

## Jacob Paget

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**From:** Neil Deans s 9(2)(a)  
**Sent:** Tuesday, 18 June 2024 2:50 pm  
**To:** Listed Projects; Ben Bunting  
**Cc:** Lionel Solly; Mark Townsend; Jo Gould  
**Subject:** FW: [COMMERCIAL]Feedback on FTA028 - Nelson Marina Masterplan

Kia ora e Ben

Please find DOC comment on this Fast Track application.

There is no public conservation land involved and wildlife approvals appear to be unlikely. There is a question raised as to whether the proposal area is correctly identified in the material to enable marina expansion as proposed.

We are aware of a number of issues listed which would need to be considered, but none of these appear to be grounds for ineligibility.

Note that we are not aware that customary marine title has been confirmed, but note various applications have been made, as listed below.

Regards

Neil Deans

**Advisor – RM Reform**

Department of Conservation—*Te Papa Atawhai*

Level 2, Conservation House, Wellington 6143

s 9(2)(a)

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**From:** Lionel Solly s 9(2)(a)  
**Sent:** Tuesday, June 18, 2024 2:40 PM  
**To:** Neil Deans s 9(2)(a)  
**Cc:** Martin Rodd s 9(2)(a); Meredith Lawry <s 9(2)(a)>; Mark Townsend s 9(2)(a); Jo Gould s 9(2)(a)  
**Subject:** RE: [COMMERCIAL]Feedback on FTA028 - Nelson Marina Masterplan

He Neil

Here are the local comments on this one. I don't see anything (within our area of interest) that would make it ineligible, and it's not likely to trigger any concession or Wildlife Act consent requirements.

The description of the proposal given in the application is as follows:

*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’.

The application notes that the proposal will be

*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.*

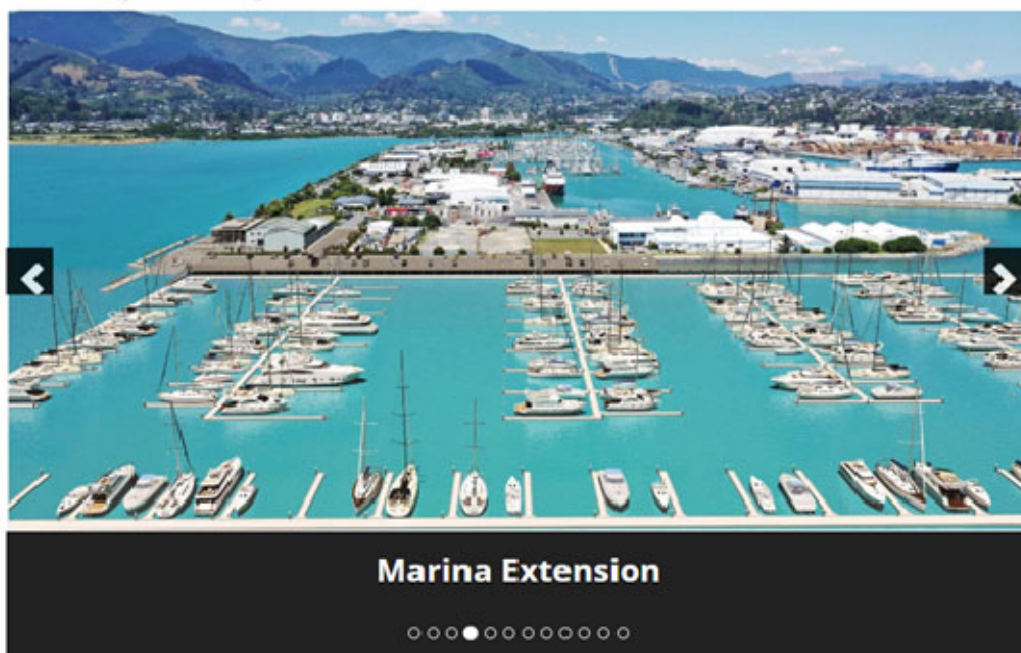
*Then the second phase of works will be within 3 years.*

*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*

It is unclear whether the Fast Track application is intended to cover all phases of the development, or just the initial phases. As noted yesterday, the maps provided with the application only highlight the existing marina and do not show the location or extent of any proposed extension to provide for the 300 additional berths. However, I understand that it will be extending into Nelson Haven at the northern end of the current reclamation. The image below is from the draft Masterplan that was subject to public consultation in June/July last year.

## Masterplan Project Renders



The Masterplan Deliberations Report provided with the application records that “the Nelson Marina Extension requires further work with Iwi and affected stakeholders to uphold the mana of tangata whenua and ensure that the environmental health of the Haven is preserved.” The report also notes that “Te Tau Ihu iwi do not support further

*extension of Nelson Marina into the haven without the involvement of all 8 iwi of Te Tau Ihu.”* The report was from September 2022, and it’s unclear whether there has been much engagement with iwi and other stakeholders since then.

The scope of the application does therefore need to be clarified; and the rest of the comments that follow are limited by lack of information about certain elements of the proposal.

The proposal does not involve works within any public conservation lands and waters, and no concessions would be required. The nearest pū is the Nelson Boulder Bank Scenic Reserve and the Local Purpose Reserve – Esplanade – QEII Drive, shown below.



We have no records of protected wildlife in/around the marina.

Marine mammals are occasionally present in the wider area – most commonly NZ fur seals, more rarely dolphins, and more rarely still orca. These are transient animals which rarely venture into the Nelson Haven, and there are no resident populations. I’m not aware of any records of marine mammals within the enclosed waters of the marina.

There are no registered archaeological sites in the immediate environs of the marina (which is reclaimed land)

The land affected by the proposal is not subject to any Treaty Settlement obligations. However, the entirety of the coastal marine area in Te Tau Ihu is subject to statutory acknowledgements for Ngāti Apa ki te Rā Tō, Ngāti Kuia, Rangitāne o Wairau, Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, Te Ātiawa o Te Waka-a-Māui and Ngāti Toa Rangatira.

The coastal marine area is also subject to a number of overlapping applications for customary marine title under the Marine and Coastal Area (Takutai Moana) Act. Applicant groups that have included the Nelson Haven within their applications are Ngāti Toa Rangatira, Te Runanga o Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, Te Ātiawa o Te Waka-a-Māui, Rangitāne o Wairau and Te Runanga a Rangitane o Kaituna. As far as I'm aware, none of these applications have been heard or determined yet.

The Nelson Haven (outside of the area currently occupied by the marina and Port Nelson, and their approach channel) is identified as a Marine Area of Significant Conservation Value in the Nelson Resource Management Plan. No special rules apply to this overlay although rules CMr.20 - Exclusive occupation, CMr.31 - Damage to or removal of vegetation, CMr.35 - Drilling, and CMr.67 - Subdivision make reference to it. The overlay is to advise that the particular part of the Coastal Marine Area is within a Marine Area of Significant Conservation Value.

There is the possibility that works associated with each phase of the development will reveal/disturb pockets of contaminated soil/sediments, but other contaminated sites at Port Nelson have been successfully remediated without significant adverse effects.

Any extension to the marina that involves further reclamation and/or occupation of space in the Nelson Haven would (ordinarily) require a robust assessment against the provisions in the New Zealand Coastal Policy Statement. It will also be quite contentious in the wider community.

Please get back to me if you have any questions.

Cheers  
Lionel

**Lionel Solly**

Senior Ranger, Community | *Kaitiaki Matua, Ao Hāpori*  
Department of Conservation | *Te Papa Atawhai*

s 9(2)(a)

**Whakatū/Nelson Office**

Monro Building, 186 Bridge Street, Nelson | Private Bag 5, Nelson 7042



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**From:** Neil Deans s 9(2)(a)

**Sent:** Monday, June 17, 2024 2:42 PM

**To:** Lionel Solly s 9(2)(a)

**Cc:** Martin Rodd s 9(2)(a); Meredith Lawry s 9(2)(a); Mark Townsend

s 9(2)(a)

**Subject:** FW: [COMMERCIAL]Feedback on FTA028 - Nelson Marina Masterplan

Kia ora Lionel and Mark

Another Fast Track application for you, at the Port of Nelson.

I would appreciate if one of your team could have a look at this for eligibility for Fast Track consenting. Note this is confidential.

In summary, we need to know what, if any, PCL is directly affected by the project and the status of that land, to confirm it is not ineligible for Fast Track consideration.

It helps to know if there are any wildlife, freshwater fisheries or land access permissions for mining which may require DOC approvals.

We also need to know if there are any Treaty settlements which may be affected that we can advise to MfE.

Can you please provide your summary advice by noon on Thursday 19 June.

Many thanks

Neil Deans

**Advisor – RM Reform**

Department of Conservation—*Te Papa Atawhai*

Level 2, Conservation House, Wellington 6143

s 9(2)(a)

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**From:** Listed Projects <[ListedProjects@mfe.govt.nz](mailto:ListedProjects@mfe.govt.nz)>

**Sent:** Monday, June 17, 2024 12:59 PM

**To:** Neil Deans s 9(2)(a) >; Meredith Lawry s 9(2)(a) >

**Cc:** Ben Bunting s 9(2)(a)

**Subject:** [COMMERCIAL]Feedback on FTA028 - Nelson Marina Masterplan

Kia ora Neil and Meredith

This listed project application is for FTA028 - Nelson Marina Masterplan.

The project has triggered your criteria for consultation.

Could you please provide comment on:

- whether the project requires any other DOC-related approvals
- if you are aware of anything that would render the project ineligible under clause 18 of the Bill
- if you are aware of any Treaty settlement matters which relate to the project site – such as local protocols
- any other relevant matter?

If possible, could you please provide your feedback by COB 20 June 2024

Please let me know if there is anything I can do to assist.

Ngā mihi nui

MfE Listed Projects team





Ministry for the  
**Environment**  
*Manatū Mō Te Taiao*



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