however the proposed reclamation level does not take into account the predicted 1.0 +/- 0.5m sea level rise over the next century.

(4) Determine suitable batters for the excavation within the berthing area.

Although the measured shear strength may indicate that 2.5:1 batters will be stable, there are some doubts that this will be so. The water content of the insitu material is equal to or greater than the liquid limit and hence it would be very possible for this material to "flow" (like a mud flow on land). If this happens the batters will be very much less than 2.5:1. It is noted that the natural batters of the adjacent Veronica Channel are approximately 6:1. These batters are important because the tide deflector (see Section A-A plan 5656, sheet 2) is designed to be flush with the seabed. If the batters slump to say 6:1, there will be a large gap beneath the tide deflector and it may not perform its function efficiently. **The most practical way to test the batter design would be to do a trial excavation.**

(5) Determine suitable batters for the excavations of the access road.

Inspection of cutting batters in this material in the same area show that a batter of one horizontal to two vertical is satisfactory. However the top one metre of the cut in the very weathered material should be one horizontal to two vertical.

(6) Determine the feasibility of driving the piles to attach the floating walkways to.

There should be no problem driving piles in the site material, although the piles may have to be longer if the batters of the excavation are flatter than the 2.5:1 expected in the EIA.

Specialist Report 3: Hydrological Investigations.**Specialist Report 4: Water Quality****Specialist Report 5: Biological Investigations.**

These three specialist reports are all inter-related, and the Review conclusions on these three reports are therefore presented together.

Incorporation of Technical Data in the EIA.

Conclusions of the Specialist Reports are largely incorporated in Section 5.0-Environmental Impacts and Safeguards. Comments below refer to conclusions and statements made in this section which are considered not well substantiated but which have a major bearing on the environmental acceptability of the proposed project.

(1) Retention time within the marina basin.

Estimates of retention time are based on the dye and drogue studies outlined in Specialist Reports Three and Four. These studies were largely focused on water movement patterns in the entrance of Veronica Bay and not within the marina basin itself.

Estimates of retention time presented assume that the velocity of water movement measured in the gyre system also occurs within the basin area and will continue to do so once the marina basin has been dredged and the tidal barrier is constructed. It is considered that site specific information is required on the tidal velocities within the proposed marina basin area and that some thought should be given to the possible effects the tidal barrier might have on the gyre formation.

(2) Sedimentation (Section 5.2.6)

Alteration of sediment patterns as a result of the construction of the marina have implications with respect to the eelgrass bed and the need for maintenance dredging.

The obstruction of the Waimangaro channel and its redirection around the edge of the barrier could result in the deposition of sediment on the apparently unique eelgrass bed. This may threaten the eelgrass bed but this is not discussed.

It is concluded on the basis of the limited sediment supply that "maintenance dredging will not present a problem". However, the importance of sediment input from the Kawakawa River is not acknowledged. It is stated elsewhere in the report (Section 5.3.4 and 5.4.2) that this is likely to have been an important contributor to the build-up of Veronica Bay sediments and therefore there is the possibility that sedimentation from this source will lead to the need for periodic maintenance dredging. As these dredgings will clearly need to be disposed of in an environmentally acceptable manner this needs to be discussed.

(3) Biological Impacts.

Most significant impacts are expected to be in the intertidal and subtidal areas (Sections 5.3.3 and 5.3.4). Generalised statements are made regarding the impacts of increased sedimentation as a result of dredging and dredging spoil disposal.

Statements regarding the "historical loading of fine silts" within Veronica Bay and the supposed adaptation of existing organisms to it, are not well substantiated in the EIA or in the relevant Specialist Report. There is no evidence presented to suggest that sedimentation patterns have been historically "high" or that the organisms present are "adapted" to high silt loadings. Water quality results indicate low suspended sediment levels which would appear to contradict such statements.

(4) Water Quality.

In Section 5.4.2 statements are again made referring to high turbidity in the Kawakawa River-Veronica Channel area. As mentioned above, water quality results indicate that water clarity is generally good, ie. has low turbidity. Occasional increases in turbidity naturally occur in estuaries following heavy rainfall or at around low tide on windy days. However, these instances occur relatively infrequently and therefore are considered to be over-emphasised in the EIA.

(5) Te Haumi Pipi Bed.

It is concluded in Section 5.4.3 that the proposed marina will not adversely affect the quality of water passing across the Te Haumi pipi bed. The proposed management measures and the indicated current circulation patterns do appear to substantiate this. However, it is considered that the information from the dye and drogue tests

is insufficient to draw firm conclusions on the duration of exposure of the bed to marina-derived waters.

(6) Dredging, Dredging Disposal and Marina Construction.

The practical details of dredging disposal and marina construction are not discussed in Section 5.5. For example, if land disposal is the chosen disposal option, how will the dredged material be transported to the disposal area and where will this be? Similarly,

how will the reclamation proceed? Will a bund be established first or will the material simply be dumped over the intertidal area? These aspects have important environmental consequences and therefore need to be addressed in more detail.

Movement of the dredging plume on the flood tide is considered to be inadequately covered. This is likely to be visible to residents adjacent to Veronica Channel and therefore could be a concern.

Controls on the short term impacts of dredging are broadly mentioned in the Specialist Reports but are not outlined in the EIA. How will this be done?

Specialist Report 6: Archaeological.

(1) Base Information.

Survey methods are not defined precisely and results are not fully integrated into the report. However the surface evidence appears to be competently recorded, but discussion of the data and conclusions drawn from it are minimal.

The basic information has been obtained but it requires interpretation and assessment within a wider context than that presented.

(2) Incorporation within the EIA. (Section 3.10.)

The archaeological information incorporated within Section 3.10 is inadequate.

This section should contain a brief description of the site types recorded and an assessment of their possible significance.

The stated opinion that sites which would be affected by road construction "are not of specific importance" should be

substantiated. An explanation of why destruction or modification of sites should be allowed is necessary, and the assumption that an archaeological excavation should proceed development also requires justification.

(3) Omissions.

Two essential and inter-related parts of an archaeological assessment have been overlooked in the EIA.

(i) Adequate interpretation of the recorded sites.

Archaeological evidence is not self-explanatory.

(ii) Evaluation of the sites within the wider context of the Bay of Islands coastline.

Inclusion of these aspects would provide a rationale for conclusions and recommendations.

Specialist Report 7: Traffic.

The apparently proposed access road cross-section (1.5 m raised footpath and 6 m carriageway) is appropriate. The proposed intersection layout for this road with the Paihia-Opua Road is also appropriate.

The parking layout and the traffic circulation scheme on the east side of Waimangaro Creek requires revision to cater for up to 250 parked cars and for delivery of fuel, for rubbish collection, and for circulation of other larger vehicles. The area of reclamation proposed remains appropriate, and is certainly not excessive, having regard for the possible operational and aesthetic criteria to be satisfied.

The suitability of the west side of the Waimangaro Creek for an upgraded launching ramp, or ramps, remains to be investigated in full. This investigation should cover the present summertime level of service provided by the Paihia-Opua Road and allowing for general traffic growth; the safety of the access road intersection under frequent use by car and boat-trailers; the layout design for up to 30 car and boat-trailers and the impact of this parking upon Smith's Motor Camp; alternative sites for launching ramps in Paihia and Opua should also be evaluated.

Specialist Report 8: Acoustic Studies.

The methodology used to gather the information on which the conclusions of the specialist report have been reached, have been examined. The methodology and equipment is imprecisely defined, but it is believed that the data obtained is sufficient to determine background noise levels. Distances from the marina site and construction areas to the nearest residential site are also imprecisely defined. Predicted noise levels indicate that the pile-driving operation will cause the greatest single noise impact. In conjunction with other noise sources, compliance with the recommendations of NZS 6803P:1984 may be marginal. **Additional acoustic attenuation at the pile-driving rig may be warranted.**

Analysis of noise levels resulting from boats manoeuvring within the marina, outside the marina, halyard slap, general rigging noise and traffic noise appears satisfactory.

The noise levels associated with the operation of the proposed marina cannot and will not meet the requirements of the existing District Scheme, because background noise levels can at times be exceptionally low. In order for the proposed marina to be approved, a departure from the requirements of the noise provisions of the existing district scheme will be required. The background noise measurements presented in the EIA showed that even though exceptionally low background levels were achieved, noise levels substantially above those expected for marina operation were frequently recorded from sources such as traffic, dogs, birds, crickets, existing marine traffic and waves. **Therefore in a location such as Veronica Point, where the average conditions of wave and wind would cause a significantly increased background noise level, the data presented in the specialist report is essentially conservative, and pessimistic in the sense that it amplifies the apparent differences between the construction and operation of the proposed marina, and the average background noise conditions.**

The conclusions reached by the specialist report are supported by the data in the EIA.

Specialist Report 9: Landscape.

Although no Specialist Report *per se* on Landscape Design is included in the EIA, Landscape issues are an essential element in proposals of this nature, therefore the Landscape portions which do appear in the EIA have been reviewed.

The landscape material contained in the Paihia Marina EIA does not provide adequate answers about the landscape implications of the proposed marina, nor does it provide a base for arriving at conclusions in this respect. Overall, the EIA seems to ignore the issue of landscape impacts, although there appears to have been some recognition of landscape matters in the proposal's design. A more rigorous investigation of the proposal's potential landscape impacts should be undertaken. In particular, the following specific matters should be addressed.

- (i) The impacts likely to be generated by the road access proposal.
- (ii) The need to resolve the proposal's details to a greater degree.
- (iii) Appraisal of Veronica Point's values and sensitivities in a sub-regional and local context.
- (iv) Clear definition of the total visual catchment for the marina.
- (v) Identification of key vantage points, then selection of criteria that would ensure consistent and thorough analysis of impacts from them.
- (vi) Presentation of accurate before and after sketches or photomontage to portray the likely changes associated with development: these should be representative of views experienced by the public.
- (vii) Analysis of impacts should be implemented, using the products of (iii) and (iv) above.
- (viii) Evaluation of results and conclusions should be derived from the above.

Specialist Report 10: Maori Issues.

The Northland Regional Council has written to the Tai Tokerau District Maori Council to request their assistance with a review of the Maori Issues section of the EIA.

At the time of writing, no reply has yet been received from the District Maori Council.

It is recommended that enquiries under this section be referred to the District Maori Council.

2.SUMMARY OF SUBMISSIONS ON THE EIA.

The Bay of Islands County Council has received ten submissions on the Paihia Marina Environmental Impact Assessment.

Submissions were received from the Ministry of Agriculture and Fisheries,(MAFFISH NORTH) the Department of Conservation, the Northland Harbour Board, the Opuia-Kawakawa River Protection Society, the Maruia Society,(Bay of Islands) Smith's Motor Camp, and four members of the public resident in the area.

1. MAFFISH NORTH.

This submission comments on:

- *the need to protect the habitats of the tidal flats, and Waimangaro Creek mangroves from sedimentation, both that occurring presently and as a result of reclamation.
- *EIA inadequate on hydrology, sedimentation, and the need for maintenance dredging and the environmental impacts of maintenance dredging.
- *concern over non-point specific discharges into water. Is the construction and operation of a marina compatible with a "SA" water classification?
- *Dredging disposal option needs to be clarified.
- *challenges statements on p93 and p94 of the EIA regarding the effects of dredging and dredging disposal on fishlife.
- *toxic effects of tri-butyl tin antifouling paints, and how a ban on their use in the marina will be enforced.
- *the proposed marina may be acceptable to MAFFISH if there is a satisfactory response to the above points.

2. Department of Conservation.

This submission comments on:

- *insufficient information to justify the demand for a 245 berth marina at Veronica Point.
- *the need to quantify the popularity of the Te Haumi pipi bed, and the recreational importance of the bay to boaties and the walking public on the Opuia-Paihia walkway.
- *what is the maximum wave height sustainable by the proposed design?

- *insufficient examination of tidal circulation during the incoming tide.
- *the presence of pohutakawa trees, the banded rail, and certain species of lizard, and the effect of this proposal upon those biological resources.
- *significance of the archaeological sites and their classification.
- *the limited Landscape analysis of the site.
- *the need for a better definition of the reclamation area, construction details, and the rationale for construction methods chosen.
- *the feasibility of the use of the existing boat-ramp at the adjacent motor camp.
- *DoC prefer suction dredging over cutter-suction dredging, and land disposal of dredgings.
- *may be the need to provide more than one sewage pump-out facility.
- *method of diversion of the Waimangaro Creek channel around the tidal barrier, and whether the channel will be stable.
- *environmental impact of maintenance dredging and the disposal of the dredgings.
- *more detail on sediment transport, and the effect of the tidal barrier on the identified gyre.
- *the use of Lot 29 of the Veronica Point subdivision for boat launching and so on.
- *further discussions with the Maori community in the area is necessary to assess the cultural impacts of the proposal.

3. Northland Harbour Board.

The Board comments as follows:

"While the Paihia Marina EIA covers a wide range of issues associaed with assessing the impact of the proposed marina in Veronica Bay, it is considered that additional information is required on several matters in order to confirm that the proposal is sound. These matters have all been previously raised with the developers or their consultants during the preparation of the EIA or as part of the Board's objection to the planning application. In summary, the matters are as follows:

- Demand
- Alternative marina sites
- Provision of public facilities
- Marina management
- Dredgings disposal."

4. Opuia-Kawakawa River Protection Society.

This submission raises two points:

- *the need for wider consultation with the Maori community.
- *a better justification of demand for the marina.

5. Maruia Society (Bay of Islands Branch).

This submission comments that the following points have been inadequately addressed in the EIA:

- *insufficient environmental data base
- *justification of demand
- *evaluation of alternative sites too narrow
- *water quality
 - extent and length of time the water will be discoloured by dredging
 - effect of tri-butyl tin paints on Te Haumi pipi bed
 - faecal coliform concentrations
- *hydrodynamics
 - tests too limited
 - effect of tidal barrier on the identified gyre
 - effect of creek diversion on eelgrass beds
- *other aspects-noise, traffic, runoff from carparks, fuelling berths.
- *Maori issues.

6. Smith's Holiday Camp.

This submission sees the following issues as being inadequately addressed:

- *alternative sites, suggests that English Bay should be given more consideration.
- *visual assessment
- *existing uses of Veronica Bay
- *maintenance of SA water quality
- *refuse disposal
- *effect of sedimentation on surrounding coastal land uses
- *Maori issues
- *hydrological effects of creek realignment
- *effect of marina on air quality and the impact of lighting the marina.

7. Miss Pane Puhipuhi Frances Ututaonga, Waimangaro/Opua.

Miss Ututaonga gives a detailed historical and cultural account of the area. She outlines her family's association with Veronica Bay and the Waimangaro area.

Maori implications and spiritual values are briefly discussed.

Miss Ututaonga comments on some of her own feelings and grievances to do with historical development in the area. She asks that her personal and family values be considered and that the area be no further downgraded by this marina development.

8. Miss E. R. Tuckey, Veronica Bay, Opua.

This submission comments on:

- *danger to the pipi bed from marina waters
- *dredging-suggests a scale model of the bay be constructed by the developer
- *concern over the intersection to the proposed access road-suggests a realignment
- *insists that the construction of the road occurs only within the legal road reserve.

9. Margaret O'Dea, Te Haumi Bay, Opua.

This submission objects to the marina proposal, preferring to see development at Opua. Ms O'Dea does not want to see Veronica Bay developed nor interference occur with the operation of Smith's Motor Camp.

10. Mr and Mrs H. M. Moore, Whangarei.

This submission makes the following points:

- *the Moore's intend to make an area they own at Te Wahapu, designated "high visual impact" their permanent home.
- *they object to the proposal as follows:
 - use of Crown Grant road and public area for private gain
 - the despoilation of this the "only remaining bay between Waitangi and Opua wharf" still in a natural state
 - ecological damage and generation of boat traffic
 - vulnerability of the Te Haumi pipi beds to contamination from the marina
 - surety in marina management
 - question the handing over of the marina to a public body for it to run.

3. KEY TECHNICAL AND PUBLIC ISSUES OF CONCERN.

The key technical and public issues of concern are summarised below.

TECHNICAL.

Planning: The proposed up-grade of the boat ramp at Smith's Motor Camp, and the provision generally of boat ramps in the Opua-Paihia area.

The planning impact of the dredging and reclamation proposed.

Geotechnical: Confirmation of the land disposal option for dredgings. Confirmation that the proposed land disposal area can accommodate the material involved.

Allowance in the reclamation for a predicted 1.0 +/- 0.5m sea level rise over the next century.

Test batter design.

Hydrological:

Water Quality:

Biological:

A number of points are raised where statements and conclusions are considered not well substantiated in the EIA. These are:

- retention time of water within the marina basin.
- sedimentation.
- biological impacts.
- water quality.
- Te Haumi pipi bed.
- dredging, dredging disposal, marina construction.

Archaeological: The basic information has been obtained but it requires interpretation and assessment within a wider context than that presented.

An explanation of why destruction or modification of sites should be allowed is necessary, and the assumption that an archaeological excavation should proceed development also requires justification.

Traffic: The parking layout and the traffic circulation scheme on the east side of Waimangaro Creek requires revision to cater for parked cars and the delivery of fuel, removal of rubbish, and movement of heavy vehicles.

The suitability of the west side of the Waimangaro Creek for an upgraded boat ramp remains to be investigated in full. Alternative sites for ramps in Paihia and Opuia should also be evaluated.

Acoustics: Additional acoustic attenuation at the pile-driving rig may be warranted.

The noise levels associated with the operation of the proposed marina cannot and will not meet the requirements of the District Scheme, because background noise levels can at times be exceptionally low. A departure from the noise provisions of the district scheme will be required.

Landscape: The landscape material contained in the Paihia Marina EIA does not provide adequate answers about the landscape implications of the proposed marina, nor does it provide a base for arriving at conclusions in this respect.

A more rigorous investigation of the proposal's potential landscape impacts should be undertaken.

Maori Issues: Enquiries under this section should be referred to the Tai Tokerau District Maori Council.

PUBLIC

The Public Submissions identified commonly, the following technical issues of concern:

- (a) compatibility of a marina in Veronica Bay with the 'SA' water classification.
- (b) protection of the Te Haumi pipi beds from contamination by marina-derived waters.
- (c) lack of information on water movement in the area.
- (d) stability of the Waimangaro Creek channel if diverted.
- (e) dredging, and the dredgings disposal option chosen.
- (f) management of tributyl-tin antifouling plants in marina.

Other issues of concern were:

- (a) the assessment of alternative sites for a marina in the Opuia-Paihia area.
- (b) maintenance of existing uses of the bay.
- (c) proven demand for a marina complex.
- (d) maintenance or improvement of boat and public access to the bay.
- (e) assurance of efficient marina management to prevent, for example, the use or presence of TBT paints, or the dumping of waste into the waters of the bay.
- (f) a more comprehensive consideration of Maori concerns in the area.

CONCLUSIONS.

The Paihia Marina Environmental Impact Assessment is written in a satisfactory standard structure for such assessments, and addresses the relevant issues of concern to do with the proposed marina development at Veronica Bay.

Most of the technical issues raised by the Review Team relate to a need for further data to substantiate the conclusions reached in the EIA. Further information is particularly required on the:

1. Boat ramp facility,
2. Dredging disposal option,
3. Marine hydrology,
4. Effects on the Te Haumi pipi bed,
5. Landscape impacts,
6. Maori issues.

Clarification and/or further justification is required on the following points:

1. Archaeology,
2. Assessment of alternative sites,
3. Demand for the marina complex,
4. Access to, and use of, the bay by boat and by the public,
5. Assurance of effective marina management.

Revision of the boat ramp facility, and the traffic circulation scheme proposed is probably necessary.

APPENDIX I: MULTIPLE CONSENT PROCEDURES.

PREFERRED PROCEDURE FOR MULTIPLE CONSENT DEVELOPMENTS

Process

1. Develop Preliminary Concept

- (a) The level of detail required shall be determined by the proposer having regard to the scale, nature and likely environmental impacts of the development.
- (b) The concept report shall address - but be not limited to - the following matters:
 - (i) a description of the general development concept, the land or water affected and concept plans illustrating the proposal;
 - (ii) an examination of likely environmental impacts;
 - (iii) an analysis of existing technical data and likely data requirements;
 - (iv) a draft table of contents for an EIA (refer Appendix X);
 - (v) a schedule of the likely statutory consents required for the proposal.
- (c) The proposer shall circulate the concept report to the likely consent agencies.

2. Appointment of Steering Group and Lead Agency

- (a) The Steering Group shall consist of consent agencies only.
- (b) The Steering Group shall nominate a Lead Agency to co-ordinate the multiple consent process. The Lead Agency shall be selected from the following consent agencies:
 - (i) the Council, if any consent is required under the provisions of the district scheme, provided that, having regard to the scale, nature and likely environmental impacts of the proposal, and the corresponding level of resources and expertise required, the Council will seek the assistance of the Northland United Council (or it's successor);
 - (ii) the central government licensing or permitting authority if such a licence or permit is needed. In such circumstances relevant, the central government agency or the Ministry of Environment should take precedent over the Council;
 - (iii) the Northland Catchment Commission (or it's successor) if neither (i) or (ii) apply.

Purpose

1. Develop Preliminary Concept

- (a) This preliminary information and analysis will assist the various agencies in determining the nature of their jurisdiction and to identify particular issues which may be relevant to the proposal.

2. Appointment of Steering Group and Lead Agency

- (a) To provide a focus for co-operation between regulatory agencies. Particular functions are to:
 - (i) reach agreement on information requirements and to develop a timetable for consent procedures to be discussed at the scoping session.
 - (ii) to maintain contact with and offer advice to the proposer during the Environmental Impact Assessment preparation phase.
 - (iii) if the assessment is to be reviewed, to operate the review process - call for public submissions, produce the review.
 - (iv) to share information and expertise relevant to the project. This will be of particular benefit at the time each agency is processing its own required applications as it will have the benefit of information and advice which it may not otherwise possess acting alone.

- (c) The Steering Group shall formulate and agree to a time frame for the process, including the possibility of issuing decisions at the same time.
- (d) The Lead Agency shall provide the secretariat and venue for meetings of the Steering Group and/or any public meetings. The costs incurred by the Lead Agency shall be charged to the proposer.

3. Scoping Session(s)

- (a) To be attended by proposer and consent agencies. This can be widened to include other interested parties but the purpose of the meeting is primarily technical to agree on a process, not to debate at length the merits of the project.
- (b) The proposer should provide any necessary site plans, aerial photos, and environmental descriptions to support the concept report so that consent agencies can express specific concerns and offer useful suggestions.
- (c) It is important at this stage that the proposer is open to suggested alterations which is why the preliminary concept report does not require detailed supporting information. It is desirable that the proposer consults with other interested parties in the process of devising the preliminary concept, and that the results of this consultation are outlined at the scoping session.
- (d) Consent agencies should outline the consents required, the timetable for consent procedures previously agreed on by the Steering Group, the issues of particular concern, and all other matters to be covered in the EIA.

4. Preparation of Environmental Assessment

- (a) It is possible for a proposal to provide separate documentation to accompany each statutory application, specifically addressing the particular aspects pertinent to the consent being sought. The preferred approach is to produce a single document which contains enough information to meet the requirements of all the statutory consents which apply. For convenience this document is referred to as an environmental impact assessment (EIA) (refer Appendix X).

5. Review of Environmental Assessment

- (a) A Review of the EIA involves an opportunity being provided to the public and interested parties to make submissions (as distinct from

3. Scoping Sessions(s)

- (a) To respond to concept information. In particular to:
 - (i) identify all statutory consents required for the proposal;
 - (ii) identify issues of particular concern;
 - (iii) identify the matters to be covered in documentation to be prepared in support of applications and/or an EIA;
 - (iv) identify (if possible) any absolute constraints which may preclude the development proceeding. For example a consent agency may consider that under no circumstances could it consider granting consent to the proposal.

4. Preparation of Environmental Assessment

- (a) The primary purpose of an EIA is to provide an impartial discussion of significant impacts and to inform the public and decision makers of the measures which will be taken to avoid or minimise adverse impacts or to enhance environmental quality. It is desirable that they be concise, clear and to the point and shall be supported by the necessary environmental analysis. The purpose of the EIA is best served if technical data is summarised or referenced and by avoiding excessively detailed and overly technical information. The volume of an EIA does not bear on its adequacy.

5. Review of Environmental Assessment

- (a) A review seeks to check on the relevance, completeness and objectivity of the EIA in terms of environmental protection and enhancement

submissions, plus all other information at hand, will be used by the Steering Group to prepare a review of the EIA. The Review may be carried out either by the Steering Group collectively pooling their expertise and calling on specialist advisors as needed, or by independent consultants. Costs incurred with respect to the Review shall be charged to the proposer.

(b) The Review should be neither time consuming nor expensive within the context of the overall proposal. A period of one month for submissions, with another month for Review preparation will generally be adequate. The savings which can be made in time and money if appeals to the Planning Tribunal are avoided should be weighed against the time frame for this process.

(c) It is preferred that the Review should be completed and made available before all applications are publicly notified so that potential objectors are able to decide whether their concerns have been satisfied. The process can be streamlined by publicly notifying applications and preparing the review during the period available for objections.

(d) One important consideration will be that the notices calling for submissions on the EIA must be carefully worded so that the public is aware that they are being asked to comment on the EIA, not object to a statutory application.

(e) At the completion of the Review the Steering Group shall disband.

6. Statutory Consents

(a) Applications for statutory consent should be lodged simultaneously. Although objection periods and procedures may vary under the various Acts and Regulations may be involved, the advantages of the preferred process outlined in this appendix should outweigh the disadvantages of varying closing dates.

(b) Although all necessary applications could be made concurrently it is clear that no consent to one should be treated as being subject to prior consent to the others.

(c) Notwithstanding the above however, it is preferred that consent agencies, should - subject to statutory limitations - grant, or otherwise their consent in accordance with an agreed time frame, within reasonable or practical limits, but so far as possible to give rise to a right of appeal to the Planning Tribunal at the same time, or within a reasonable time span. Joint hearings and decisions with respect to the Water and Soil Conservation Act 1967 and the Town and Country Planning Act 1977, provide an opportunity in this regard.

details incorporated into the project's design. It enables government agencies and the public to comment on assumptions made in the EIA. In turn this allows agencies and applicants to improve their plans and decisions and encourages the resolution of potential concerns or problems prior to the statutory consents phase. In so doing the review has the potential to substantially streamline this phase, in particular by avoiding drawn out hearings and possible appeals to the Planning Tribunal. It assists the consent agencies by clearly defining outstanding issues and providing a sound basis for their own reporting on applications.

6. Statutory Consents

(a) It is not necessary to explain at length the purpose of statutory consents. However it is important to be clear where the responsibilities of the various consent agencies lie, and to explain this adequately in the public notification of applications.

SUMMARY OF MULTIPLE CONSENT PROCESS

- (1) Developer prepares concept plan.
- (2) Consent Agency Steering Group formed.
- (3) Scoping session.
- (4) EIA Preparation.
- (5) Call for submissions on EIA.
- (6) Review of EIA and submissions.
- (7) Applications advertised (Harbours, Planning, Water Rights).
- (8) Consents phase.

It is not possible to propose timings which will apply in all cases. Stages 1 - 4 are quite flexible and may vary as a consequence of a number of factors, such as the scale of the proposal. A period of one month is been suggested as adequate for the lodging of submissions on the EIA, and another month for Review preparation (although this too could vary depending on the site of the proposal). The length of the consents phase will vary according to the different mix of consents required - in particular planning consents may require processing of a scheme change, a conditional use, specified departure. Harbours Act 1950 approvals require lengthy objection periods. It is important however that the Steering Group establish a realistic and achievable time frame for the process at an early stage.

APPENDIX II: EIA REQUIREMENTS.

FORMAT OF AN ENVIRONMENTAL IMPACT ASSESSMENT

Introduction

The aim of the following format is to achieve uniformity in the presentation of environmental impact assessments. It is not intended to be rigid, but is open to modification of content and detail according to the type of assessment being prepared, and to the nature and scope of the proposal being examined.

It will clearly not be possible or desirable in all proposals to go into the type of detail, or be as thorough as the following guidelines imply as desirable. The scope of an impact assessment will reflect the scale, scope and the environmental significance of the proposal.

In preparing an assessment, care is to be taken to ensure that appropriate expert advice is sought. Environmental impact reporting requires a multi-disciplinary approach. Great care is to be taken to ensure that those consulted for specific technical or scientific advice are appropriately qualified to give such advice. Organisations should not feel bound to seek advice from departmental sources only, but should seek the best advice possible from within and without the central government agencies. Where the advice is likely to be of critical importance in assessing the environmental impact of a proposal, it may be desirable to consult more than one expert in the same field.

Written reports should conform to the following general layout, should be as concise and brief as possible, but should nevertheless embrace all relevant aspects of the environment.

General format

(1) Name of Proposal

(include name of relevant part of a larger proposal.)

Stage of Commitment

State whether at the concept, planning or design stage. State whether it is an approved programme of works (e.g. included in Power Planning report, Works Programme, forest planting or land development programme).

(2) Objective and Options

(a) the purpose of the action proposed;
(b) the options open to achieve the purpose defined where a particular option has yet to be determined, and the advantages and disadvantages of each option in terms of the objective.

(3) Description of the Proposal

(a) description of proposed action, including necessary technical data, photographs, maps and other information relevant to an assessment of the environmental impact of the proposal;
(b) reasons for following the action proposed including explanations for site selection and choice of locality, where relevant.

(4) Description of Existing Environment

(a) general description of the characteristics and condition, in qualitative and quantitative terms, of the existing environment prior to implementing the proposed action, including a definition of

the boundaries of the environmental sphere of influence for the purposes of the report;

(b) any special features such as the presence of critical plant or animal species and the stability of the current ecosystem. Where significant comment on geology, soils, flora and fauna, water quality, climate, hydrology and other relevant physical characteristics.

(c) relevant aspects of the existing human environment including land use, community patterns, man-made facilities and activities etc.

(5) Impact on the Environment

(a) environmental impact reports published for projects similar in nature to the proposal under consideration will provide a ready guide to the likely impacts, their magnitude and the way in which they interact;

(b) information about and advice on potential impacts may also be obtained from agencies of central government and the local authorities concerned. Local interest groups can also contribute useful knowledge;

(c) in considering each of the possible interactions, the following should be used as a guide:

- adverse and/or beneficial effects
- primary and secondary effects
- unavoidable effects
- immediate short-term effects
- long term effects
- the probability of an effect occurring whether or not any changes are irreversible or will alter or consume an irreplaceable resource.

In each case the magnitude, intensity and significance of the effect is to be assessed and areas of uncertainty (where there is sufficient information for an

evaluation) identified;

- (d) the new amenities, if any, created by the proposal should be identified.

who is to take full responsibility for the contents.

(6) Safeguards

- (a) identify the safeguards incorporated in the proposal to avoid or minimise adverse environmental effects;
- (b) the environmental effects of the safeguards should themselves be evaluated;
- (c) the possibility of remedial measures being taken later in the life of a project should be examined;
- (d) the additional safeguards which have been considered but which are not recommended and the reasons for this.

(7) Conclusion

Summarise the environmental impact of the proposal, the steps that would be taken to minimise adverse environmental effects, and the recommendation which the proposer would place before the decision making authority.

(8) Consultation

Individuals and agencies consulted for their expert views and advice or opinion should be listed and wherever possible their written views and/or recommendations attached to the report.

(9) References

Any reference work or scientific/technical papers used in environmental study should be listed.

(10) Responsibility for Report

The report which should be dated, should be signed by the representative of the proposer

APPENDIX III: TIMETABLE.

Bay of Islands County Council

Our Reference
PA 1945; EIA PDS:SF

.....
If calling, please ask for
Mr Ade
.....



County Chambers,
Main Highway,
Kawakawa, N.Z.

8th June, 1988

The Secretary,
Northland Regional Council,
Private Bag,
WHANGAREI.

Attention: S. Clayton.

Dear Madam,

Re: Paihia Marina - Multiple Consent Procedure.

Thank you for your attendance at the meeting of the Steering Group established to co-ordinate the multiple consent process for the Paihia Marina.

As Lead Agency for this project the Council is concerned to ensure that the preferred procedures for multiple consent developments are adhered to as much as possible. These procedures were set out originally in a resolution of the Council (October 1987) and subsequently in a similar but more refined format, in the Proposed District Scheme Second Review (1988) (Appendix Y). I understand that the Review of Environmental Legislation initiated by the Minister of Justice will be addressing the matter of multiple consents. Notwithstanding that legislative review process, I am pleased however that for a current proposal such as the Paihia Marina, the meeting was able to reach agreement on many of the matters discussed. For your records the following agencies were represented at the meeting:

Proposers: Bay of Islands Developments Limited (T. E. Kyriak)
Pacific Marina Developments Limited (Mike Barnes)
Gary Venus (Environmental Consultant)

Steering Group: Bay of Islands County Council (R. Ade, County Planner - Chairman)
Bay of Islands County Council (P. Stanley, District Scheme Planner)
Northland Harbour Board (W. McLennan, Research Officer)
Northland Harbour Board (T. Grove, Planning Consultant)
Northland Regional Council (S. Clayton, Planning Officer)
Department of Conservation (C. Hanford, Coastal and Marine)
Department of Conservation (T. Brandenburg, Coastal and Marine)
Department of Conservation (J. Blunt, Bay of Islands Maritime and Historic Park)

The meeting was in my view useful in that matters pertaining to the relevance, completeness and objectivity of the draft EIA were discussed and taken on board by the Proposers. It is my understanding that these matters will be examined with a view to amending the draft EIA in preparation for public release and review.

With regard to the multiple consent procedures, it is my understanding that the following matter were agreed to at the meeting:

1. Review:

- (a) To be undertaken by Northland Regional Council who may call on specialist advisors as required. On Thursday, 2nd June, I received advice that the Chief Executive Officer has agreed to this procedure.
- (b) Department of Conservation to liaise with Northland Regional Council during the preparation of its own review so as to avoid duplication and overlap.
- (c) Costs incurred with respect to the Review to be charged by the Northland Regional Council to the Proposers.
- (d) Completed Review to be included as part of planning application documentation.

2. Review/Statutory Application Timetable:

<u>Date (Approx):</u>	<u>Action:</u>	<u>Action Agency(s):</u>
31st May	Scoping Session	All
17th June	EIA to Lead Agency for Public Release	BOICC
20th June	EIA Publicly Released	BOICC
23rd June	EIA Publicly Notified	BOICC
	Harbours Act Application(s)	DOC
	Water Right Application(s)	NRC
25th July	EIA Submission Period Closes	BOICC
	Submissions Received to Review Agency	BOICC/NRC
19th August	Review Completed	NRC
	Review to Proposers and Steering Group	NRC
22nd August	Planning Applications	BOICC
23rd August	Harbour Act Objection Period Closes	DOC
25th August	Planning Application Publicly Notified	BOICC
19th September	Planning Application Objection Period Closes	BOICC
23rd September	Harbours Act Right of Reply Period Closes	DOC
October	Water Right/Planning Application Joint Hearing	BOICC/NRC
?	Water Right/Planning Application Decisions	
?	Harbours Act Decision	
?	Planning Tribunal	

N.B. The above timetable is not binding upon and may be subject to variation by any party at any time. The timetable is however intended to be a firm guide and should be adhered to as far as practicable and reasonable.

As Chairman of the Steering Group, I trust that the above discussion sets out the agreements reached at the meeting of 31st May. In the event that your understanding of the meeting differs from that set out above please advise the writer.

Thank you for your continued co-operation in this matter.

Yours faithfully,

A handwritten signature in dark ink, appearing to be 'R. G. Ade', written in a cursive style.

R. G. Ade,
COUNTY PLANNER.

APPENDIX IV: CONSULTANTS' BRIEF.

29 June 1988

File 910.7.1.2.1

REVIEW OF ENVIRONMENTAL IMPACT ASSESSMENT

PROJECT: PAIHIA MARINA

PROPOSER: PAIHIA MARINA JOINT VENTURE

CONSULTANT'S BRIEF

INTRODUCTION

The Paihia Marina Joint Venture propose to build a 245 berth marina in a small bay commonly known as Veronica Bay in the Bay of Islands Harbour, Northland, New Zealand.

Agreement has been reached between the developers and the statutory consent authorities involved that this development proposal shall go through the Multiple Consent Procedures outlined in the Second Review of the Bay of Islands County Council's District Scheme.

Part of the MCP process is a Review of the Paihia Marina Joint Venture's Environmental Impact Assessment of their proposed project. It has been agreed between the developers and the consent agencies that the Northland Regional Council will coordinate and supervise the Review of the Paihia Marina EIA. (Ref: Bay of Islands County Council letter 8th June 1988, PA 1945.)

REVIEW DOCUMENT

The Review Document will have three parts:

- 1. An independent technical audit of the EIA.**
- 2. A summary of public submissions on the EIA.**
- 3. An identification of the key technical and public issues of concern.**

REVIEW TEAM

The Northland Regional Council will review the EIA by forming a project team of specialists from its own staff and outside consultants as appropriate.

The task of the Review Team is to provide the Northland Regional Council with an independent technical audit of the Paihia Marina EIA.

Each team member is required to review the section or sections of the EIA assigned to them as follows:

- 1. Critically examine the base information in the environmental impact assessment. Comment upon the methodology used to gather the base information, the scope and accuracy of the data collected, and whether the data presented support the conclusions reached. (ie. technical audit of the Specialist Reports.)*
- 2. Provide an assessment of the incorporation of technical data in the EIA document itself; whether technical matters and conclusions from the Specialist Reports are presented satisfactorily.*
- 3. Point out any issues which should have been covered in the environmental impact assessment which have not been covered. (It is not the task of the Review Team members to provide alternative data, unless specifically requested to do so, but to point out any important gaps in the EIA data base.)*
- 4. Comment upon any other relevant matters where considered necessary to complete an objective and responsible review of the environmental impact assessment.*

TIMING OF REVIEW TEAM WORK.

Each Review team member is expected to complete the Review tasks within a maximum time of three working days. A Site visit should be incorporated into the Review exercise as appropriate. Any extensions to this working time must be discussed and approved by the Review Team Leader, and will only be approved if

absolutely necessary. The working time indicated includes the production of a Review report from each team member.

Team members should bear in mind that the end-user of the Review document will be, in most cases, non-specialist members of consent authorities and the general public. Your reports, whilst including specialist analysis, should be generally aimed at these users.

Final Review reports must be received by the Northland Regional Council at 4pm, Monday 25th July, 1988.

Any queries team members may have during the Review process should be directed to the Review Team Leader, Miss S. Clayton, at the Northland Regional Council, Whangarei.

Susan Clayton
REVIEW TEAM LEADER

APPENDIX V: REVIEW TEAM.

29 June 1988

File 910.7.1.2.1

REVIEW OF ENVIRONMENTAL IMPACT ASSESSMENT

PROJECT : PAIHIA MARINA

PROPOSER : PAIHIA MARINA JOINT VENTURE

LEAD AGENCY : BAY OF ISLANDS COUNTY COUNCIL

It has been agreed at a meeting held by the Bay of Islands County Council on the 31st May 1988 that the Northland Regional Council should review the Paihia Marina Joint Venture's Environmental Impact Assessment of their Paihia Marina proposal, costs to be charged to the Joint Venture, and the review to be completed by the 19th August 1988.

The central aim of the Review exercise is to provide the public and consent agencies with an objective technical audit of the EIA document. Public submissions will be summarised within the Review document, and the key technical and public issues identified.

The Paihia Marina EIA consists of one document in two main parts.

- (1) The EIA.
- (2) Specialist Reports.

The Review Team is as follows;

Team Leader; Susan Clayton, Northland Regional Council

<u>Section</u>	<u>Reviewer</u>
Planning	Susan Clayton, Northland Regional Council
Geotechnical	Bruce Judd, Northland Regional Council
Hydrological	Glen Mortimer, Northland Regional Council
Water Quality	Glen Mortimer, Northland Regional Council
Biological	Glen Mortimer, Northland Regional Council
Landscape Design	Brown Woodhouse, Auckland
Archaeological	Sue Bolmer, Historic Places Trust.
Traffic Engineering	Ross Hill, KRTA.

<u>Section</u>	<u>Reviewer</u>
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Acoustic Studies Works Consultancy Services, Whangarei.

Maori Issues Tai Tokerau District Maori Council.

Each of the Review Team will receive a Consultant's Brief outlining the Northern Regional Council's requirements. The Review Team members will be given a total of three working days to complete their review of:

- (a) the relevant Specialist Report,
- (b) the relevant parts of the EIA itself, and to
- (c) undertake a site visit, if necessary, then to
- (d) produce a technical report.

This work should be completed by the 25th July 1988 at the latest. This gives the Northland Regional Council three weeks to compile the technical reports, consider public submissions, and produce the Review document.

The Review document will be completed by the 19th August 1988.

S. Clayton.
REVIEW TEAM LEADER.