

Notice is given that a Submissions Hearing meeting will be held on:

**Date:** Friday 9 August 2019  
**Time:** 9.00 am  
**Meeting Room:** Tasman District Council Chambers  
**Venue:** 189 Queen Street  
Richmond

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## **Submissions Deliberations Port Tarakohe Development Plan and Draft Business Case**

### **AGENDA**

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#### **MEMBERSHIP**

**Chairperson** Mayor Kempthorne

**Members** Cr Brown  
Cr McNamara  
Cr Sangster  
Golden Bay Community Board Chair: A Langford  
Mātauranga Māori Expert: K Stafford

(Quorum 2 members)

Contact Telephone: Tara Fifield  
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## **AGENDA**

**1 OPENING, WELCOME**

**2 APOLOGIES AND LEAVE OF ABSENCE**

**Recommendation**

**That apologies be accepted.**

**3 REPORTS**

3.1 Port Tarakohe Business Case Submissions and Deliberations Report ..... 5

**4 SUBMISSION DELIBERATIONS**

**5 CONFIDENTIAL SESSION**

Nil

***Councillors are please reminded to bring their folder of submissions to the meeting.***



### 3 REPORTS

#### 3.1 PORT TARAKOHE BUSINESS CASE SUBMISSIONS AND DELIBERATIONS REPORT

Information Only - No Decision Required

<b>Report To:</b>	Submissions Hearing
<b>Meeting Date:</b>	9 August 2019
<b>Report Author:</b>	Sharon Flood, Strategic Policy Manager
<b>Report Number:</b>	RSH19-08-1

#### 1 Summary

- 1.1 This report has been prepared to assist the Hearing Panel to hear submitters and deliberate on the Port Tarohe Business Case.
- 1.2 The Port Tarohe Business Case was publicly notified on 4 July 2019 and submissions closed on 30 July 2019. A total of 160 written submissions were received by the closing date, plus two late submissions, bringing the total to 162.
- 1.3 A copy of all submissions and attachments have been sent to the Hearing Panel.
- 1.4 Hearings are scheduled to take place at Council's office in Takaka on the 7 August 2019, starting at 9am. Deliberations are scheduled for the 9 August 2019 to begin at 9am in Council's Richmond office.
- 1.5 This report provides the Hearing Panel with a summary of the submissions received and discusses a range of matters raised in the submissions.
- 1.6 Staff appreciate the effort submitters put into responding to the proposal and the high level of written supporting information. There were a range of views expressed by submitters. We have attempted to capture as many of these in detail as possible. However, there may be viewpoints expressly not referred to in this report, but which have been considered.
- 1.7 Staff seek direction on any changes to the proposed Port Tarohe upgrade and redevelopment, for inclusion in a report which will be presented to Full Council on 29 August 2019.
- 1.8 Council will then need to decide whether to adopt the recommendations of the Hearing Panel.

## 2 Draft Resolution

### That the Submissions Hearing Panel:

1. receives the Port Tarakohe Business Case Submissions and Deliberations Report; and
2. provides staff with recommendations on matters raised in the submissions received on the Port Tarakohe Development Plan and Draft Business Case; and
3. notes that the Hearing Panel report will be presented to Full Council for consideration and adoption on 29 August 2019.

## 3 Purpose of the Report

- 3.1 This report provides the Hearing Panel with a summary of the submissions received and discusses a range of matters raised in the submissions on the Port Tarakohe Business Case. Staff seek direction on any changes and amendments to the proposed upgrade and redevelopment of Port Tarakohe. A report from the Hearing Panel, containing the financial implications of the project, is scheduled to be presented to Full Council on 29 August 2019.

## 4 Background and Discussion

- 4.1 The background to the development of the Port Tarakohe Business Case and a copy of the Business Case and Consultation Document were provided in Report RCN19-07-2 at the 4 July 2019 Full Council meeting.
- 4.2 At that meeting, Council resolved, pursuant to Section 82 of the Local Government Act 2002, to adopt the Business Case and Consultation Document for public notification on 4 July 2019, with submissions closing on 30 July 2019. Mayor Kempthorne (Chair), Councillors Brown, Sangster and McNamara, along with Golden Bay Community Board Chair Abbie Langford, were appointed to the Hearing Panel to consider submissions on the Business Case. Council also agreed that the Mayor could appoint an iwi member to provide a Mātauranga Māori perspective to the Hearing Panel. The iwi member appointed was Kura Stafford.
- 4.3 The role of the Hearing Panel is to consider the submissions received and recommend to Council any changes to the Business Case.
- 4.4 The attached submission summary and staff comments (Attachment 1) provide a discussion of the subject and, where appropriate, an indication of the staff views. These views have been discussed internally but, dependent on any further information presented by submitters at the hearings, some views may change.
- 4.5 The summary of submissions and staff comments have been arranged in order of the questions contained within the Consultation Document, with one exception. Where the topics relate we have collocated the questions together, to allow for a full discussion on the topic. For other topics where only one or a small number of submitters commented, these have been grouped under the heading 'Other Comments'.

- 4.6 The Hearing Panel will be required to write a report to Full Council outlining whether each submission point has been allowed or not, and their recommended changes (if any) to the upgrade and redevelopment of Port Tarakohe.

### Hearing

- 4.7 The Hearing will be held in Tasman District Council's office in Takaka on the 7 August 2019, commencing at 9am.
- 4.8 A summary of the submissions with staff recommendations is provided in Attachment 1. The submission summary is arranged by order of questions within the Consultation Document with the exception of some questions that have been grouped together as they relate to the same topic. This is followed by comments on specific submission points that fell outside of the main questions.
- 4.9 The Hearing deliberations will take place on the 9 August 2019 at Council's main office in Richmond.

### Marine Farming Association

- 4.10 The Hearing Panel should note that the Marine Farming Association and its members have not made submissions on the proposed Business Case. As members of the Working and Steering Group, and co-funders of the Business Case, they were of the view that their concerns and requirements for the Port were adequately addressed and discussed in the report.

## 5 Options

- 5.1 The obligation on the Hearing Panel is to hear and deliberate on the submissions received. Two options exist as a consequence of the public consultation process that has been undertaken. These are:
- 5.1.1 Option 1: (Recommended) recommend to Council any changes to the Business Case with regard to the upgrade and redevelopment of Port Tarakohe, based on the comments made by submitters (i.e. those accepted in full or part). This option will satisfy those submitters whose points have been accepted.
- 5.1.2 Option 2: Proceed with the proposed Port upgrade/redevelopment and Business Case with no changes. There are a large number of submissions received that raise a number of valid points that have merit. No change to the Port redevelopment would be seen as a failure to listen and will not lead to the most appropriate outcome. This is not the option recommended by staff.

## 6 Strategy and Risks

- 6.1 Once the public consultation process is completed and any amendments made to the proposed Business Case, it is proposed that Council apply to the Provincial Growth Fund for the capital investment required. There is a risk that the necessary funding may not be secured, meaning the project may not go ahead.
- 6.2 The Draft Business Case has considered climate change related impacts by adopting a long-term (50-year) outlook on upgrades to the infrastructure assets of the Port.

**7 Policy / Legal Requirements / Plan**

7.1 This review has been carried out in accordance with the provisions of the Local Government Act 2002.

**8 Consideration of Financial or Budgetary Implications**

8.1 There are significant costs associated with the upgrade and redevelopment of the Port. The changes recommended as a result of the submissions received, do not materially affect the proposed project budget of \$28.3m.

8.2 The report to Council on the 29 August 2019 with the Hearing Panel’s recommendations will also address the financial implications of the proposal and Council’s proposed application to the Government’s Provincial Growth Fund.

**9 Significance and Engagement**

9.1 The proposed upgrade and redevelopment is significant for the Golden Bay community as it impacts on their use and enjoyment of Port and surrounding area. The general public within the District are less likely to see this as a matter of significance to them. The consultative procedure followed is the process whereby the public can provide us with their views about the appropriateness or otherwise of the proposed upgrade of the Port.

**10 Conclusion**

10.1 There has been widespread community interest and input into the Port Tarakohe proposed upgrade/redevelopment. In total 160 submissions were received between 4 July and 30 July 2019. An additional two late submissions were received after 30 July 2019.

10.2 The report provides a summary of the submissions received and staff comment and where appropriate recommendations on each of the key areas and issues.

**11 Next Steps / Timeline**

11.1 Following hearings, deliberations, and recommendations on the matters raised in this report, staff will prepare a Hearing Panel report to Full Council for its meeting on the 29 August 2019. The Hearing Panel will have an opportunity to review the draft report before it is included on the agenda.

**12 Attachments**

1. Summary of Submissions and Staff Comments 9



## Submission Summary and Staff Comments to Assist Deliberations

### SUMMARY OF SUBMISSIONS RECEIVED

The proposed Business Case was publicly notified on 4 July 2019 and open for submissions until 30 July 2019. A total of 160 written submissions were received during this time period. One late submissions was received bringing the total to 161.

Most submitters answered the questions posed in the Consultation Document. In addition there were a number of other themes that arose and are addressed below.

The Table below provides a summary of the number of submitters agreeing or disagreeing with each of the questions posed, along with the total number of submissions received on each question. This Table does not include the two late submissions received, or the late changes made by two submitters to their online submission as they noted some questions were not correctly answered as they intended.

Question	Yes	No	Neither	Total number who answered or commented
01 Do you support the separation of commercial and recreational activities at the Port?	86	18	1	105
02 Do you support reconfiguration of the existing marina area to become a commercial marina with new floating concrete pontoons?	56	21	0	77
03 Do you support extension of the inner and outer breakwater arms to provide increased protection from wave action?	66	15	1	82
04 Do you support construction of a new recreational marina, including associated dredging?	63	18	0	81
05 Do you support dredging of the harbour for a future resilience rock ramp?	56	23		79
06 Do you support demolition of the existing timber wharf and construction of a new sheet piled wharf area?	64	11	1	76
07 Do you support repairs to existing concrete wharf?	68	8		76
08 Do you support upgrade of the power and water networks?	62	9	1	72
09 Do you support two new ablution buildings – one in each of the commercial and recreational areas?	66	16		82
10 Do you support Council changing the Port to a cost recovery model (as opposed to a profit model)?	20	53	4	77
11 Do you support the Port remaining in Council ownership?	60	3		63
11a If the Port remains in Council ownership, do you support ratepayers subsidising the commercial area?	6	43	4	53
11b If the Port remains in Council ownership, do you support ratepayers subsidising the recreational area?	60	6		66
12 Do you support Council only accepting a Government loan as opposed to a Government grant to fund the proposed upgrade? Any loan would mean that ratepayers	7	75	3	85

Question	Yes	No	Neither	Total number who answered or commented
would have to subsidise the loan repayments and servicing costs.				
13 Do you support the following non-commercial activities at the Port? (a) penguin nesting boxes; (b) extension of the waka ama ramp; (c) new ramp on outer wall near Boat Club for safety; (d) appropriate amenity planting; (e) new reserve area near entrance to the recreational area	106	1		107
14 Do you support saving \$868,000 by not constructing the new (resilience) concrete ramp?	33	40		73
15 Do you support saving \$486,000 by retaining the existing main wharf fender system, instead of replacing it?	29	34	1	64
16 Do you support saving \$570,000 by not constructing a sheet pile wall to the north of the new harbour manager building?	23	37	3	63
17 Do you support saving \$600,000 by not constructing the maintenance wharf for commercial boats?	41	27	2	70
18 Do you support saving \$1,290,000 by not constructing the third pontoon for the recreational marina?	30	36	1	67
19 Do you support saving \$145,000 by locating the public toilets close to the Boat Club, instead of locating them near the recreational marina and ramp?	25	43		68

Table 1 – Summary of Submissions Received

Submitter Locations are shown in Figure 1 below. The figure shows that the majority of submitters were from Takaka.

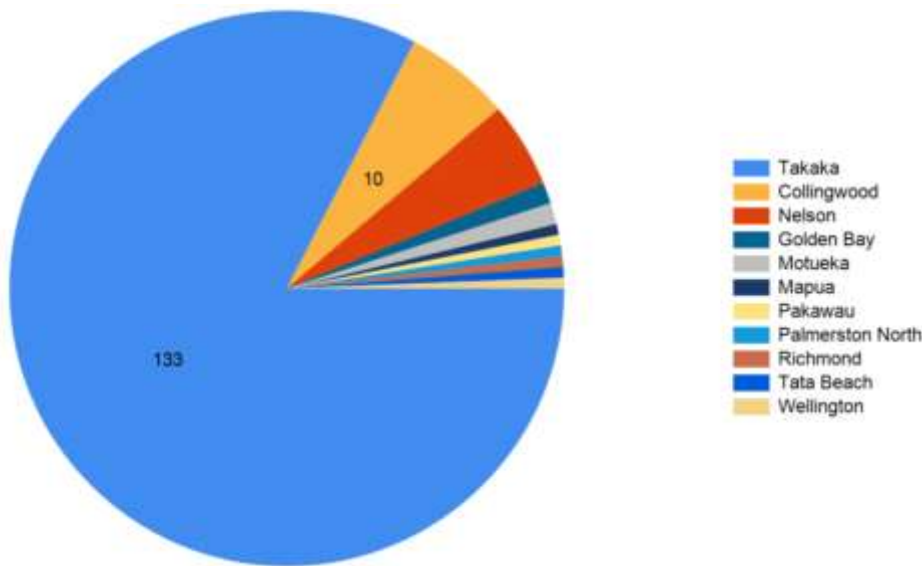
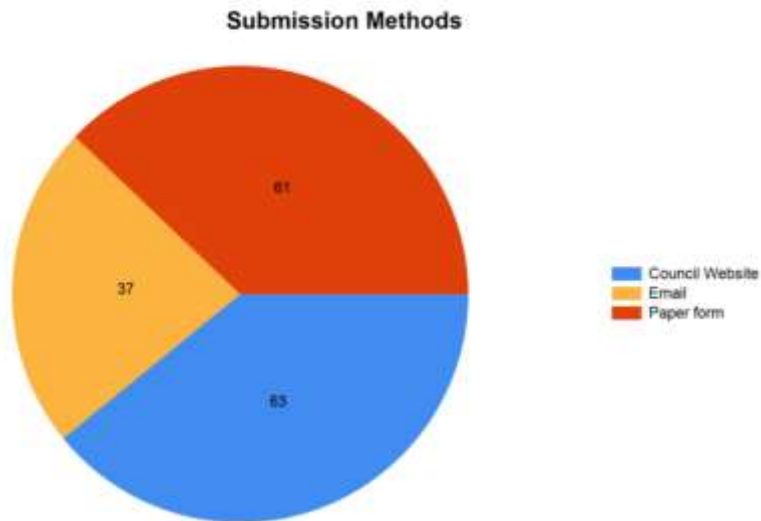


Figure 2 shows the method by which submissions were received. There was an even split between those received through our submissions database online and those received in hard copy via the paper form attached to our Consultation Document. A total of 37 submitters emailed their submission.



**STAFF COMMENTS**

Each of the questions posed in our Consultation Document are addressed below, in terms of the submissions received and staff comments.

**Question 1. Do you support the separation of commercial and recreational activities at the Port?**

In total 105 submitters answered this question, 86 supported the separation, 18 were in opposition and one provided comment only.

Of those in support, they noted that it made sense to separate the two uses making the recreational area a safer area to use.

A number of submitters noted they would like to see the recreational area expanded to include cafes, restaurants mussel sales and also beautification of the area. Some appreciated that recreational users were being given equal priority in the process, while others thought that too much consideration was given to commercial aquaculture and fishing space.

Of those that did not support the separation, they were opposed for reasons that it was not necessary; that the activities should be integrated; and that it was not cost effective to have separate facilities.

Staff Comment: Overall, the separation of commercial and recreational activities is supported by the majority of submitters. The proposal provides for both recreational and commercial users and is seen as positive for health and safety reasons. Port Tarakohe is unusual in that it is a commercial working port that also provides for recreational marina users. Generally these two uses are separated.

**Question 2. Do you support reconfiguration of the existing marina area to become a commercial marina with new floating concrete pontoons?**

Seventy eight submitters responded to this question; 56 in support of the proposal and 21 in opposition.

Only a few submitters provided comments with their responses. Of those who were in support, two commented that the plastic pontoons were never designed for use by commercial vessels. Three submitters supported the reconfiguration provided the commercial berths were charged on a user pays basis and the fees were reasonable. One submitter commented that they only supported this provided provision was made for commercial tourist vessels i.e. tenders or sea shuttles to use the marina.

Of those who opposed did so for reasons including that there was too much emphasis on the commercial area for the mussel industry, the extra cost, and that they did not support the expansion and upgrade or further commercialism of the marina.

Staff Comment: The new layout is designed to ensure the space is functional for the area. The proposed new layout is designed to accommodate the additional fleet and larger vessels that are being built to service the mussel industry growth. Space is also provided for other commercial vessels including fin fish, charter boats etc. The plastic pontoons in the marina have come to the end of their useful life and need to be replaced. They are not suitable for mooring the larger vessels and the final decision on the type of material to be used will be made during the final design phase considering the issues of cost, suitability and durability of each product. The existing floating concrete pontoons will be reconfigured, reusing as much of the existing structures as possible.

Not all the commercial berths in the marina will be required from day one as vessels will be added incrementally to the fleet as mussel production increases over time. From a construction viewpoint, there are economies of scale to develop the new layout including all the berths required. It also allows other non-commercial vessels to potentially use the berths in the short to medium term if they are not required.

### **Question 3. Do you support extension of the inner and outer breakwater arms to provide increased protection from wave action?**

In total 66 submitters supported this proposal, 15 opposed the proposal and one did not answer the question.

Of those that commented, three submitters raised the issue of the narrowing the entrance way and did not support it if it stopped the harbour from being able to self-flush. One submitter commented that it was important to keep the harbour as symmetrical as possible by extending the arms on both sides to maintain sufficient surge for silt removal. Submitters in support noted that the works were required to provide the necessary protection of the boats in the recreational area. One submitter raised concern over whether the floating wave screen would be strong enough for the eastern side and recommended that the rock wall needed to be extended from the penguin wall where the floating wave screen is proposed.

Another submitter in support noted that that the extension was potentially a resilience measure to protect the port from projected sea-level rise and climate change (more severe weather and storm events).

Submitters in opposition commented that the extension was not needed at this stage. One submitter was concerned that narrowing the gap would cause safety issues for boats entering and exiting the Port, while another was opposed due to the associated cost of the works.

Staff Comment: The extension of the inner and outer breakwater arms (moles) is necessary to provide protection of the inner Harbour from wave action. The existing wave model for the Port will be revised as part of the project. The model will include the new layout of breakwaters, marina, wave barriers and

dredging to confirm the most effective changes to the breakwaters. If the project goes ahead the wave modelling done by MetOcean, and the final changes to the breakwaters will not be confirmed until this model is complete.

With regard to the submissions about whether the wall needs to be extended from the penguin wall to where the floating wave screen is proposed, engineers have noted that extending the breakwater from the end of the middle breakwater would provide sheltered water. However, breakwaters do take up considerable space within the harbour due to the sloped sides. If a breakwater is 10m high from the seabed, with sloped sides suitable for rock revetment, it is close to 30m wide at the base.

In response to whether the floating wave screen will be strong enough for the eastern side, wave barriers are large floating concrete structures that sit in the water like a pontoon. They are approximately 2m deep under the water and are specifically designed to reduce the wave height.

The rock size required on these extensions will be determined by the size of the wave. Also by reducing the channel width, it will become more sheltered within the port, even with more frequent storm events.

#### **Question 4. Do you support construction of a new recreational marina, including associated dredging?**

A total of 81 submitters responded to this question, with 63 in support and 18 in opposition.

Those in opposition cited a number of reasons including that the current marina adequately serves recreational user needs; that the proposed new area was too exposed; it would create related carparking issues; and if the marina did need to move in the future, it could be located to the east of the outer area without the need for dredging. One submitter supported a change of use for the wharf with the focus on recreational use, where shared spaces would be designed so that several businesses could co-exist (similar to Wellington's waterfront).

Of those in support, 15 submitters provided comments. Four commented about the dredging required with two submitters seeking that a full environmental impact assessment be undertaken, while another submitter commented about the additional mooring capacity it would create. One submitter, a vessel owner, specifically supported dredging as currently there is an issue at low tide with an incoming swell, while another sought that the whole inner harbour was dredged to future proof the area.

One submitter raised a potential issue about the proposed sheet piling for the recreational marina and solid rock in that location. They recalled that there had been previous attempts to unsuccessfully blast rock in this location and were concerned about the cost implications.

One submitter commented on the disposal of the dredged material and considered that it was important that any dredging was carried out according to 'Best Practice', which includes testing of the material and that it be disposed of in a way that protects cultural and environmental values.

One submitter requested that consideration be given to a second floating wave screen for the smaller recreational boats on the eastern side in the proposed new marina due to the strong NW winds experienced in that area. Another submitter was concerned that the floating pontoon may not provide enough space for its function.

One submitter noted their support, but sought that the new recreational marina was fully completed with services before any vessels had to be moved from the existing marina. Another submitter noted that there

was a requirement to provide a dedicated number of catamaran berths with a minimum of 7.5m freeboard. One submitter commented about the associated carparks required, and sought that Council ensure this was met as per Councils current parking requirements.

Staff Comment: If the commercial and recreational activities are to be separated, a new recreational marina will be required. Various locations were reviewed by Stantec including the alternative location proposed by one of the submitters. That location was not the preferred site for a number of reasons.

Dredging is required due to the shallow depth of the water in that location. If the project is approved, staff will investigate the resource consent requirements. Any consent will address the environmental impacts of the dredging activity – including disposal of the dredged material. Dredging the whole harbour has been considered as part of the project, but the cost is very high due to the need of having to truck the dredged material for land based disposal. Pricing has currently allowed for dredged material to be disposed to land. Some testing will be required to confirm whether it is suitable for the proposed dumpsite.

With regard to the submission about sheetpiling, from the geotechnical information available, the geology is marine sediments over the top of Motupipi Coal Measures. Both of which are suitable for driving sheet piles into. Engineers are aware that there are isolated limestone blocks that have fallen off the cliffs historically, which are now buried. These blocks are too hard to drive piles into. It would be useful when the engineers start the detailed design phase of the project to have meet with the submitter if they have information about the location of these blocks.

With regard to wave screens, the submitter is correct. The more wave barriers that are installed, the more sheltered the area behind it will be. However, they are very expensive structures, so there is a limit to how many of these barriers we can afford to install. The proposed wave modelling will guide us as to the most sheltered area for locating the marina, within a reasonable cost.

We are not sure exactly sure what floating pontoon the submitter is referring to, but assume it is the proposed pontoon down the side of the boat ramp, which will provide access on and off trailer boats. If this pontoon is full, there may be ways of laying out the recreational marina pontoons so that a section of one of those could be used for the same purpose and provide more space to tie up while parking cars. This can be investigated during the detailed design phase.

With regard to car parking spaces for the marina, this issue will be addressed through the resource consent phase. Currently there are no specific parking requirements for marinas in the TRMP so we would look to other Councils as a starting point. As demand grows, the land currently leased by other users in the area will be reprioritised for this purpose.

#### **Question 5. Do you support dredging of the harbour for a future resilience rock ramp?**

A total of 56 submitters supported this proposal, while 23 were opposed.

Those submitters in support noted that there was a proven need for such a ramp in the Bay; that the environmental impacts of the activity must be taken into regard - including the penguins nesting and stingrays; that rock cannot go across a food grade wharf; and that as much of the inner harbour area as possible should be dredged to maximise its longevity and utilise the equipment location costs.

Of those submitters opposed, their reasons and comments included: it should only be considered if future impacts cause it to be necessary; if there is a civil emergency everyone will work for the common good of the community; the existing boat launching ramp can be used for this purpose; the disturbance will affect

the feeding opportunities for penguins; and the associated cost is too high. One submitter was of the view it would be better to dredge and immediately build the rock ramp, rather than wait until it is needed.

One submitter who currently uses the Port to transport dolomite and quarry rock wanted to ensure that they could continue to dump rock against the rock wall adjacent to the main road. They noted that it could not be dropped on concrete, and that the rock stockpile would need to be easily accessed from the rock ramp to allow an efficient turnaround between tides.

Submitters both in support and opposition to the proposal raised concerns about transportation issues. One submitter did not support rock export from the Port due to the damage it would cause to the roading network. Reference was also made to the related increase in carbon emissions from truck and vessel movements.

Staff Comment: Throughout the development of the Business Case, the provision for rock and dolomite export and a resilience ramp issue has been an area of debate as to the best layout and permanent verses rock. It was concluded that a rock ramp was the most preferred so that it could be established on a when and if needed basis. It would also allow the flexibility to develop the ramp according the vessels that would be using it. The parties agreed on the location and that dredging would be required.

Council do not envisage rock being handled in the same way as previously due to the damage caused to the wharf and the requirements for food safety good practices. Council intend to engage with the rock suppliers to agree on an appropriate rock handling facilities going forward. Staff believe that we will be able to develop a workable solution with input from the industry.

The issues regarding transportation are discussed below under 'Other Comments'.

### **Question 6. Do you support demolition of the existing timber wharf and construction of a new sheet piled wharf area?**

In total 76 submitters answered and provided comments on this question. Of those 64 supported the demolition and construction, 11 opposed, and one provided comment only. The submitter who only provided comment suggested that Council also sheet pile the north side to provide more flat space on the wharf, two more berths, and wharf frontage thus providing an additional revenue stream. This issue is addressed further in Question 16 below.

Most submitters acknowledged that the timber wharf was derelict and needed to be removed for health and safety reasons. One submitter noted that the old wharf timber could be recycled and used for landscaping around the Port or local artisans could use it to reflect the Port's historical past.

One submitter in support questioned whether sheet piling was required and if this was the most effective option given that the surge would be reduced within the Harbour with the extended rock arms.

Only one submitter in opposition provide a comment. They noted that the justification for the demolition was unclear in the Business Plan, and that it should only be considered if it is necessary to maintain current usage of the marina.

Staff Comment: As noted by submitters the old timber wharf is currently in a derelict state and is not safe for use. It is currently fenced off to prevent access and Council had programmed funds to remove the structure in its LTP 2018-2028. Its removal was put on hold while the Business Case was developed to ensure any works complemented the Port upgrade. Page 8 of the Stantec Report (Appendix G to the Business Case) provides a photo and detail regarding the wharf.

With regard to whether the new wharf area should be sheet piled, our engineers have commented the sheet piling is just to provide a vertical face at the edge of the land to maximise the amount of water space available for berthing. The sheetpiling will be installed at the edge of the current ground level so there is no need to construct a pile and beam wharf over the water space.

**Question 7. Do you support repairs to existing concrete wharf**

Of the 76 submissions received on this proposal, 68 were in support, while eight were in opposition.

Those opposed did not provide any comment. Those in support made comments that it is required and that we must bring it up to current safety standards and maintain our asset. Others noted that any associated environmental impacts must be addressed including the treatment of any water runoff. Two submitters noted that the users should pay for the upgrade and it should not be a cost borne by the general ratepayers.

Staff Comment: The concrete wharf was built in 1997 to service the then Golden Bay cement facilities. It is a heavy duty wharf that has a concrete fender system designed to cater for the large berthing loads expected from the cement ships at the time. A condition assessment of the wharf and fender system was undertaken by Stantec to identify the repairs required. The cost of the repairs to the wharf and fender system are estimated to be in the order of \$250k for both structures. This cost is minimal compared to a full wharf replacement. The Business Case originally included a full replacement of the fender system (\$486k) as this would be the preference for use by the mussel industry as the current fender system has some health and safety issues for loading and unloading the vessels. However, that in order to reduce costs, the proposal is to upgrade the existing fender system instead (\$100k).

**Question 8. Do you support the upgrade of the power and water networks?**

Of those submitters that responded, 62 were in support, nine opposed and one provided comment only.

The submitter that provided comment only requested further information as they were unsure why the upgrades were needed and how they would be done. They also queried the benefits to the wider community.

Those submitters in support comments ranging from those that noted it was a basic requirement given current situation, that the existing firefighting hoses were not adequate, that the proposed upgrades were short term and not long term solutions, and that users should pay rather than the general ratepayers. One submitter sought that the power on the recreational side of the Port be upgraded as it was seen as currently inadequate.

Two submitters in opposition noted that the existing networks were adequate to serve the current demand and that there was no need to upgrade them.

Staff Comment: In order to provide for the basic needs of the Port, water and power facilities must be upgraded. The provision of a potable water supply is critical to the anticipated commercial developments. In order to supply the required potable water the engineers have recommended that the system is connected to the Pohara Valley water supply scheme and that water is stored in nine 30 cubic metre tanks. Appendix E of the Stantec report provides more detail on the proposal.



With regard to power supply, a high capacity power supply will be required for the Port. To do this a new transformer and improved reticulation will be required. There are ongoing discussions with Network Tasman over the requirements. Power services will be provided to the new recreational marina area as part of the proposal.

**Question 9. Do you support two new ablution buildings – one in each of the commercial and recreational areas?**

A total of 82 submitters replied to this question. 66 submitters were in support, while 16 submitters opposed the proposal.

Submitters in opposition noted that the proposal was too expensive and that the Pohara Boat Club have provided toilets, showers and laundry facilities as part of their lease for the last 20 years. Therefore, another facility in such close proximity on the recreational side was not needed. Others queried why the Boat Club does not provide use of these facilities free of charge for the general public.

Some submitters in support noted that the commercial ablution block was needed, while others opposed it. One submitter queried why the existing toilet block could not be upgraded rather than replaced with a new one, while another submitter requested that Council ensures the recreational sizing is equivalent to highest capacity day.

Three submitters requested that the recreational toilet block be located adjacent to the marina. This issue is covered in more detail under Question 19 below.

Staff Comment: Prior to the development of the Business Case, Council were planning to upgrade the toilet block and office block and had designs prepared. The current ablution facility on the wharf is inadequate and not fit for purpose. The new layout will allow public access on the wharf as it will be located outside the secure area.

During early consultation with key stakeholders, an additional toilet was requested in the recreational area to cater for those users. The Pohara Boat Club does have facilities within its building. Currently Council has a lease arrangement in place whereby it pays the Boat Club to provide showers and toilets for public use that staff understand are between the hours of 9am to 5pm. If the new long term lease arrangement could be negotiated whereby 24 hour public access was provided, this is one area where potential savings could be made. The decision is also dependent on the decision as to the location of the recreational ablution facility as discussed in Question 19 below.

**Question 10. Do you support Council changing the Port to a cost recovery model (as opposed to a profit model)?**

A total of 77 submitters responded to this question with 53 in opposition, 20 in support and four that made comments only.

Submitters felt strongly about this question, with the majority of those in opposition making comments. A common theme for those that opposed a cost recovery model was that, as this is a commercial venture, it must make a profit and Council should not be subsidising commercial users. Two submitters proposed that if required Council could operate the Port at breakeven for the first 10 years, then run it at a profit after that.

Of those submitters that supported the proposal, several submitters were only in support of this model for the recreational assets only. One view was that Council has a mandate to provide for recreational use, therefore the recreational share should be subsidised by rates. One submitter qualified their support as they did not want any ratepayer funding and that there should be enough funds to cover the depreciation of the asset.

Staff Comments: As set out in the Consultation Document, Council's Financial Strategy is to manage its commercial assets to make a return on investment. This does not align with the Business Case which proposes that the Port is operated on a cost recovery basis. Council staff are in the process updating the Business Case model to ensure it is consistent with Local Government Financial obligations. Various scenarios are being modelled and will be reported back to the Full Council meeting on 29 August 2019.

### **Question 11. Do you support the Port remaining in Council ownership?**

A total of 63 submitters responded to this question, with 95% in support of Council retaining ownership of the Port.

Of those that commented the majority sought that the Port remain 100% in Council ownership and that it should not be handed over to another party to own or operate. Some commented that it was critical that Council retain ownership to ensure that future development, port charges and profitability were not biased by any commercial third party. Their view was that Council has a role in ensuring that all potential users have access to the Port in the future. One submitter noted that Council could sell the commercial side and retain ownership of the recreational assets, while another suggested that management of the Port should be the responsibility of the Golden Bay Community Board.

The three submitters in opposition did not comment.

Staff Comment: There is clear support for the Port to remain in Council ownership and under Council management. Council currently owns the Port and manages it within its commercial portfolio. Currently there is no appetite by Council to sell the port or devolve responsibility.

### **Question 11a. If the Port remains in Council ownership, do you support ratepayers subsidising the commercial area**

Of the 52 submitters that responded to this question, 43 were opposed to any ratepayer subsidy, six were in support, and three provided comment only.

Of those submitters opposed to a subsidy their view was that the commercial area needed to pay its own way and not be ratepayer subsidised. Only one submitter in support commented. Their view was that Council should subsidise building of the infrastructure of the commercial area and that users should pay per tonnage of product, in and out, through the wharf gates.

Of the three that provided comment only, one was unsure and the other two supported the Port being operated on a cost recovery rather than profit basis.

Staff Comment: Council do not currently subsidise Port Tarohe with ratepayer funding. The Port is currently run as a closed account where all associated costs, including Council overheads are borne by the Port users –recreational and commercial. There is no appetite from submitters to change that arrangement.

**Question 11b. If the Port remains in Council ownership, do you support ratepayers subsidising the recreational area?**

A total of 66 submitters answered this question with 60 in support (91%) and 6 in opposition.

Several submitters in support noted the wide community benefit provided and that the recreational area should be subsidised like other Council owned infrastructure such as recreation centres, sport fields, halls and libraries. Others submitters noted that it could be subsidised until the Port's commercial activities generated enough profit to cover all the costs, or allow for a recreational subsidy.

Of the submitters who did not support such a subsidy, they did so for reasons that the commercial operators should be charged a sufficient amount to support all the Port costs; there should be no continual subsidy but could use specific grants for community recreational use of the Port, and that operating costs such as the operation of the boat ramp should be borne by users.

Staff Comment: As discussed above in Question 11a, currently there is no ratepayer funding of the Port. A large majority of submitters however are supportive of providing a ratepayer subsidy to the recreational/public good component of the Port. Staff are of the opinion that there is merit to carrying out further analysis regarding the possibility of rate funding and whether it would be target or general rate funded.

**Question 12. Do you support Council only accepting a Government loan as opposed to a Government grant to fund the proposed upgrade? Any loan would mean that ratepayers would have to subsidise the loan repayments and servicing costs?**

In total 85 submitters responded to this question, with 75 opposed, seven in support and three who provided comment only.

Of the 88% who opposed the proposal the majority wanted Council to apply for a 100% grant. One submitter suggested that there could be a compromise with a grant and a small loan, while another suggested this was being too narrowly focused and suggested other options including community shareholders, crowd funding, research leases, visitor tax, fishery industry resource tax etc.

A number of submitters made reference to Councils general high debt as well as the Port debt of \$4.1m and did not support any further increase in debt. Some suggested that if a grant was not successful then the commercial users should be responsible for funding the upgrade and repaying any loan. One submitter noted that they did not support the business case and only supported the grant for minor repairs and safety aspects of the proposal. Another submitter supported gradual development and a pay as you go financing model, while one submitter felt there should be poll to gauge support for ratepayer funding.

Six submitters supported applying for a grant for \$35.1m for the project.

Of the seven submitters who answered yes to this question, two of those that commented appeared to actually support a grant as opposed to a loan. One submitter was of the view that the projected increase in mussel farming was too risky and that if Council did undertake the development that it should not happen at the expense of other sectors. One submitter suggested that only part of the project be undertaken so the numbers balance, or alternatively that the recreational marina is developed and the berth licences sold to pay for the development.

Staff Comment: There is clear support from submitters to seek a Government grant for the project as opposed to a loan. Council staff are updating the business case model to ensure it is consistent with Local

Government Financial obligations, and various financial scenarios are being run. This matter will be reported back through to Full Council on the 29 August 2019.

**Question 13. Do you support the following non-commercial activities at the Port? (a) penguin nesting boxes; (b) extension of the waka ama ramp; (c) new ramp on outer wall near Boat Club for safety; (d) appropriate amenity planting; (e) new reserve area near entrance to the recreational area?**

Of the submitters that responded to this question 99% supported the majority of the proposals, with most also providing comment.

There was strong support (26 in total) of the Mohua Blue Penguin Trust's submission, with many more commenting on their support for a little blue penguin (Korora) precinct, the development of a penguin attraction, and the creation of an area for shorebirds. The Mohua Blue Penguin Trust's submission (#20613) and Professor John Cockrem's submission (20580) provides detail regarding the creation of an environmental precinct on the western arm to protect the Korora from predators and also create a shorebird nesting sanctuary at the far end of the breakwater. The Trust also proposed that an information board is designed, that an observation platform be created to allow public viewing of the Korora, and that the road speed in the area be lowered to help reduce the deaths of Korora on the coastal road. Other submitters also supported the reduction of the road speed and other measures to help prevent Korora road deaths.

A small number did not support the extension of the Boat Club boat ramp used by the waka ama and sailing boats or the new safety ramp proposed on the outer wall. A number of other submitters noted the need to provide both ramps for reasons of usability and safety for users. Two submitters noted that it is important the recreational area was landscaped with picnic tables and the ability for a café to be established.

The one submitter that did not support the proposals did not provide any comment as to why.

Staff Comment: Staff strongly support the creation of a Little Blue Penguin/ Korora precinct and an area for shorebirds to protect the colony of birds currently nesting and using the site. The details of how and the best solution to achieve this should be worked through with Manawhenua Ki Mohua, the Mohua Blue Penguin Trust, Professor Cockrem and the community. Staff note that the inner rock arm on the western side will need to be open to access for those using the new proposed recreational marina. It cannot be totally blocked off from public use as indicated in Professor Cockrem's submission. An alternative would be to fence the seaward side of the rock arm to protect the Korora.

There is majority support for the other non-commercial activities, which are relatively low cost and add value for the environment, users and local community.

### **Cost Saving Options – Questions 14 - 19**

The following questions were asked to gauge community support. Each of the projects were originally identified as part of the upgrade works in the Business Case. Due to the total project cost coming in at \$35.1m, these projects were removed in order to decrease the cost to \$28.3m.

Unfortunately, as a result of the way the question was worded in the Consultation Document, there has been some confusion in the responses that we received in written form. Staff have attempted to clarify

with submitters where it was apparent they had misinterpreted the questions. The online submission questions were clearer and did not have the same issue.

**Question 14. Do you support saving \$868,000 by not constructing the new (resilience) concrete ramp?**

There was a mixed response to this question with 40 submitters in opposition and wanting to see the ramp constructed, while 33 submitters supported the savings.

Of those that did not support the proposal they were of the opinion that it was essential and should be done immediately to provide resilience for the area and not staged later. Two submitters noted that a dedicated rock facility was required if the wharf could no longer be used.

Those submitters in support noted that a ramp could be constructed quickly if and when required both for rock export and for resilience, and that it did not need to be concrete. One submitter suggested that the recreational boat ramp could be used, while four others noted that rock volumes were declining and that ratepayers should not subsidise the development and expansion of private businesses.

Staff Comment: This question should be read in conjunction with Question 5 above, which discusses the associated dredging required for the resilience rock ramp. There were concerns that a concrete ramp would limit the size of the vessel and the time of day that rock could be barged. The experience during Cyclone Gita proved that in times of an emergency, a rock ramp can be quickly and easily constructed to fit vessel requirements. There is some debate over whether parts of the ramp could be constructed as part of the project.

**Question 15. Do you support saving \$486,000 by retaining the existing main wharf fender system, instead of replacing it?**

In total 64 submitters responded to this question, with 29 in support, 34 in opposition and one submitter that provided comment only.

Of those in support only a few made any comment. These included that they supported this provided it was safe to use and that it would not endanger users. Another noted that it could be resourced and managed as required.

Those in opposition noted that the current fender system had some health and safety issues, that it was essential and that there would never be any funds to do it later. Two submitters were of the opinion that the full upgrade should be undertaken with no staging, while another submitter sought that changes should be undertaken incrementally as funds became available.

The submitter that provided comment only, noted that if it is fit for purpose then leave it, otherwise it should be fixed. Their view was that stopping the swell was the main priority.

Staff Comment: The preference of the Marine Farming Association (MFA) is to replace the fender system with a new system fit for purpose. Currently there are some health and safety issues with the fender system as identified in the Health and Safety review completed by Guard Safety (Business Case Appendix E). As part of the process to identify cost saving measures within the project, MFA supported this proposal. They propose to use wharf cranes and other measures to address any health and safety concerns with loading and unloading their vessels.

**Question 16. Do you support saving \$570,000 by not constructing a sheet pile wall to the north of the new harbour manager building?**

A total of 63 submitters responded to this question. 37 submitters opposed the savings measure while 23 supported it, and three provided comment only.

Those in opposition supported the construction of the wall as it would allow more flat land for the wharf area, provide two more marina berths and additional wharf frontage. They saw this as a potential revenue source as the area could be leased for profit. Another submitter who supported the wharf extension questioned why sheet piling was being used and if this was the most cost effective option.

One submitter suggested that the \$1M allocated for the purchase of the wharf cranes be removed from the project, as they are a depreciating asset, and that the sheet pile wall be constructed instead. Five other submitters also objected to the proposal to fund wharf cranes as part of the project. Some submitters were of the view that each boat should have an onboard crane for loading and unloading and that these are costs that should be borne by the commercial users. One submitter supported having one mobile crane on the wharf, and saw no need to have the four proposed fixed cranes.

One submitter commented that all vessels (recreational and commercial) should be able to refuel at the wharf and that a floating boom should be installed in case of any oil spill. They also sought that quarantine facilities should be available if and when needed.

Of those in support of not doing the work, only three commented. One submitter was of the view that it was not necessary, another did not believe that ratepayers should subsidise the development and expansion of private business, and one thought any cost savings would be easily eroded due to inflation and project cost overruns.

Of the three submitters that provided comment only, two were unsure what the intention of the wall would be. One commented that if it was required then the most cost effective method should be used for its construction.

Staff Comment: Ideally this project would be undertaken if the funds were available. As mentioned it would create more wharf area and provide additional marina berths for the commercial vessels. The sheet piling of the area was identified as one project where savings could be made. It was seen as not crucial for the functioning of the wharf and could be undertaken at some future date if required.

The sheet pile would have provided a vertical face at the edge of the land to maximise the amount of water space available for berthing. The sheet piling would be installed at the edge of the current ground level, meaning there would be no need to construct a pile and beam wharf over the water space.

The business case assumes the cranes will be owned by Council. Given space constraints, and the potential growth of activity at the Port, it may be impractical to have multiple cranes owned by multiple parties. The most practical model is for Council ownership of the cranes with charges established for the usage built into the fee structure. The intention of the development is to allow multiple users to unload at the wharf at the same time, hence it is envisaged that a mixture of fixed and mobile cranes will be needed. On-board cranes currently present challenges for the industry due to the large tidal range. Further work would be required to determine exactly what was need and how best to manage and recoup the costs of the cranes.

**Question 17. Do you support saving \$600,000 by not constructing the maintenance wharf for commercial boats?**

A total of 70 submitters responded to this question, with 41 that agreed, 27 that opposed and two that provided comment only.

Of the submitters that supported the construction of a maintenance wharf, they commented: that the development would encourage small businesses in Golden Bay and provide work for local engineering companies; that there is a demand and costs can be recovered through direct charges or commercial berth rental; and that there is no other port in the Bay that provides for maintenance.

Those that did support the savings made by removing this project from the Business Case did so for reasons including: the commercial sector should construct and pay for this on their own; that is was not needed; and that ratepayers should not subsidise private business.

Of the two that provided comment, one was of the view that the project could potentially be delayed until the number of commercial boats increased to a level where it was required, while the other suggested that the maintenance of all boats in Tasman and Golden Bay was a significant issue and that some kind of haul out/maintenance area was needed.

Staff Comment: Ideally the commercial port users would like a maintenance wharf to be constructed as part of the upgrade/redevelopment works. However, they have helped to identify this as one project that could be delayed to help reduce costs. As the number of commercial vessels increase over time to service the forecast mussel growth, this project could be relooked at as to whether it is necessary and how it could be funded.

**Question 18. Do you support saving \$1,290,000 by not constructing the third pontoon for the recreational marina?**

There was division amongst the submitters that responded to this question, with 30 in support, 36 in opposition and one that commented only.

Of those submitters in opposition and who wanted the pontoon constructed as part of the project, the majority were of the view was that it was required and that if it was cheaper to do it now and if it wasn't built now it never would be. One submitter supported the construction only if it was needed to meet more demand. Another submitter was of the view that there was no space for current walk-on and swing mooring users without the third pontoon. However, they noted that there would be little room for users of the current public ramp to get to the pontoon if it was constructed. They also queried where vehicles and boat trailers would park and whether allowance had been made for the recreational roadway to be sealed with speed humps.

Those submitters who supported delaying the construction of the third recreational pontoon were of the view that it wasn't urgent and could be delayed. One noted that it could be driven by the increase in commercial boats which would deliver the incentive. Two submitters noted that the recreational sector should pay for the construction and use of this through port charges, while another did not believe ratepayers should subsidise any development and expansion of private business.

The submitter that only provided comment was of the view that the pontoon was expensive and that there was no point constructing this if the roll/swell into the harbour could not be controlled.

Staff Comment: The proposed new recreational marina includes two piers that will cater for a mixture of berth sizes from 10m up to 20m and up to 33 vessels. The two piers are designed to cater for the vessels currently using the marina, but it is acknowledged that space for dinghies was not included. During the detailed design phase the area could be reconfigured to ensure it provided a best fit/best use area.

A larger area will be dredged to allow the construction of the third pier if and when demand arises. As one submitter noted, it is possible to continue to allow some recreational vessels to be moored within the commercial space, if demand requires, until such point that the industry has its anticipated full contingent of mussel boats and support vessels.

The construction of the recreational marina will mean the loss or displacement of some of the existing swing moorings within the Port. Once the wave modelling is completed, we will be able to determine where these moorings can be relocated within the Port area. It is acknowledged that swing mooring holders will not want to pay marina fees. Council has recently undertaken a mooring review which excluded Port Tarakohe.

The cost of the third pontoon is significant at nearly \$1.3m. It has been identified as an area where savings can be made, with any future need reassessed with demand.

**Question 19. Do you support saving \$145,000 by locating the public toilets close to the Boat Club, instead of locating them near the recreational marina and ramp?**

Of the 68 submitters that responded to this question, 43 opposed this option, while 25 were in support. Question 9 also addresses the construction of the ablution blocks and should be read in conjunction with this summary.

There was widespread opposition by submitters to this proposal as they were of the view that the facility should be located adjacent to the marina and boat ramp where it was needed. They noted that there are already toilets and showers available at the Boat Club and that additional toilets were not needed in this area. Submitters noted that the facilities needed to be available to marina and boat ramp users where they were needed – not 350m away. Some submitters commented that locating the facilities nearer the marina and ramp would also future proof the area in anticipation of increasing tourism/wildlife/penguin attractions at the site.

Some submitters sought that water, power and sewer services should all provided to the end of the recreational arm/rock wave barrier.

Of those submitters who supported the proposal and who provided comment, it appeared that they misunderstand the question. Four submitters noted that there were already facilities provided by the Boat Club and that recreational users required their own facilities at the top of the boat ramp.

Staff Comments: With 63% of submitters in support of the facility being located out near the marina and boat ramp, staff suggest that this proposal be revisited as to whether this could be accommodated within the budget. There is demand for the facility where it is needed, and merit in future proofing the area, especially if penguin/Korora watching does become a future visitor attraction.

Staff were also unaware that the Pohara Boat Club provided access to their toilet and shower facilities in the same location as the new one is proposed. It is noted however that access is limited between the hours of 9am to 5pm. The Boat Club lease is currently being re-negotiated. If a decision is made not establish a new ablution block near the marina and boat ramp, it is suggested Council negotiate 24 hour



access to the Boat Club facilities. This would mean a new recreational ablution block would not be required, saving a further \$100k in the budget.

### **Question 20: Any Other Comments**

A large number of submitters provided additional comments in support of their submission. There were a number of common themes raised by submitters that are individually discussed below.

#### **a) Traffic and parking**

Several submitters expressed concern over the increase in mussel production and the flow on impacts in terms of an increase of road traffic and the impacts on users (including pedestrians, cyclists, rock climbers, and tourists), and wildlife. Others noted the increased traffic expected during the construction of the upgrade. One submitter was specifically concerned with road quality, safety, width, and site lines between Abel Tasman Drive and Pohara Valley Road. They proposed a number of measures to help mitigate these impacts including Vision Zero, and an active transport corridor from Pohara Valley Road to Abel Tasman Memorial carpark. A separate submitter queried the impacts of increased traffic impact on our roads including Takaka Hill and Motueka Bridge.

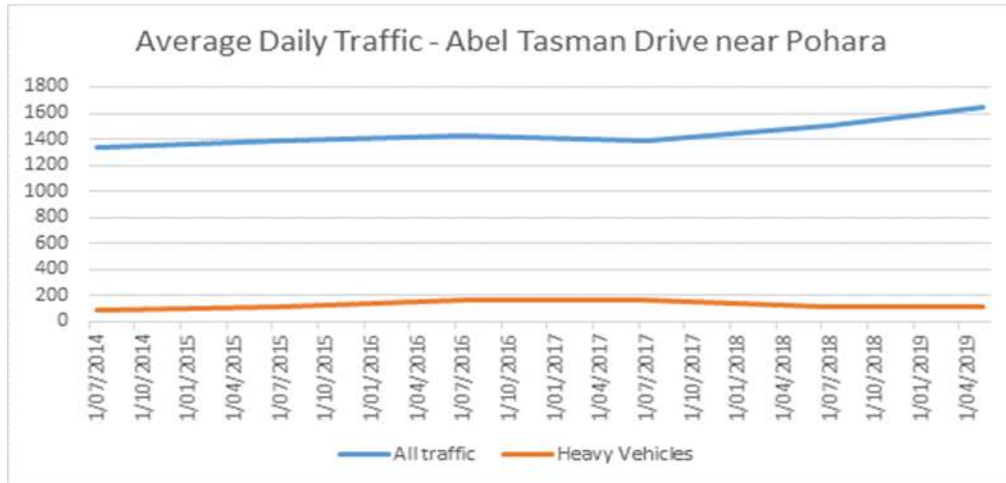
One submitter sought that the road on the western recreational arm of the Port be tarsealed and speed humps installed. A small number of submitters noted that the environmental effects of increased truck traffic needed to be costed and considered in light of Government's proposed carbon reduction targets.

With regard to the recreational carparks, one submitter was concerned that there were no specified carparks in the concept plan for permanently moored recreational boats. Their view was that there should be one carpark provided per mooring.

#### Staff Comment

The nearest traffic counting site on Abel Tasman Drive is about 300m west of Pohara. This shows average daily traffic of 1,650 vehicles per day, of which 7% (or 116 vehicles) are classified as 'heavy vehicles' or trucks (July 2019 count data). Truck movements appear to have peaked in 2016 and 2017 when 171 and 166 truck movements per day respectively were counted. This is likely to be related to the transport of rock to Port Tarakohe for barging to Wellington.

An anticipated increase from 8,000 tonnes to 41,000 tonnes of mussels across Port Tarakohe annually would represent an increase in truck movements of around 1,200 loaded trucks per year (one way), or an average of 8 truck movements (4 trucks in, load then out) per day. This would represent a 6-7% increase in truck movements on Abel Tasman Drive compared with present. The road pavement will be able to cope with this modest increase in truck movements, although it will have a marginal effect on the rate of deterioration and need for maintenance. A portion of maintenance costs for roads are funded by heavy vehicles through the national Road User Charge (RUC) system.



Item 3.1

Attachment 1

Staff acknowledge that the current road has very little provision for pedestrians, cyclists and other vulnerable road users. There is a shared walkway/cycleway maintained by Council that runs between the Pohara campground to near the bowling club. In 2019 construction of a shared pathway from Takaka to Pohara will begin. The shared path requested by submitters would be constructed from the end of the existing path, to Port Tarakohe, a distance of approximately 1.5km. Given the modest increase in traffic resulting from the proposed Port development, it would be unreasonable to require construction of a new path to mitigate effects of traffic from the development. This means the path would need to be considered by Council in its Long Term Plan 2021-3031.

Staff acknowledge that the proposed path would be a great asset for road users and the community to improve both safety and encourage active transport modes. The Golden Bay Cycle Strategy produced by the Golden Bay Cycle and Walkway Society in 2018 listed Pohara to Wainui as a medium priority for the community, ranked below proposed paths from Takaka to Pohara (already committed by Council), Takaka to Collingwood, Takaka to Paines Ford, and Upper Takaka to East Takaka Road turnoff. This means that should Council decide to allocate more funding to new paths in Golden Bay, the community have other higher priorities paths they want completed first.

With regard to carparks for those using the marina, although the concept plan does not show the carpark spaces, they will be available. If and when demand increases, there is land available to provide the parking required. There are also a number of parking spaces out on the western rock arm adjacent to the marina.

### **b) Recreational Marina and Swing moorings**

One submitter was of the view that the new proposal meant the loss of 29 recreational berths and six swing moorings. They requested that the six swing moorings be reinstated within the Port and that consideration be given to where dinghies would be parked.

Two submitters queried whether more vessels would be better to be accommodated on a fore to aft mooring system.

Another submitter was concerned with the layout of the recreational marina. They were of the opinion that it was inefficient with a lot of pontoon being constructed that provided no berthage. They wanted consideration to be given to a more efficient configuration.

### Staff Comment

Originally the third recreational pontoon was included in the Business Case. When this was identified as a cost that could be removed from the proposal, it meant that the smallest of the berths were also removed. This is an area during the design that could be relooked at to provide some smaller berths. This would create more recreational berths.

The current layout does not provide for the swing moorings that will need to be removed to make space for the new recreational marina. Due to the vast difference in cost, these users unlikely to want to berth their vessels at the marina. The proposed extension of the breakwaters is to provide more shelter within the Port including the eastern side. Wave modelling will be undertaken to confirm this. There could potentially be additional space in this area for more moorings.

The closer to the Boat Club the more exposed it is to waves. Detailed design will confirm if there is a more efficient layout of the proposed marina to match the size of the vessels needing berthage.

### **c) Noise and Light**

A number of submitters raised concerns over noise and light pollution that currently comes from the Port, and were concerned over the proposed increase in boats. A number also raised the noise issue in relation to any proposed upgrade and construction. One submitter noted that they were concerned about these issues not only in the harbour but also across the Bay from Wainui to Pakawau. One submitter requested that industry be required to modify their boats to reduce the noise from their engines and winches.

Submitters noted that currently vessels are operating from 5am through to 10pm at the Port. One submitter sought that Port commercial operating hours limited to between 7am and 8pm each day while another sought an 8am and 8pm operating restriction.

### Staff Comment:

The issue of boat noise from vessels coming and going from the Port has been raised with the marine farming Industry. The New Zealand Marine Farming Association have responded by putting in place measures to assist in minimising the noise from vessels, these include encouraging all vessels to maintain low revs (under 5 knots) until they are at least 1 nautical mile from the Port with a gradual increase from there to the marine farming sites. They have also agreed that vessel operators will investigate ways to quieten the noise from their exhaust systems.

There are no noise standards in the Coastal Plan, primarily due to the difficulty in measuring and identifying the sources of noise and the difficulty enforcing them. However, under section 16 of the Resource Management Act 1991 every person carrying out activities in the coastal marine area are required to adopt the best practicable option to ensure that emission of noise does not exceed a reasonable level. Working with the industry to find the best practicable option to reduce noise from vessels is Council's preferred approach to address the issue. The Port has been operating as a commercial port for over the last 100 years. There has been an increase in the number of noise complaints over the last year, possibly in association with new home ownership in the area.

Council turned its mind to the issue of noise during the resource consent process for the applications within the aquaculture management areas. Under the TRMP Rules (25.1.4.1 and 25.1.4.2) the effects of the marine farming on natural character and amenity values, including visual and noise effects are not matters of discretion or assessment except in one aquaculture management area (AMA 2 (I)). Vessels transiting to the mussel farming site and working on site can be addressed under section 16 of the Resource Management Act 1991.

Noise during construction activities in the Port will be addressed by conditions (noise standards and hours of operation) in the relevant resource consent for the activity, the New Zealand Standard for construction noise and the noise standard in the TRMP for permitted activities on land.

**d) Other Comments**

Iwi sought protection of the wāhi tapu sites and associated taonga. Manawhenua ki Mohua in their submission sought that Council consult on the proposed work at the port entrance (barrier arms) including rock infill, and that they are included in the archaeological and cultural assessments relating to power and water upgrades and the new ablution blocks. *Staff Comment: We have been working with Manawhenua ki Mohua and iwi during the development of Business Case, and intend to work with iwi throughout the detailed design stage of the project.*

Two submitters opposed Tally's ice tower being relocated. Their view was that it needed to stay on wharf for easy access for fishing vessels. One submitter suggested that if it had to be moved that it be placed on the opposite end of the wharf so fishing vessels could still have easy access. *Staff Comment: The location of the ice tower is still to be negotiated, but it is likely that it will need to be moved from its current site.*

Three submitters raised issues regarding climate change. One submitter noted that climate change could have negative impacts on mussel farming, meaning forecast harvest tonnages may not be realised and saw this as a risk for the project. One submitter queried whether sea level rise had been considered in the Business Case, while another raised the issue of vessel emissions and their impacts. *Staff Comment: We cannot guess what impact if any climate change will have on mussel farming in Golden Bay. There are risks with any business, and especially in a marine environment. Sea level rise has been factored into the design and when we get to the detailed design phase of the project, the wave model for the Port will be updated. We expect that the model is likely to change, both because of knowledge around climate change but also due to the modifications we are making within the Port itself. We are aware the Industry are looking at their vessel emissions as well noise reducing technology for their new boats.*

One submitter raised the issue of conflicting information provided with regard to the number of full time jobs created. The also wanted to know how many would be in Golden Bay and where the employees would live given the current housing shortage. *Staff Comment: The number of FTEs and forecast mussel growth has been provided by Industry. The Port upgrade and impact on housing requirements has been factored into the Future Development Strategy recently adopted by both this Council and Nelson City Council.*

A number of submitters noted their opposition to the proposed extension of mussel farming in Golden Bay. Two submitters noted that they were concerned over the environmental pollution from mussel farms including plastic and rope waste washing up on beaches. One submitter was of the view that the increase in mussel boats and commercial practices would negatively affect the area, tourism and the environment. *Staff Comment: The marine farming association have been through a lengthy resource consent process over the past several years and have recently secured additional mussel farming space in the Bay. The proposed upgrade of the Port is to cater for the increase in mussel tonnage that will be coming on-stream over the next 10 years.*

A number of submitters opposed the need for the proposed upgrade and thought it should not proceed as it is almost solely for the benefit of the mussel industry. *Staff Comment: The wharf requires maintenance and upkeep regardless of the mussel industry expansion. The recreational pontoons are also coming to the end of their useful lives and need replacing. The condemned wooden wharf also needs removal and replacement. The cost of undertaking this work along will be significant for Council.*

### Other

Four submitters were concerned that the mussel growth forecasts were overly optimistic.

Two submitters raised the issue of biosecurity in the Port.

Five submitters noted their support for the Mohua Encounters PGF application and proposed work programme.

Two submitters noted their support for the provision of storage facilities for waka's and equipment.

One submitter wanted Council to ensure that there would be guaranteed opportunities (quota) for residents to be employed at the Port.

Two submitters questioned the business case figures and the accuracy of revenues and costs. One submitter questioned whether depreciation was really an issue for Council. While other submitters were concerned over the fees and charges and if they would be unaffordable for recreational and commercial users.

One submitter did not support proposal and requested that the Business Case be rewritten as a non-commercial project that seeks a PGF grant.

One submitter requested that the Caravan Park remain and that they be consulted on how carparking would be provided for the Pohara Boat Club. They also wanted to be consulted as to where the card barrier for the boat ramp and recreational marina would be located.

Several submitters noted their concerns over mussel buoys and rope bags being stored on the Wharf and sought that they were moved away from the Port.

One submitter objected to current fencing, bins and containers around Port adjacent to the rock tunnel. They sought for Council to protect the landscape value and remove those structures.

Four submitters expressed dissatisfaction over the consultation process and the three weeks submission timeframe.

*Staff Comment:* These comments and submission points above have been touched on in this report, while others are noted and have been considered. Staff appreciate the effort submitters put into responding to the proposal and the high level of written supporting information. There were a range of views expressed by submitters and staff have attempted to capture as many of these in detail as possible. However, we note there may be other viewpoints not expressly referred to in this report, but which have been considered.