

Russell Protection Society Inc.
www.rps.org.nz

**Minutes of 89th Committee Meeting on Weds 7/11/2018
held at Cris'**

Present: Bob, Kiki, Maggie, Cris, Mark (Skype) for part
Not Present: Doug

Meeting began at 2.45pm

1. Minutes of the 88th Meeting on Weds 9/5/2018 were approved, moved by Kiki and seconded by Bob.

2. Treasurer's Report

Finances From 9 May 18 to 6 Nov 18

Statement Opening Balance 6 Nov 2018: \$6,245.07

Receipts

None

Payments

31 May 18: \$20,00 Bank Fee

5 Nov 18: NM de C Expenses (10 items see breakdown): \$499.35

Statement Closing Balance at 6 Nov 2018: \$5,725.72

NM de C Expenses Breakdown

NM de C (16 Oct 17): \$3.90 Postage

NM de C (14 Dec 17): \$39.98 Koha for Accountant Dec 2017 and
Speaker for AGM Jan 2018

NM de C (15 Dec 17): \$10.50 Paper Plus, Photocopying

NM de C (15 Dec 17): \$12.84: Paper Plus, Photocopying

NM de C (27 Feb 18) : \$175.00 NZ Post for PO Box hire

NM de C (31 Mar 18): \$22.94 Domains4Less, Domain Name

NM de C (02 Apr 18): \$19.00 Paper Plus, Photocopying

NM de C (19 Oct 18): \$138.00 Energise Web, Website hosting

NM de C (22 Oct 18): \$30.00 Russell Lights, Subscription

NM de C (28 Oct 18): \$47.19 Paper Plus, Digitising and USB drive

Unpresented Cheques:

None

Outstanding Expenses

BD (27 Feb 18): \$29.20 Photocopying & Postage of Museum Plans to Jeremy Salmond

Total Outstanding Expenses: \$29.20

Actual Balance at 6 Nov 2018: \$5,696.52

2018 Membership (1st Nov 2017 to 31st Oct 2018) as at 6 Nov 2018:

Receipt nos 8979-9010

Individual: 13

Joint: 19

Total subscriptions: 32

Total voting number, including 1 Honorary Member: 52

3. Correspondence

See Chairman's Report for correspondence relating to Resource Consents.

Correspondence In

9 May: Email from Jeremy Salmond, Salmond Reed Architects on his review of proposed Russell Museum design.

10 May: FNDC advised of new webpage onto which resource consent applications are uploaded onto:

<http://www.fndc.govt.nz/services/planning-and-development/planning-reports/>

11 May: Email response from Russell Museum Trustees inviting RPS to attend Trustee Meeting at 1.30pm on Mon 21 May.

17 June: Jan Henry, website designer, checking how things are coming along with the content for the website.

5 July: Invitation to RPS Representatives to view the latest Museum plans on Monday 9th July at Russell Museum.

14 July: Email from Sandra Scowen, Chair Eastern Bay of Islands Preservation Society asking if RPS would write a submission to the NRC against jetty and associated activities at Waipohutukawa Bay in breach of existing covenants.

24 July: Email from Kylie Cox, Executive Assistant, FNHL sharing link to FNHL media release <http://www.fnhl.co.nz/decision-reached-russell-wharf/>

30 July: Email from Jan Henry re setting up requested email info@rps.org.nz and associated issues.

12 Aug: Email from Jan Henry re subscription form for website. Mark sent copy of 2017/2018 form to Jan on 15 Aug

10 Oct: Email from Dee Wallace, Senior Analyst, Fisheries Management, Fisheries New Zealand advising of temporary fishing closure at Maunganui Bay with effect from Sunday, 14 October 2018

12 Oct: Annual invoice from Energise Web for webhosting - \$138.00

19 Oct: Annual invoice from Russell Enterprise for Russell Lights electronic subscription - \$30.00.

30 Oct: Russell Review inviting RPS to renew advert for the 2018/19 issue.

7 Nov: Letter from Kate Martin, Project Manager, Russell Museum asking RPS to comment on the latest iteration of plans for the redevelopment of the Museum

Correspondence Out

10 May: Email to Heather Lindauer, Chair of Russell Museum about now attending the May meeting of the Trustees.

12 May: Email to Heather Lindauer, Chair of Russell Museum confirming attendance at Trustees meeting on Mon 21 May and forwarding Jeremy Salmond's comments for discussion.

16 May: Letter to John Carter, Mayor, requesting that the transfer of ownership of Russell Wharf be put on hold and separated from the LTP process.

6 July: Acceptance of invitation to attend meeting to view and discuss latest plans by Russell Museum.

13 July: Draft website content, link to photos of Russell and copy of Draft Russell Community Plan sent to Jan Henry.

4. Chairman's Report

Resource Consents

Resource consent applications are now being uploaded by FNDC onto:

<http://www.fndc.govt.nz/services/planning-and-development/planning-reports/>

RPS has however experienced difficulty in opening the links received from Planners for comment.

Resource Consent applications are now also being processed by Consultant Planners. The following are Resource Consent Applications that the Society has responded to:

Resource Consent 2170286 – 15 Flagstaff Hill (Waitoto Developments)

Subdivision to create four coastal lifestyle lots and one utility lot.
Application Withdrawn and Revised. See RC 2180493 – 15 Flagstaff Road

8th May 2017: Resource Consent 2170418 - **5960 Russell Whakapara Road (Orongo Bay Holiday Park)**
The future development of 23 cabins and 2 recreational buildings.

9 Mar 2018: Didi Paraone, RMA Support, FNDC advised this application has not been approved as yet.

RPS to follow-up where this now application stands.

18th May 2017: Resource Consent 2170459 - **The Gate House, 1 Robertson Street**

To move a Soldier's Hut, erect a Georgian Cottage and erect a new Boat Shed.

Some landscaping to front has been undertaken. Property is now for sale

9 Mar 2018: Didi Paraone, RMA Support, FNDC advised this application has not been approved as yet.

RPS to follow-up where this now application stands.

8th September 2017: Resource Consent 2180122 – **5 Church Street**

To build a double garage with loft/craft studio and legalise 10sqm sleepout.

9 Mar 2018: Didi Paraone, RMA Support, FNDC advised this application has not been approved as yet.

RPS to follow-up where this now application stands.

22nd December 2017: Resource Consent 2180312 – 23 The Strand (The Waterfront Café & Max Kiwi)

Reconfiguration and expansion of café, demolition of gift shop to provide accessway to resident parking area for two vehicles and turning area, external changes to first floor residential unit and construction of a new studio apartment.

The Society supported the comments made by the Kororareka Marae Society. A key issue being the application contravenes the FNDC District Plan for the Strand Heritage Precinct that states "car parking and vehicle access is permitted, provided that it is not accessed off The Strand, or located between any building and The Strand". A request to publicly notify the application was made by RPS.

9 Mar 2018: Didi Paraone, RMA Support, FNDC advised this application has not been approved as yet.

RPS to follow-up where this now application stands.

Resource Consent 2180424-RMALUC & AUT.039761 - 6111 Russell Whakapara Road (Uruti Bay)

Approval was given without notification for the construction of a long wharf at Uruti Bay in an area containing shellfish beds. However, unapproved earthworks and tree-felling to put in drainage pipes were undertaken during the works with contractors being ordered to stop work by the Northland Regional Council after public complaints. RPS discovered from Marsha Davies that a Resource Consent Application was made on 12th Jan to retroactively address these non-consented works.

30th January RPS wrote to Zoe Steveson FNDC Planning and emailed Malcolm Nicolson CEO, Colin Dall GM Regulatory Services and Geoff Heaps Land Management Consents Officer at Northland Regional Council highlighting significant impact on shellfish bed and that the applicant should be required to reinstate the stream, re-vegetate the catchment area and plant a wetland marshy area to filter out sediment entering the marine environment. RPS also requested that the RC application be publicly notified.

Decision: Approved: By FNDC on 10 Sept 2018 and NRC on 14 Sept 2018

5th Feb 2018: Resource Consent 2180371 – 5 Toi Track, Orongo Bay

To create one additional Lot in the Coastal Residential Zone and land use consent for vegetation clearance and dispensation from the Fire Risk for Residential Unit rule for future residential dwellings on Lots 1 & 2. In addition an existing consent notice is intended to be cancelled and replaced with new conditions.

The Society commented that the site is located in the Edwards Tikitikioure Coastal Habitat Ecological Unit and the actual amount of existing bush to be cleared and cut and fill required is not quantified. In addition the proposed Lots have steeply sloping topography with poor drainage plus environmental constraints such as nearby oyster farms, high groundwater levels during extreme rainfall, and slope instability. The Society requested that all recommendations in the engineering reports should be made conditions of consent, along with covenanting the balance of the property including a landscape planting plan, plus controlling of pets.

RPS to follow-up where this now application stands.

21st Feb 2018: Resource Consent 2180444 – Te Wahapu Road

To erect a garage inclusive of guest accommodation breaching visual amenity, residential intensity, stormwater management, fire risk to residential units and earthworks rules in the Coastal Living Zone.

The Society commented that the proposed dwelling is contrary to the intent of the Coastal Living Zone as it entails the development of another large and separate dwelling on the property. In addition it would require substantial earthworks, stabilisation of the steep slope falling away to the coastal marine area, and a difficult and potentially problematic solution to wastewater disposal.

Furthermore there was risk that the dwelling could be subdivided off at a later stage. Describing it as garaging rather than a separate household unit in view of the number of bedrooms and bathrooms proposed was absurd.

RPS to follow-up where this now application stands.

23 Apr 2018: Resource Consent 2180596 – 150 Te Wahapu Road

To construct a new boat shed breaching the following rules: Setback from Boundaries, Visual Amenity, Stormwater Management and Setback from Lakes, Rivers, Wetlands and the Coastal Environment in the Coastal Living zone

The Society expressed its concerns that the proposed "boat shed" appears to also be a residential accommodation unit by virtue of the

complete bathroom, the height of the building (5.5m) versus height of the ramp doors (approx 2m) to get a boat in, the number of windows/sliding and French doors/glass.

RPS to follow-up where this now application stands.

10 May 2018: Resource Consent 2180629 - 11 York Street Back Four Square. Revised Application 2170260

To construct a dwelling breaching Building Height in the commercial zone

The Society advised that the revised design is an improvement in the exterior appearance of the building and is supported. However, issues still remain with the lack of provision for adequate parking which may result in further congestion on York Street and surrounding areas.

RPS to follow-up where this now application stands.

15 May 2018: RC 2180493 – 15 Flagstaff Road (Waitoto Developments)

Combined landuse and subdivision to create three additional residential lots, including one utility lot, vegetation clearance for house sites and vehicle access in the Coastal living zone

The application is being processed by a consultant planner, LMD Planning Consultancy and is a revision of RC 2170286

This is a revision of Application RC 2170286 and reduced from 4 to 3 residential lots, whereby Lot 4 has been incorporated into proposed Lot 3.

Given the steep, wet and unstable nature of the site the Society submitted that the stormwater and sewage disposal and access roading proposals be reviewed by an independent engineer; and that all environmental, archaeological and visual recommendations (ref letters from Doc, Heritage NZ and Hawthorn Landscape Consultants) be made specific consent notice conditions. In addition, given the potential effects of the proposal, the use of Prospect Street for access and number of responses from surrounding property owners, the Society requested the application be Notified.

RPS to follow-up where this now application stands.

1 June 2018: 2180464 -12 Long Beach Road (Dufus Trust Pensioner Housing)

To widen the access road, including construction of retaining wall on uphill side as well as constructing second entrance from Long Beach Road

The Society responded that it supports the expansion of pensioner housing in Russell and necessary site works to accommodate this. However, it requested that the Environmental Assessment and engineering, archaeological and landscape report recommendations to mitigate aspects of the proposed works be made clear conditions of consent.

The Society also noted that the intended expansion of pensioner housing will result in additional stormwater and sewage discharges, and it was incumbent upon the FNDC to consider what the ultimate capacity of the Russell Sewerage Scheme is and how this will serve to potentially limit future development elsewhere in Russell.

Works are on-going. RPS to request copy of Resource Consent Decision

5 June 2018: NRC Resource Consent APP 039825.01.01 –

Omarino, Waipohutukawa Bay

To construct jetty, boardwalk, wave attenuator, including dredging and other associated activities.

The Society advised that the Application failed to provide salient information regarding the legal context in which this Resource must be considered. Waipohutukawa Bay is in an area of “High Natural Character” (ref Northland Regional Policy Statement) and “Outstanding Natural Landscape” (ref Far North District Plan).

Furthermore, it disregards a previous Environment Court decision (ENV 2006-AKL-000193) that relates directly to the area in question. The Northland Regional Council was a party to this Appeal and signed a Consent Order under Section 108(2)(d) of the Resource Management Act, which is backed by a Covenant signed by the NRC, Ngatiwai Trust Board, Environmental Defense Society, the Eastern Bay of Islands Preservation Society and relevant property owners.

The Society therefore asked Northland Regional Council to honour it’s commitments outlined in the referenced Consent Order and Covenant, which clearly precludes the ability to erect, place, use or keep within the Coastal Marine Area adjacent to the land (or associated with access to and across the land) or permit any other person or organisation of any kind to erect, place or use or keep (on the land) any building, wharf, jetty, marina, boat ramp, or facility associated with access to the Coastal Marine Area (or across the land to the Coastal Marine Boundary) within a setback of 50 (20) metres seaward of (inland from) mean high water mark.

On 14 Aug the Society emailed Alissa Sluys, Consents & Hearings Administrator, NRC tendering apologies that RPS were unable to attend pre-hearing meeting at 285 Manawaroa Road, Parekura Bay.

On 26 Oct: the Society emailed Alissa Sluys, Consents & Hearings Administrator, NRC advising that RPS supports the planning report

and its recommendations and does not want to attend the Hearing on 14 & 15 Nov. The Applicants subsequently withdrew their application in the face of strong opposition from DOC and the Eastern Bay of Islands Preservation Society.

13 June 2018: Resource Consent Application RC 2180661 – **Lot 1, Rawhiti Road (Wellpark Properties Limited)**

To construct a new residential dwelling in the General Coastal zone.

The application is being processed by a consultant planner, LMD Planning Consultancy.

As the Application is for a site on the Cape Brett Peninsula, the Society advised it would defer to the Eastern Bay of Islands Preservation Society to express any local community concerns.

28 Sept 2018: Resource Consent Application RC2190183 – **48 Du Fresne Place**

The construction of a dwelling breaching excavation, setback and sunlight rules in the Coastal Residential Zone

The Society responded that it remains concerned that the coastal environment is adequately protected in allowing development in such close proximity to the coastal marine zone and would prefer a greater setback.

Response from Carine Andries, Resource Planner was that the site is a residential site created back in the late sixties and is located on top of a cliff approximately 20m above the esplanade. Given the size, location and topography of the allotment, there is little to no chance of re-positioning the dwelling, and there would be very little impact on the use of the esplanade.

5 Oct 2018: Resource Consent Application RC2190134 – **Northern Side of Tikitiki Lane (Waitoto Developments)**

A subdivision to create one additional allotment in the General Coastal Zone.

The Society responded that the integrity of the Coastal Zonings are vitally important in maintaining the containment and environment of historical Russell, and the application fails the intent, policies and minimum subdivision standards of the Zone by a wide margin. The Society found the information provided in support of the Application inadequate to demonstrate what the likely effects will be or whether it should be an exception to these important rules set down in the Far North District Plan.

30 Oct 2018: Resource Consent RC2190219 – ***49 Russell Heights To construct a residential unit breaching Visual Amenity, Sunlight, Stormwater Management, Setback from Boundaries, Fire Risk to Residential Units and Earthworks rules. Consent is also sought to vary an existing Consent Notice Condition.***

The application was discussed during the Committee Meeting. Bob advised that RPS was a party to the RMA Application which established the existing Consent Notice Condition. Also that he had been advised that the Applicant had removed mature trees, including from neighbouring land. Bob to respond on behalf of RPS this week.

Russell Wharf

FNDC adopted the Long Term Plan 2018-28, which included the sale of Russell Wharf for \$1 to FNHL.

On 18th May FNHL published plans and options for the proposed new Russell Wharf building.

<https://www.fnhl.co.nz/community-meeting/>

The FNHL community meeting to discuss the Wharf Redevelopment took place on 5th July. Only Bob and Maggie were available to attend.

The meeting was restricted to only discussing the redevelopment of the Russell Wharf building and two alternative design options B & C to the already consented option A, plus alternative option for the Swordfish Club weigh-station.

FNHL did not want to discuss other aspects of the development of the Wharf, including their future plans. Bob spoke briefly outlining major talking points, including the non-notification of the Resource Consent Application. FNHL defended their consultation process and claimed that they had no plans at this stage to further commercialise the Wharf.

On 23rd July the results Russell community survey were published outlining that 60% of the 139 submissions were in favour of the Wharf Building being redeveloped with the majority in favour of design option A.

<https://www.fnhl.co.nz/decision-reached-russell-wharf/>

FNHL had announced upgrading the Wharf would be completed by December 2018 but this appears to have been delayed until next year.

Museum

Jeremy Salmond advised that with some modification the proposed new Museum Building would not in his opinion adversely affect the existing character of the Strand Heritage Precinct. However, the colour palette needed clarification as well as further consideration of the treatment of the roof gable. Jeremy also felt the proposed building was facing completely the wrong direction and that it would be more appropriate (and efficient) to locate the primary entrance on York Street, which bring both public entrance and shop to the primary service street, and added benefit of allowing excellent views of the bay from the first floor library.

Jeremy's comments were sent to the Russell Museum Trustees for consideration, and Bob & Maggie attended the Trustee Meeting on Mon 21 May to discuss. They outlined the Society's concerns, including the need to hold a public meeting about the redevelopment plans for the Museum and that the Resource Consent Application should be notified.

On 9th July Maggie and Bob took up the invitation from the Museum Trustees to view the latest Museum plans. The meeting appeared to be limited to Russell organisations only.

Further to Kate Martin's letter requesting comments on the latest design of the Museum, Bob arranged to borrow copies of the final plans for review during the Committee meeting.

Some changes had been made to the exterior of the building in terms of cladding, windows and other design details, however the Committee were still concerned about the appearance of the building from the York Street frontage. Also colour of the building remained unclear.

The Committee were also disappointed that the Trustees had chosen not to hold a public meeting to present these final plans to the Russell Community. Also that they had ruled out asking for the Resource Consent to be publicly notified.

After discussion it was agreed by the Committee that Bob would write to Kate Martin, outlining the above, but also that

RPS firmly believes that all resource consent applications within the Heritage Precincts and Gateway Area should be publicly notified and the Museum was no exception.

5. Matters Arising

Not to hold a Spring Meeting this year. Moved by Cris. Seconded by Maggie. All in Favour.

6. General Business

Website

In July RPS provided Jan Henry with basic content for the website and photos of Russell.

Jan provided a link to the draft website in Sept, along with video walk-through explanation.

RPS also asked Jan to create a dedicated RPS email, but this was not possible due to the way the current hosting is set up. Jan suggested a variety of alternatives including changing webhosts.

The email addresss info@rps.org.nz appeared to have been taken.

Jan has therefore set up

russellprotectionsociety@outlook.com

The plan being to move towards mailings being sent from this address rather than Mark's personal email.

The Committee need to collectively review the draft website and provide additional photos and missing PDFs.

Mark is in the process of getting The Russell Handbook scanned.

Te Maiki (Flagstaff Hill) Vegetation Management Plan

Vegetation Management Plan completed and the 360 degree views have been re-established.

Action: Kiki to follow up whether interpretative development is still planned for Te Maiki.

Russell Community Plan

It is unclear whether the process and Russell Community Plan has been abandoned. A copy of the Draft (dated 24th Jan 2017) can be found on FNDC's website

Action: Bob to contact Janet Planet (Janet has informed Bob that Terry Greening is to take up and drive this process again)

Russell Sewerage & Water

A visit to the Russell Wastewater plant by Barry Somers, Assets Manager – 3 Waters, FNDC and representatives of community and iwi groups from Akaroa took place on 6 June, which included a visit to the borefield and meeting with the the Contractors who operate the Scheme. as well as separate one to one meetings with RPS and Terry Greening. The feeling of the Groups was that the Russell experience will usefully inform the Akaroa Community in choosing their future options for sewage treatment and discharge.

Bob had an informal meeting with Terry Greening in June where they discussed the town bore water supply via the Top 10 Holiday Park.

Apparently the bore water no longer meets public water supply conditions and has resulted in each recipient/user having to install their own ultraviolet treatment system.

Terry was interested in the review of water rights undertaken by Bob and Helen Pick over ten years ago and the meters which were put on commercial bores with a limit on how much each user/recipient could take.

It is noted that increasing demand on the bores by town businesses, including The Duke of Marlborough who has significantly increased its room capacity and intends to install its own laundry, means that the issue of future water supplies needs to be monitored, especially since seawater intrusion is progressively contaminating bores.

The redevelopment of the Russell Wharf includes a proposed pump out facility for boats as well as public toilets which will add to the pressure on both Russell's groundwater supplies and the longevity of its sewerage system. These proposed additions fall outside of the designated area for connection into the system.

Russell Forum

Approaching individuals belonging to other groups on rejuvenating Russell Forum has been put on hold until a more appropriate time.

7. Any Other Business

AGM minutes still need to be written up.

Meeting ended at 6.45pm