

From: [BDC Lgoima](#)
To: [REDACTED]
Subject: Official Information Request for Property Queries Ref: OIA 073/22
Date: Tuesday, 1 November 2022 4:39:00 pm
Attachments: [image008.png](#)
[211 Utopia Road - LGOIMA Response OIA 073.pdf](#)

Dear [REDACTED]

We refer to your official information request dated 25 October 2022 for property information.

The information you have requested is enclosed.

1. 46B Cobden Street – Hospital extension, what was the relative finished floor level on the building consent for the hospital extension built to in terms of flood levels and what year was the BC issued.

BC issued in 2000

The proposed flood level at 46B Cobden is 3.755 MSL

The build is set at 4.8000 MSL so well above – Confirmed in processing the report from Calibre Engineers -

2.1.2 FLOOD LEVEL

The WCDHB has nominated a design flood level of 1 in 100 years with a 1m sea level rise.

This is equivalent to a

finished floor level of 4.8m above mean sea level. This level has been provided by Land River Sean Consulting limited.

RECOMMENDATION FOR FLOOR LEVEL

Based on our analysis in the previous section, we recommend that minimum floor levels for an IL3 building are

based on the peak water levels presented in scenario 14 (100 year return period event, medium blockage

scenario and a 16% increase in rainfall and 1m sea level rise) plus a minimum freeboard of 0.5m. Design levels

are presented in Table 3 below.

*Table 3 - Summary of minimum recommended floor levels
location*

Minimum Floor level (m)

Existing Hospital Site 4.80

Pakington Street Site 4.82

2. 211 Utopia Road – when the property was subdivided in approx. 2007 there was a hazard risk report submitted as part of the application. Could we please have a copy of that report.

Please see attached information.

You have the right to seek an investigation and review by the Ombudsman of this decision.

Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact the Buller District Council by return email to lgoima@bdc.govt.nz.

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published shortly at <https://bullerdc.govt.nz/district-council/your-council/request-for-official-information/responses-to-lgoima-requests/> with your personal information removed.

Kind regards

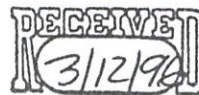
Sean Judd | Group Manager Regulatory Services
DDI 03 788 9614 | Mobile 022 31 00 883 | Email sean.judd@bdc.govt.nz

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RC94/44

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COPY

20 November 1996

Mr G R Millar
C/- Chris J Coll
PO Box 204
WESTPORT

- O'Toole & Tremaine
05/0019

Dear Sir

STABILITY OF UTOPIA ROAD PROPERTY

On the evening of Monday 22 July 1966 we inspected the shoreline of your property in Utopia Road, Westport. The property in question is Lot 1, DP 17546 Sections 145-148, Square 141, and Part Section 69, Block IV, Kawatiri Survey District. We understand that you have had a subdivision plan prepared for this property and have applied for a Resource Consent and that a requirement for unconditional consent for development is a satisfactory assessment of the erosion potential and mitigation proposals of your shoreline boundary. The inspection was carried out over the full 800 m of the boundary to see first hand the present condition of the shoreline to assist in the determination of the probable cause of the boundary having retreated between 100 m in the west and 250 m in the east since the 1880's, in making an assessment of the current erosion risk and to propose mitigation measures should they be necessary at some future date. Previously, in November 1992 we inspected the shoreline from your eastern boundary to Deadmans Creek on behalf of Mr Jack Garvey.

Your property was subdivided in the mid 1800's as a beach front block about 5 km east of the Buller River, 2.5 km east of the Orowaiti River mouth and 2 km west of Deadmans Creek. Major engineering works, commencing in the 1880's to develop Westport Harbour, included breakwaters over 1 km long. Such is the littoral drift on this coastline that it took only a few years for the bar to reform and the breakwaters were extended in sections up to 1916 to try and overcome this. Between 1966 and 1968 the last breakwater extensions were carried out such that the tips are now some 2 km from the original coastline. These latest extensions soon became outflanked by the drift and it now requires a reasonable dredging effort to keep the bar bound river mouth deep enough for cement ships and coal barges, the major users of the harbour. Further breakwater extension is highly unlikely.

The West Coast is an extremely dynamic coastline, being continually attacked by west to southwesterly Tasman Sea waves and swell. One estimate of the annual sediment budget on this part of the coast is in excess of 2 million cubic metres with drift predominantly to the north. At no time in the past could this beach have been considered stable in the long term and any change in the sediment supply, sea state, or coastal features is likely to have had some effect. There is now also the perceived problem of rising sea levels.

The major man made features in the area are the harbour breakwaters stretching more than 2 km from the historic coastline. These have caused the formation of Carters Beach to the west and it is probable that they have been a major contributor to changes to the east, including the erosion of your property, and changes to the mouth of the Orowaiti River.

Since records were first established in the 1880's and the construction of the first harbour breakwaters in the 1890's, the shoreline from the Buller to a point about 300 m east of your property has accreted beyond the 1880's beach. From Deadmans Creek eastwards the shore was in an erosion phase until the 1950's but in the last 30 years this section too has shown accretion although not yet as far as the 1880's beach. The only stretch where the coast is stable or eroding is in the 1.5 km in between, including the eastern 200 m of your property. Accretion east of the Buller River has also caused the mouth of the Orowaiti River to migrate 2.5 km to the east so it now enters the sea 500-600 m to the east of your eastern boundary and it is possible that the presence of this river mouth has been a major contributor to the erosion as the river mouth tracked eastwards. The river mouth allows high tide storm waves to come right to the foot of the land scarp with very damaging effects.

As well as the site inspection we have studied documents made available to us by Mr Coll. These include:

1. Plan Showing Sea Encroachment (Along Frontages Garvey, Plumridge and Sadler Bassett) Scale 1:10,000 showing mean sea level boundaries in 1885, 1888, 1905, 1914, 1954 and 1985.
2. Lot 1 Being Proposed Subdivision of Pt Sec 15 Blk IV, Kawatiri SD for J F Garvey and P M Maich.
3. Lots 1-11 Being Proposed Subdivision of Secs 145-148, SQ141 and SEC69 Blk IV Kawatiri SD for G Millar.
4. West Coast Regional Council, Deadmans Creek - River Training, J F Garvey.
5. 1988 Aerial Photographs. 1:10,000.
6. West Coast Regional Council letter to C J Coll dated 4 March 1992 regarding the Proposed Subdivision of Pt Sections 145-148 SQ141 and Section 69 Block IV, Kawatiri SD.

7. Personal statement regarding Erosion Problems at Utopia Beach by J F Garvey.
8. Correspondence regarding Resource Consent application RC 1994/0044 G Millar as follows:
 - Buller District Council (BDC) to Chris J Coll (CJC) dated 14 December 1994 with the Council decision on the application
 - CJC to BDC dated 2 February 1995
 - BDC to CJC dated 8 June 1995
 - CJC to Hunter Ralfe dated 24 April 1996
 - Hunter Ralfe to CJC dated 1 May 1996
 - CJC to BDC dated 23 May 1996
 - BDC to CJC dated 30 May and 10 June 1996

We also have in our possession a copy of NZMS 260 K29 - Westport and the Westport marine chart as well as many documents and reports for Westport Harbour going back to the turn of the century.

From the inspection and these reference we can make the following observations:

- i) The eastern boundary of your property is approximately 300 m west of the point at which the recent coastline changes from accretion in the west to erosion in the east. The erosional section of the coast only extends eastwards to Deadmans Creek and further east from here there is evidence of accretion in the last 30 years. In this context coastline means the sea beach and not the high water boundary in the Orowaiti Estuary. For the whole length of your property boundary land may have been eroded but the coast has accreted.
- ii) At the present time land can be directly threatened by the sea over a length of about 2 km from a point about 200 m west of your eastern boundary to Deadmans Creek, this being the area of the river mouth and where the beach dune shows evidence of being low enough to be overtopped on a very high tide. The area of your land most at risk at the present time is the eastern 200 m.
- iii) There are two long term risks: that the coastline in front of your property reverts to the erosional state; and the mouth of the Orowaiti moves westwards. As stated previously a dynamic coastline such as this can never be considered as stable but a complete change of habit will probably only be driven by construction works such as harbour breakwaters. This is unlikely to occur. We cannot say what conditions would cause the Orowaiti mouth to form westwards of its present location but are inclined to the view that if it did it would be caused by a single event such as a major flood with over flow from the Buller River and that it would not be permanent.

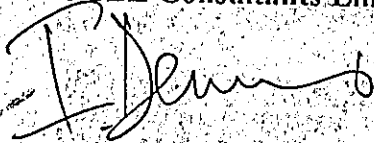
The letter from the Buller District Council to Chris J Coll dated 10 June 1996 requests three pieces of information: the rate of erosion of the property shoreline, the reason for Lot 6 width and how it will remedy or mitigate natural hazards, and the length of time Lot 6 will be effective in remedying or mitigating effects.

Regarding the rate of erosion all that can be said is that the shoreline has retreated up to 200 m since 1880 most of which has probably occurred as a response to breakwater construction. This ceased 30 years ago. The coastline has now accreted up to 400 m beyond the 1880 shoreline so the property boundary is now part of the Orowaiti estuary and has been stable for at least 15 years and possibly as long as 30. Currently there is no erosion and therefore no erosion rate and the questions of Lot 6 protection times cannot be answered in this context.

Should the Orowaiti River mouth become established opposite your boundary there is the very real risk of rapid erosion particularly on very high tides and during storms. Should this happen the Lot 6 buffer zone will not last very long. Your shoreline can be given protection in these circumstances by the construction of low rock groynes with a spacing of 3 times the groyne length and with the rock placed from 1 m below high water to 1 m above. These structures are easy to build and reasonably cheap. While it is not necessary to install them before the event means may have to be implemented to ensure future owners are aware of this possibility and accept responsibility for their construction. An alternative is a revetment but these are much more expensive and take longer to construct. As we have said on previous occasions, it is possible for a willing property owner to make provision for the protection of their, or future owners, property but if those on either side are not willing or under no obligation your works may be outflanked. Erosion control, in the unlikely event that it is required within an estuary or in the equally unlikely event that the whole coast reverts to an erosion state, is a regional problem and should not be left to the discretion of individuals.

Yours faithfully

OCEL Consultants Limited



F E Dennis

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14 December 2004

Mr Frank O'Toole

WESTPORT

Dear Sir

**PROPOSED FURTHER SUBDIVISION OF LOT 1 PART SECTION 69, BLOCK IV,
KAWATIRI SURVEY DISTRICT, UTOPIA ROAD, WESTPORT**

In accordance with your instruction we have reviewed the exposure of this Lot to coastal processes and inundation as required to apply for resource consent to subdivide.

We note that this present Lot was granted consent (RC1994/0044) in November 1997 following an extended period of investigations, reporting, peer review, and a hearing. The reports submitted and conclusions reached as a result of that process remain relevant and should be referred to in relation to your application to further subdivide. In general terms it was found that inundation was unlikely to be an issue for Lot 1, and that while a small risk of exposure to coastal erosion effects exists in relation to a possible significant westward movement of the Orowaiti River entrance, it was considered that Lot 1 "is unlikely to be subject to material damage from erosion". In granting the consent conditions, restrictions on building were imposed which effectively excluded building within 100 m of the erosion scarp at the time of subdivision. We note that there remains 50 to 75 m of neighbouring property between this Lot's boundary and the Orowaiti River bank.

In assessing the situation in relation to your present proposal to further subdivide we have carried out a site inspection including a GPS survey of the present erosion scarp position, reviewed recent historical information including aerial photographs, and observed the continuing development of vegetation on the sand spit opposite the site. Our conclusions are that within the accuracy that it is possible to establish the line of the erosion scarp from aerial photographs, there has been no change in position of the Orowaiti shoreline adjacent to this Lot since 1988. These positions are plotted on the enclosed drawings DR-041202-001 and 002. General observation also indicates that vegetation on the sand spit has become more dense and substantial over the last few years. This is likely to be enhancing sand buildup and hence stability of the spit, reducing the likelihood of the river mouth breaching or moving back as far to the west as this Lot. This is not to say that such an event will not happen. Relatively recent (1986) movement of the mouth caused significant erosion loss 350 m to the east as it allowed wave action to enter the estuary and attack the inner bank.

In conclusion, we confirm that in terms of exposure to coastal processes there has been no change with regard to this property in terms of physical loss or degree of exposure since the last subdivision consent was issued. On this basis we believe that the findings of that time remain relevant to your current proposal.

Yours faithfully
OCEL Consultants NZ Limited

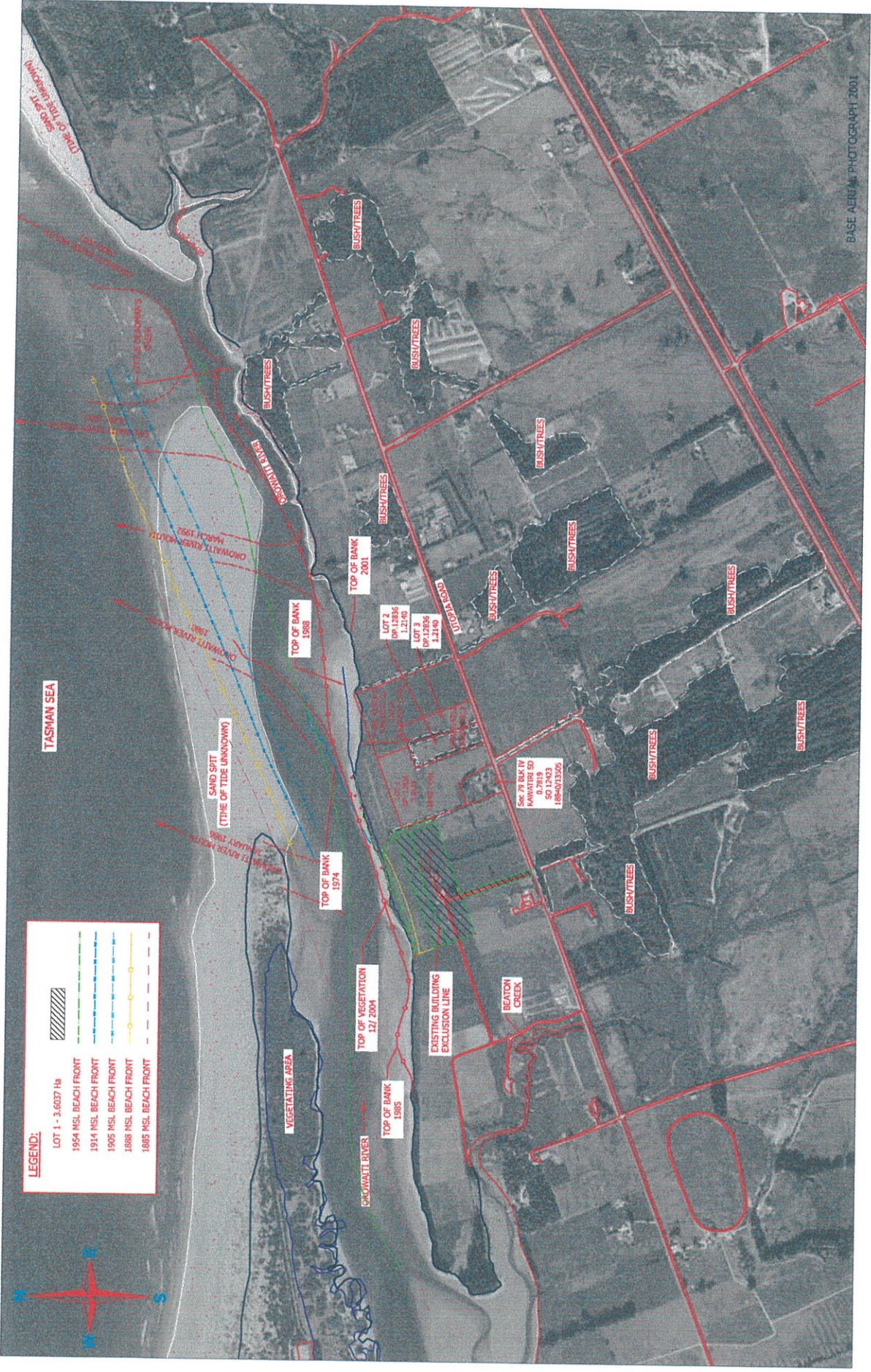
I W Goss



LEGEND:

- LOT 1 - 3.6037 Ha
- 1954 MSL BEACH FRONT
- 1914 MSL BEACH FRONT
- 1905 MSL BEACH FRONT
- 1888 MSL BEACH FRONT
- 1885 MSL BEACH FRONT
- VEGETATING AREA

ACID Titlemate 041522/04-0125-002		Scale 1:400 (A3)		Drawing No. DR-041202 -002		Rev. -	
MR. FRANK OTOOLE LOT 1 PART SECTION 69 UTOPIA ROAD - WESTPORT DETAIL PLAN SHOWING SHORELINES CHANGES							
This drawing and its content are unconditionally limited to the use for which it is prepared.							
CONSULTANTS LIMITED 99 Crown Hill Street PO Box 151 Christchurch New Zealand Tel: (03) 3790333 Fax: (03) 3790335				Drawn: [] Checked: [] Traced: [] Approved: [] Date: 12/04			
Revised	Date	Drawn	Issued for	Checked	Approved	Date	12/04



LEGEND:

[Hatched box]	LOT 1 - 3.6037 ha
[Green dashed line]	1954 MSL BEACH FRONT
[Blue dashed line]	1914 MSL BEACH FRONT
[Yellow dashed line]	1905 MSL BEACH FRONT
[Red dashed line]	1888 MSL BEACH FRONT
[Black dashed line]	1865 MSL BEACH FRONT

BASE AERIAL PHOTOGRAPH 2001

Scale	ACAD Filename
1:10,000 (A3)	0112020R-011202-001
Drawing No.	Rev.
DR-041202-001	

MR. FRANK O'TOOLE
 LOT 1 PART SECTION 69
 UTOPIA ROAD - WESTPORT
 PLAN SHOWING SHORELINES CHANGES

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Drawn	Checked	Traced	Approved	Date
				12/04

Rev'n	Date	Drawn	Issued for	Checked	Approved	Date

Amendments

COWAN & HOLMES LTD

LAND SURVEYORS, RESOURCE MANAGERS

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37 Mackay Street
Greymouth

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Ref: 5233

24 May 2005

District Planner
Buller District Council
P.O. Box 21
Westport
Attention: Helen Montgomery

BULLER DISTRICT COUNCIL

25 MAY 2005

Per

Chief Executive		
Mgr Operation		
Mgr Regulatory Services	✓	
Mgr Corporate Services		
Mgr Community Services		

Dear Helen

Resource consent application RC05/19 – F O’Toole & H Tremaine, Utopia Road, Westport

As earlier discussed with you, we have undertaken further work to clarify the location of the line 150m from MHWS on the above property, in relation to the subdivision sought in RC05/19. Please find enclosed a site plan which shows the approximate line of 150m from MHWS, on the proposed lots. As you will note, the line as shown leaves little room for proposed dwellings and associated activities to be fully contained in the area outside 150m of MHWS.

Therefore the applicants seek a minor change to the width of the proposed right of way on Lot 2, in order to maximise the area available for building on allotment (refer below).

They also wish to ensure that provision is made for some minor encroachment of residential activity within 150m of MHWS, on Lots 1 & 2. While the majority of the residential activity on the allotments will be undertaken outside the 150m line, a land use consent is required in order to allow for minor encroachment in to this area.

This is sought in order that the applicants can have some flexibility in seeking building designs that may extend within 150m of MHWS, or for siting of associated activities such as water tanks or sewage treatment and disposal systems in this area. A land use consent will provide certainty for the applicants and any subsequent purchasers, if the allotments are sold. As shown, any encroachment will be minor (for example, any part of a building would not extend further than 10m in to this area).

Amendments to the consent application are therefore as follows:

1. A reduction in the width of the proposed Right of Way easement, as shown on this attached Plan, from 6m as sought in the original application, to 4m. This would still comply with the minimum requirements of the Council, and no parties are affected by this change.

2. The building sites have been amended to specifically show minor encroachment in to the 150m area from MHWS. As noted above and shown on the attached plan, the majority of the residential activity will occur outside this 150m, but some residential activity may encroach in to this area. The amended sites shown are still well within the property's boundaries and the slight amendment is less than minor. The proposal will still comply with all other requirements for residential activities in the rural zone.

In all other respects the application is unchanged. I understand there are no issues associated with the above amendments, and you will now proceed to consider and decide the application.

Please call me if you consider the above raises any potential issues or if you have any queries. Otherwise we will wait to hear from you as to a decision on the application. Thank you very much for your time.

Yours faithfully,



Toni Morrison
Cowan & Holmes

Cc F O'Toole