

Response ID ANON-URZ4-5FMK-8

Submitted to Fast-track approval applications

Submitted on 2024-04-30 10:14:57

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:

Nelson City Council

2 Contact person

Contact person name:

Nigel Philpott

3 What is your job title

Job title:

Chief Executive

4 What is your contact email address?

Email:

s 9(2)(a)

5 What is your phone number?

Phone number:

s 9(2)(a)

6 What is your postal address?

Postal address:

PO Box 645

Nelson 7040

New Zealand

7 Is your address for service different from your postal address?

No

Organisation:

Contact person:

Phone number:

Email address:

Job title:

Please enter your service address:

Section 1: Project location

Site address or location

Add the address or describe the location:

Nelson Marina

3 Cross Quay

Nelson

File upload:

Nelson Marina Location Map.pdf was uploaded

Upload file here:

Nelson Marina Property Map.pdf was uploaded

Do you have a current copy of the relevant Record(s) of Title?

Yes

upload file:

NCC Nelson Marina Titles.pdf was uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

Nelson City Council is the registered legal owner of all of the land except for 305 Akersten Street, which is currently owned by Port Nelson Ltd (a CCTO wholly owned by Nelson City Council and Tasman District Council), and is subject to a land purchase agreement between Nelson City Council and Port Nelson Ltd, with Nelson City Council expected to become registered legal owner of 305 Akersten Street in calendar year 2025.

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

Owner of all land except for 305 Akersten Street as explained in previous comment.

Section 2: Project details

What is the project name?

Please write your answer here:

Nelson Marina Masterplan

What is the project summary?

Please write your answer here:

A 15 year major redevelopment of the Nelson Marina, with a focus on growing the blue economy in Nelson and across the top of the South Island. The Masterplan implementation will deliver increased commercial space and activity in the Marina precinct, which will be focused on maritime economic development.

<https://www.nelsonmarina.co.nz/masterplan>

What are the project details?

Please write your answer here:

Nelson Marina is located within Nelson Haven and is situated next to Port Nelson, it is owned by Nelson City Council. The Council has recently created a Council Controlled Organisational structure around the Marina's Management which highlighted and addressed the significance of the Marina to the city, and to allow improved Governance of the existing Marina and the delivery of the proposed projects in the Masterplan.

This project is to upgrade and expand the Nelson Marina including capital work redevelopment to:

1. establish a new slipway, hardstands and hoist to both increase the capacity and provide a wider competency of the Nelson Marina boatyard, attracting regional and wider demand for specialist services;
2. develop and secure for the city a new marine service centre to integrate the expanded hardstand and support marine industry service providers;
3. establish a new integrated recreational Sea Sports Centre to relocate non-powered vessels from the marina unlocking further development opportunities;
4. develop ~300 additional berths and reconfigure existing berths to cater for existing excess demand for larger vessels;
5. develop associated services including parking, fuel, boat storage and food & beverage premises, extending community usage as a destination – from 'City to the Sea'.

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

Phase one consents for land based development, where necessary, are expected to be lodged within 4 months. Design and planning is well underway for the balance of the proposal and expect coastal permit and associated land- based consent applications could be lodged within 12 months, if not within 6 months (depending on what is required under fast-track legislation).

Delivery timeframes could be significantly accelerated with fast-track consents and government investment. The current timeframes set out below are

based on consenting timeframes through the existing system, and so were to be delivered in parallel as consents are obtained and funds become available.

Existing plan (which could be accelerated):

The first phase to be delivered within 12 months.

Then the second phase of works will be within 3 years.

The new ~300 berths are currently forecast to begin construction in year 7. Despite the current demand, construction is pushed out due to current resource consent timings

The final stage of future dry stack storage beyond the Phase 1 redevelopment is forecast for 15+ years

The total project cost is estimated at § 9(2)(b)(iii) over the 15 year timeframe. The redevelopment of just the boatyard aspects are § 9(2)(b)(iii). The initial parts of the project (slipway and boat hoist) are § 9(2)(b)(ii)

What are the details of the regime under which approval is being sought?

Please write your answer here:

Resource Management Act 1991

The land on which the developments will take place is zoned "Industrial" and is located in the Port Industrial Area which makes provision for marine related activities (IN1.3.1, Nelson Resource Management Plan (NRMP)). Schedule M specifically permits certain scale of developments but for any activity which contravenes the permitted conditions, a discretionary resource consent is needed. Design planning will take advantage of the permitted activity rules but there are some aspects (eg the land is, given its location, identified in a Liquefaction Overlay Area) where consent will be needed.

The marine component will require a coastal permit as these works will take place in the Coastal Marine Area.

The current marina activity is either permitted by the NRMP or a resource consent. The existing boat yard consents expire December 2025.

All required building consents and service connection approvals are in place for existing facilities.

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

Nelson City Council

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

Nil

Is approval required for the project by someone other than the applicant?

No

Please explain your answer here:

No

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please write your answer here:

The Nelson Marina Masterplan went out to public consultation in 2022 and was subsequently approved by Council. The Masterplan sets out the project concept design and timings that are now being developed into individual business plans by the Marina Management Board. The anticipated timings are as follows:

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Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

- Te Tau Ihu iwi
- Port Nelson
- Friends of Nelson Haven
- Boating clubs
- Berthholders and service providers
- Watersport clubs
- Department of Conservation

Discussions within Council will be needed with the Infrastructure Section, the Harbourmaster, the Science and Environment Team.

Many of the groups and authorities above have had conversations during the recent Masterplan development and consultation process, so there is an expectation that the plan will be delivered.

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

Masterplan public consultation process (see attached deliberations report)

S17a Review and public consultation to establish a Council Controlled Organisation as the governance model for the marina.

Upload file here:

Masterplan Deliberations Report.DOCX was uploaded

Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

Nil

Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Please write your answer here:

Under the MACA there are a small number of claims for customary title which include this area of coastal water.

Council considers that the Marina is an accommodated activity under the Act and that it may continue to be carried out whether or not any claims succeed

Three claims relate to all of Nelson's coastal marine area (Te Rūnanga a Rangitāne Kaituna, Rangitāne o Wairau, and Te Ātiawa o Te Waka- a-Māui) while Ngāti Koata's claim relates primarily to Marlborough

High Court held a case management conference for all claims in the Nelson area on 8 June 2023

Trustees of Te Rūnanga a Rangitāne o Wairau Trust on behalf of Rangitāne o Wairau in Te Tau Ihu o Te Waka may resolve their claim through direct engagement with the Crown by the end of 2024, and this claim will next be reviewed by the High Court at a case management conference on 24 July 2024

Ngāti Koata is in direct engagement with the Crown in relation to the area surrounding Rangitoto-ki-te-Tonga (D'Urville Island) which may conclude in 2024, therefore their claim may not require hearing

The other two claims noted will next be reviewed by the High Court at a case management conference on 24 July 2024

The project delivery of the Masterplan will be done in partnership with local hapu and iwi who are the MACA applicants.

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

No

If yes, what are they?:

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

Yes

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

No

If yes, what are they?:

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

No

If yes, please explain:

Upload your assessment if necessary:

No file uploaded

Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

The proposed development allows for an expanded capability and more efficient delivery of services and community activities that are already present in the area. Any effects will be confined to construction effects and, in relation to the expanded marina, occupation of part of the Nelson Haven but there will be no adverse effects on navigation. To the contrary, technology advances will enhance the 'Clean Marina' profile, reducing the traditional carbon footprint of such activities.

The Masterplan process included site and location evaluation and assessment so to minimise any adverse effects on both the environment and the community.

The expanded marina will not affect coastal water flow. No ecological values are at risk of disturbance. While the character of this part of the Haven will see the introduction of piles and berthage, it is not out of character with this location.

The New Zealand Coastal Policy Statement is the primary national instrument which would affect this intended development but it is not considered to have anything which would preclude the upgrades from going forward. In fact the proposed developments will allow for best practice to be adopted in terms of stormwater management and general environmental improvements in an area already committed to marine related activity.

Upload file:

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Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

The New Zealand Coastal Policy Statement is the primary national instrument which would affect this intended development but it is not considered to have anything which would preclude the upgrades from going forward. In fact the proposed developments will allow for best practice to be adopted in terms of stormwater management and general environmental improvements in an area already committed to marine related activity.

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Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

The fast-tracking process allows for better integration of the consents package given the area over which the development will proceed. It will collapse the possible time frame although we have already had much public input into the development aspirations. The fast-track process will provide the appropriate platform where ongoing consultation with interested parties can take place, working to the objective of implementing this project. While we would hope there would be no appeals against the proposal under the normal consenting pathway, the fast-track process has the advantage of focussing participation into a streamlined, first-instance process.

The recent resounding support for the Marina's Masterplan confirmed widespread support for the suite of projects contained within the plan.

The demand for berthage, and the demand for vessel servicing far exceeds supply already so accelerating delivery of the Masterplan outcomes will be transformational for the city.

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

A fast tracked resource consenting process will save significantly on time and cost for the applicant and consenting authority and allow a major blue economy infrastructure development programme to proceed quickly, with significant positive benefits for the Nelson economy.

Has the project been identified as a priority project in a:

Local government plan or strategy

Please explain your answer here:

Nelson City Council adopted the Nelson Marina Master Plan and partially funded implementation programme. Also part of the Nelson City Council City Spatial Plan.

Will the project deliver regionally or nationally significant infrastructure?

Regional significant infrastructure

Please explain your answer here:

The blue economy is a priority sector for Te Taihiti (Nelson, Marlborough, Tasman regions). This project has significant productivity and economic development potential for the region. It will support commercial and recreational vessels to be serviced faster (less wait time, and serviced locally) and it will enable the continued growth of the local marine service sector. It will also support the reputation of Nelson, and New Zealand as a key participant in the ocean economy in collaboration with the newly formed Moananui cluster.

Aquaculture, fisheries, science tech and advanced manufacturing are key sectors both regionally and nationally, and this project will provide uplift, servicing and support for those sectors.

This project takes a systems approach and will complement the recent government investment into the neighbouring Port Nelson slipway development and purchase of a 550t travel lift to service large commercial vessels. The Nelson Marina plans to upgrade from a 50t to a 100t travel lift to service the recreational and commercial vessels no longer able to be serviced by Port Nelson.

This project is forecast to create up to 300 new jobs and inject approximately \$12 million+ per annum into the Nelson economy.

Will the project:

contribute to a well-functioning urban environment

Please explain your answer here:

The Masterplan is a core element in Council's City Spatial Plan, connecting the City to the Sea. The Masterplan envisages activating the Marina area for public access and recreation.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

This project is forecast to create up to 300 new jobs and inject approximately **s 9(2)(b)(ii)** per annum into the Nelson economy.

Will the project support primary industries, including aquaculture?

Yes

Please explain your answer here:

The blue economy is a priority sector for Te Taihupo (Nelson, Marlborough, Tasman regions). This project has significant productivity and economic development potential for the region. It will support commercial and recreational vessels to be serviced faster (less wait time, and serviced locally) and it will enable the continued growth of the local marine service sector. It will also support the reputation of Nelson, and New Zealand as a key participant in the ocean economy in collaboration with the newly formed Moananui cluster.

Aquaculture, fisheries, science tech and advanced manufacturing are key sectors both regionally and nationally, and this project will provide uplift, servicing and support for those sectors.

Will the project support development of natural resources, including minerals and petroleum?

No

Please explain your answer here:

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

Yes

Please explain your answer here:

The Masterplan includes a key priority focus on reducing emissions and sustainable practices - both of which will be assessed as decisions are made on individual project business cases. The Masterplan envisages electrification of equipment, introduction of solar panels, stormwater gardens and designing for sea level rise.

Will the project support adaptation, resilience, and recovery from natural hazards?

Yes

Please explain your answer here:

Projects will be designed to be resilient and adaptable to climate change impacts such as flooding. The Marina already plays a significant role in maritime civil defence and oil spill response and recovery and this capability will be enhanced through this project.

Will the project address significant environmental issues?

No

Please explain your answer here:

Is the project consistent with local or regional planning documents, including spatial strategies?

Yes

Please explain your answer here:

Yes, this project is envisaged in Nelson City Council's City Spatial Plan and Marina Master Plan.

Anything else?

Please write your answer here:

Does the project include an activity which would make it ineligible?

No

If yes, please explain:

Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

No

If yes, please explain:

The project being a marine focused activity in the coastal area will be carefully designed to ensure that sea level rise projects are designed around and adapted to.

Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

No compliance action is recorded against Nelson Marina

Load your file here:

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Declaration

Do you acknowledge your submission will be published on environment.govt.nz if required

Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

Nigel Philpott

Important notes