MARLBOROUGH DISTRICT COUNCIL

RESOURCE CONSENT APPLICATION

U240528

Port Marlborough New Zealand Limited

Marina Drive, Waikawa Marina, Picton

Submissions Close

5.00 pm Friday 7 March 2025

MARLBOROUGH DISTRICT COUNCIL
15 SEYMOUR STREET
PO BOX 443, BLENHEIM 7240
NEW ZEALAND

PH: +64 3 520 7400
FAX: +64 3 520 7496
EMAIL: mdc@marlborough.govt.nz
www.marlborough.govt.nz

Application for Resource Consent

Applicant details

Application for Resource Consent

Sections 88 and 145, Resource Management Act 1991

To

Marlborough District Council

Applicant

I,

Port Marlborough New Zealand Limited

14 Auckland Street
Picton 7220

404129

Grant Beattie

14 Auckland Street
Picton 7220

0212392440

Grant.Beattie@pmnz.co.nz

Apply for the following type(s) of resource consent

Land use

Agent

Mitchell Daysh Ltd

55 Collingwood Street
Nelson 7010

Andrew Brown

0275300566

andrew.brown@mitchelldaysh.co.nz

Project reference

MDL001666

Property details

Site and location details

The site at which the proposed activity is to occur is as follows:

Site address

Marina Drive
Waikawa
Picton
Marlborough
New Zealand

Legal description

The site for landside facilities (fuel tank, hardstand, pipework) is legally described as Pt B2A ML 3890 WAIKAWA WEST (Total area approximately 12.4 hectares). The site for the boat fuelling station, Jetty 13W, is located in the coastal marine area, LINZ Parcel ID 3745111 (unregistered)

Is there locale information in regards to the site?

No - there is no locale information in regards to the site

Site description

Description of the site at which the activity is to occur

Please see attached Application and Assessment of Environmental Effects

Owners and occupiers of the application site

Applicant is the only owner and occupier?

Yes - the applicant is the only owner and occupier

Proposed activity

Description of the activity

The activity to which the application relates (the proposed activity) is as follows:

Please see attached Application and Assessment of Environmental Effects

Other activities that are part of the proposal to which the application relates

Are there permissions needed which do not relate to the Resource Management Act 1991?

Yes - there are permissions needed which do not relate to the Resource Management Act 1991

Permissions needed which do not relate to the Resource Management Act 1991

Authorisations will be acquired as necessary under the Hazardous Substances and New Organisms Act 1996 and Building Act 2004.

Are there permitted activities that are part of this application?

Yes - there are permitted activities that are part of this application

Permitted activities that are part of this application:

Please see attached Application and Assessment of Environmental Effects

Additional resource consents

Are any additional resource consents needed for the proposal to which this application relates?

No - no additional resource consents are needed for the proposal to which this application relates

Consent summary

I apply for the following resource consents.

Consent information

Boat fuelling facility (activity)

Consent type

Land use

Subcategory type

Activity

Description of consent being applied for

Please see attached Application and Assessment of Environmental Effects

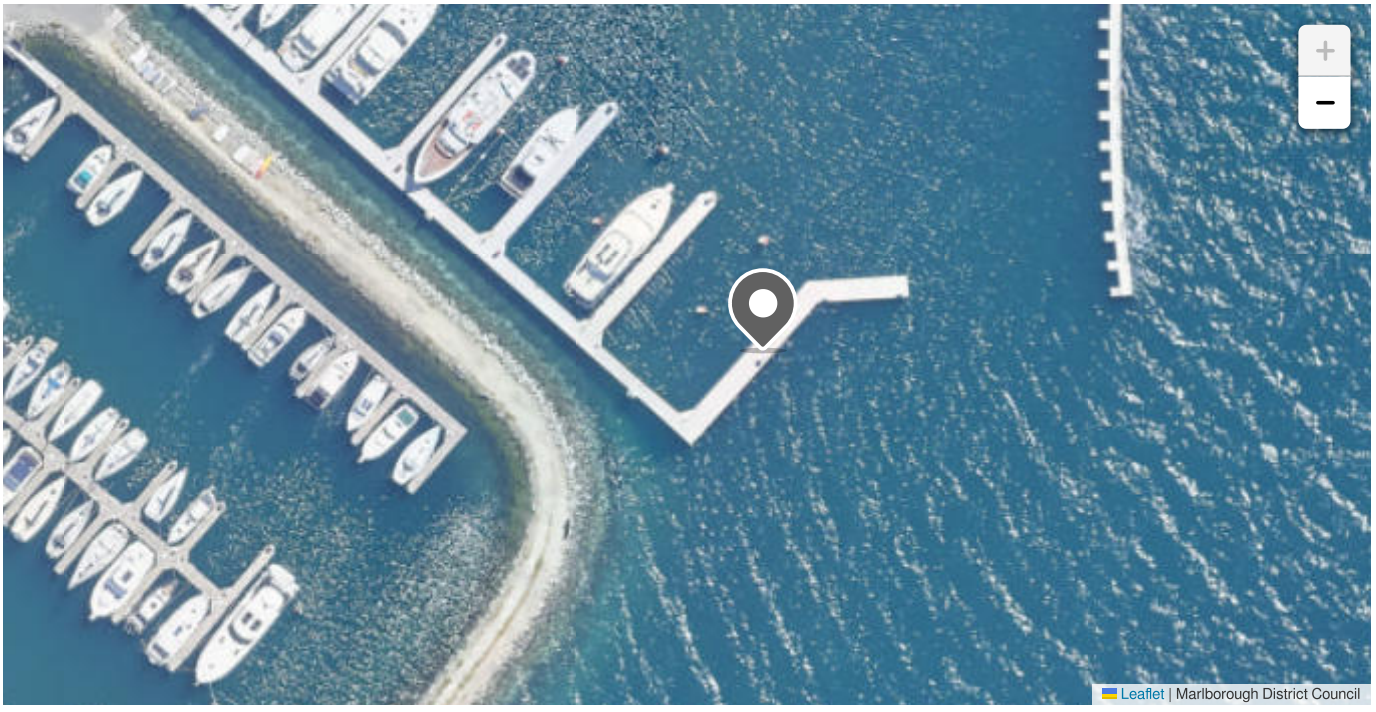
Location of the consent

Easting

1687159.754

Northing

5431530.039



Triggering rules

Rules which trigger the consent

I include an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.

The assessment under this section must include an assessment of the activity against
(a) Rules in a document; and
(b) Any relevant requirements, conditions, or permission in any rules in a document; and
(c) Any other relevant requirements in a document (for example, in a national environmental standard or other regulations))

Triggering rules assessment

Please see attached Application and Assessment of Environmental Effects

Assessment of Effects on the Environment (AEE)

Clause 6 - Information required in assessment of environmental effects

6.1 An assessment of the activity's effect on the environment must include the following information:

6.1(a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity

Provision not relevant

6.1(b) an assessment of the actual and potential effect on the environment of the activity

Please see attached Application and Assessment of Environmental Effects

6.1(c) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use

Please see attached Application and Assessment of Environmental Effects

6.1(d)(i) if the activity includes the discharge of any contaminant, a description of the nature of the discharge and the sensitivity of the receiving environment to adverse effects

Please see attached Application and Assessment of Environmental Effects

6.1(d)(ii) if the activity includes the discharge of any contaminant, a description of any possible alternative methods of discharge, including discharge into any other receiving environment

Please see attached Application and Assessment of Environmental Effects

6.1(e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect.

Please see attached Application and Assessment of Environmental Effects

6.1(f) identification of the persons affected by the activity,

Please see attached Application and Assessment of Environmental Effects

6.1(f cont.) any consultation undertaken,

Please see attached Application and Assessment of Environmental Effects

6.1(f cont.) and any response to the views of any person consulted

Please see attached Application and Assessment of Environmental Effects

6.1(f cont.) and any iwi consultation undertaken

Please see attached Application and Assessment of Environmental Effects

6.1(g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved.

Please see attached Application and Assessment of Environmental Effects

6.1(h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

Provision not relevant

Clause 7 - Matters that must be addressed by assessment of environmental effects

7.1 An assessment of the activity's effects on the environment must address the following matters:

7.1(a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects

Please see attached Application and Assessment of Environmental Effects

7.1(b) any physical effect on the locality, including any landscape and visual effects

Please see attached Application and Assessment of Environmental Effects

7.1(c) any effect on ecosystems, including effects on plants or animals and any physical disturbances of habitats in the vicinity

Provision not relevant

7.1(d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations

Please see attached Application and Assessment of Environmental Effects

7.1(e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants

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7.1(f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations

Please see attached Application and Assessment of Environmental Effects

Applicant's proposed conditions for this activity

Please see attached Application and Assessment of Environmental Effects

Consent information

Building (fuel tank installation, new gangway)

Consent type

Land use

Subcategory type

Building

Description of consent being applied for

Please see attached Application and Assessment of Environmental Effects

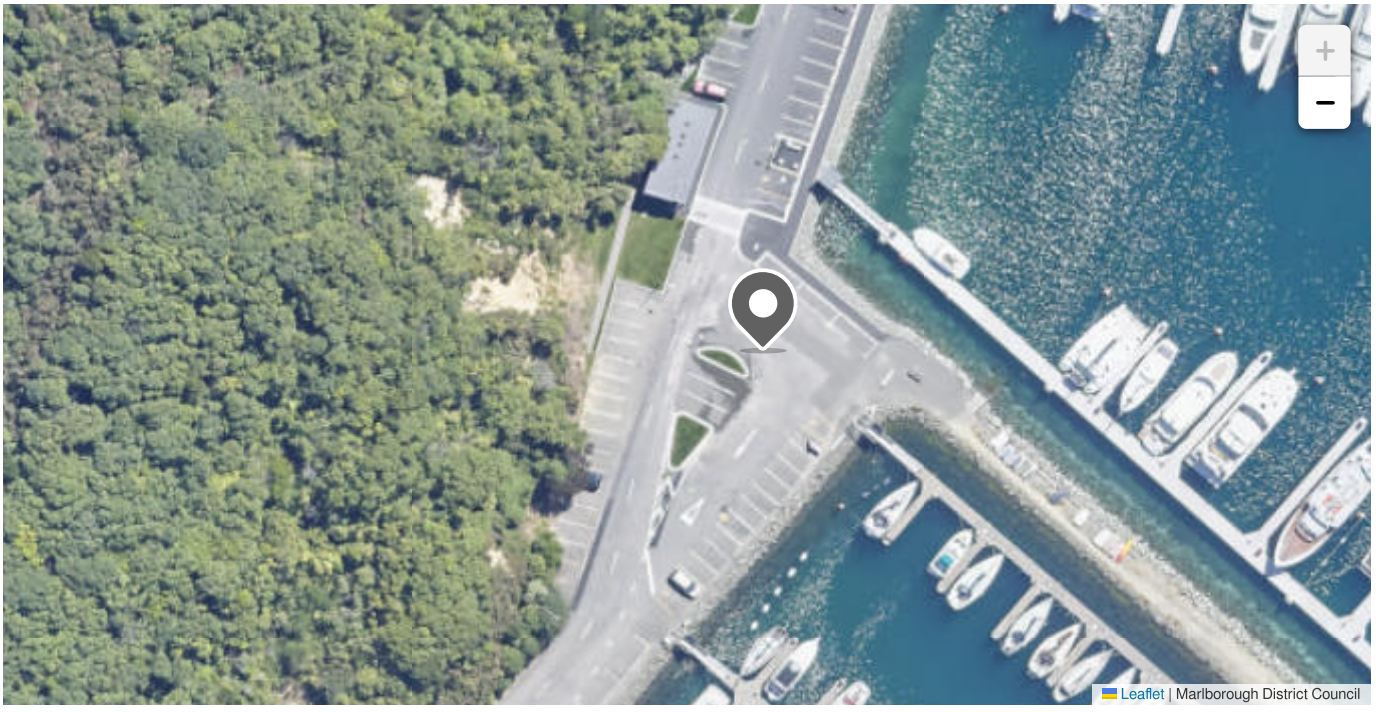
Location of the consent

Easting

1687045.983

Northing

5431580.971



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Provision not relevant

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Applicant's proposed conditions for this activity

Please see attached Application and Assessment of Environmental Effects

Consent information

Earthworks

Consent type

Land use

Subcategory type

Land Disturbance

Description of consent being applied for

Please see attached Application and Assessment of Environmental Effects

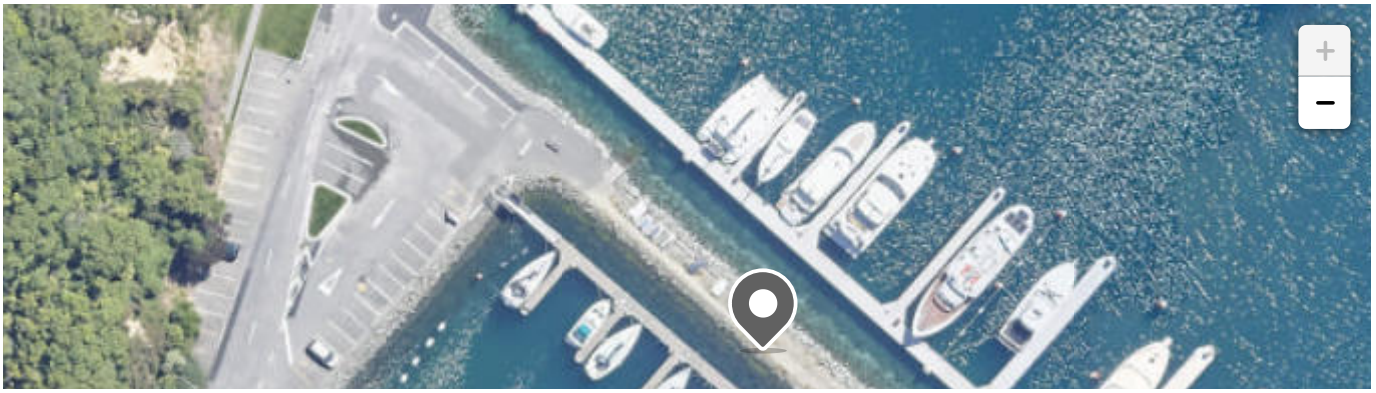
Location of the consent

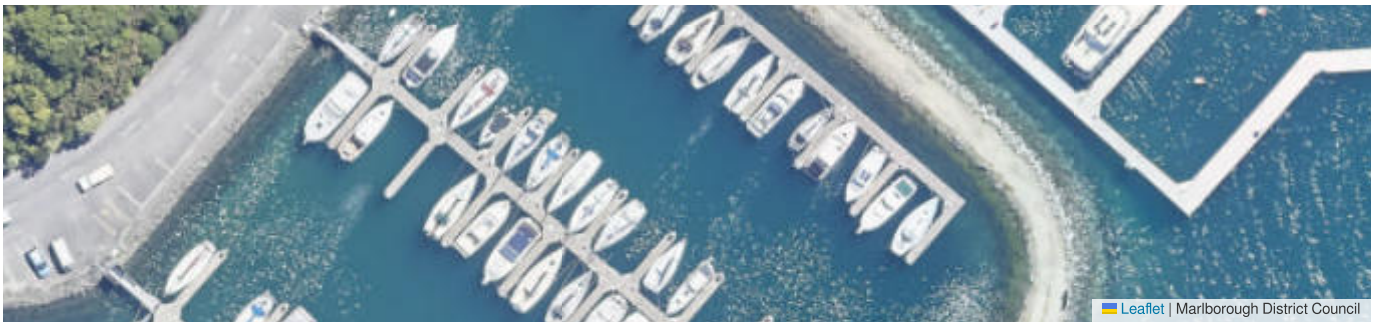
Easting

1687093.872

Northing

5431550.544





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Provision not relevant

Applicant's proposed conditions for this activity

Please see attached Application and Assessment of Environmental Effects

Part 2 RMA

Matters of national importance (Section 6 Resource Management Act 1991)

1. Assess your application against the following matters of national importance:

6.1 (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:

Please see attached Application and Assessment of Environmental Effects

6.1 (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

Please see attached Application and Assessment of Environmental Effects

6.1 (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

Please see attached Application and Assessment of Environmental Effects

6.1 (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:

Please see attached Application and Assessment of Environmental Effects

6.1 (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

Please see attached Application and Assessment of Environmental Effects

6.1 (f) the protection of historic heritage from inappropriate subdivision, use, and development:

Please see attached Application and Assessment of Environmental Effects

6.1 (g) the protection of protected customary rights.

Please see attached Application and Assessment of Environmental Effects

6.1 (h) the management of significant risks from natural hazards.

Please see attached Application and Assessment of Environmental Effects

Other matters (Section 7 Resource Management Act 1991)

1. Assess your application against the following matters:

7.1 (a) kaitiakitanga:

Please see attached Application and Assessment of Environmental Effects

7.1 (aa) the ethic of stewardship:

Please see attached Application and Assessment of Environmental Effects

7.1 (b) the efficient use and development of natural and physical resources:

Please see attached Application and Assessment of Environmental Effects

7.1 (ba) the efficiency of the end use of energy:

Please see attached Application and Assessment of Environmental Effects

7.1 (c) the maintenance and enhancement of amenity values:

Please see attached Application and Assessment of Environmental Effects

7.1 (d) intrinsic values of ecosystems:

Please see attached Application and Assessment of Environmental Effects

7.1 (f) maintenance and enhancement of the quality of the environment:

Please see attached Application and Assessment of Environmental Effects

7.1 (g) any finite characteristics of natural and physical resources:

Please see attached Application and Assessment of Environmental Effects

7.1 (h) the protection of the habitat of trout and salmon:

Please see attached Application and Assessment of Environmental Effects

7.1 (i) the effects of climate change:

Please see attached Application and Assessment of Environmental Effects

7.1 (j) the benefits to be derived from the use and development of renewable energy

Please see attached Application and Assessment of Environmental Effects

Treaty of Waitangi (Section 8 Resource Management Act 1991)

Assess your application against the principles of the Treaty of Waitangi (Te Tirti o Waitangi)

Please see attached Application and Assessment of Environmental Effects

Statutory instruments

I include an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1) (b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.

The assessment under this section must include an assessment of the activity against –
(a) Any relevant objectives, or policies in a document; and
(b) Any relevant requirements, conditions, or permission in any rules in a document; and
(c) Any other relevant requirements in a document (for example, in a national environmental standard or other regulations)

Statutes that are relevant to your proposed activity

Assessment under the Resource Management Act 1991

Please see attached Application and Assessment of Environmental Effects

Assessment under the New Zealand Coastal Policy Statement

Please see attached Application and Assessment of Environmental Effects

Assessment under the Marlborough Regional Policy Statement

Please see attached Application and Assessment of Environmental Effects

Assessment under the Proposed Marlborough Environment Plan

Please see attached Application and Assessment of Environmental Effects

Assessment under the Marlborough Sounds Resource Management Plan

Please see attached Application and Assessment of Environmental Effects

Additional information

Applications affected by Section 124 or 165ZH(1)(c) of the Resource Management Act 1991

Does this application relate to an existing consent held by the applicant which is due to expire, and the applicant is to continue the activity?

No - this application does not relate to an existing consent

Section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011

Is the proposed activity to occur in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011?

No - the proposed activity does not occur in such an area

Additional information required for subdivision consent

Does your application include one or more consents for subdivision?

No

Additional information required for application for reclamation

Does your application include one or more consents for reclamation?

No

Plans and technical reports

Report type	Report title	Author	External refere…	Keywords	Document
Site Plan	Resource Consent Application and Assessment of Environmental Effects (10 June 2024)	Mitchell Daysh Ltd	MDL001666	-	Waikawa Fuel Jetty AEE 10 June 24.pdf (4 MB)

Affected person approvals

Have you obtained affected person(s) approvals?

No - I have not obtained affected person(s) approvals

Iwi

Have you obtained approvals from iwi?

Yes - I have obtained approvals from iwi

Iwi approval

Iwi name

Te Ātiawa o Te Waka-a-Māui

Iwi contact name

Renee Love

Document

Appx 4 - Te Atiawa email.pdf (998 kB)

Public notification (Section 95A(2)(b)) of the Resource Management Act 1991

Is public notification of the application requested by the applicant?

No - public notification of application is not requested

Lodgement fee

> Please see Marlborough District Council's fees page for more information.

Payment ID Code

0ZBJXB

Do you require a GST receipt for a bank payment?

Yes - I do require a GST receipt for a bank payment

If further charges are incurred, please invoice

Applicant

If refunds are applicable, please refund

Applicant

Fee comments

Payment will be made by Mitchell Daysh bank transfer

Declaration

I confirm that the information provided in this application and the attachments are accurate.

Yes

Authorised by (your full name)

Andrew Brown

Authorising person is:

Person authorised to sign on behalf of the applicant

Note to applicant

You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.

You may apply for 2 or more resource consents that are needed for the same activity on the same form. If you lodge the application with the Environment Protection Authority, you must also lodge a notice in form 16A at the same time.

You must pay the charge payable to the consent authority for a resource consent application under the Resource Management Act 1991 (if any).

If your application is to the Environment Protection Authority, you may be required to pay actual and reasonable costs incurred in dealing with this matter (see section 149ZD of the Resource Management Act 1991).

Privacy information

The information on this form is required to be provided under the Resource Management Act 1991. A failure to provide this information means the Marlborough District Council will not be able to process your application. Council holds and stores the information, including the form and all associated reports and attachments, on the Council property files and internally by the Council. If you would like to request access to, or correct any details, please contact us.

The details of your application and any related communications will be made available to the public on the Council property files. If there is any communication or information that you would like to remain confidential, please note this in your communications with Council officers, or contact the Council's Privacy Officer at privacy@marlborough.govt.nz. Please note that your (the applicant) main details (name and address) can not be confidential.

For further information on your privacy rights, please see the Councils Privacy Statement.

MITCHELL DAYSH

PORT MARLBOROUGH
NEW ZEALAND LTD

WAIKAWA BAY FUEL JETTY RECONFIGURATION

Resource Consent Application and
Assessment of Environmental Effects

10 June 2024

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PART A

Resource Consent Application

FORM 9

APPLICATION FOR RESOURCE CONSENT

Sections 88 Resource Management Act 1991

To: Marlborough District Council

1. **Port Marlborough New Zealand Limited** applies for all necessary resource consents to develop, operate and maintain a fuelling facility at the Waikawa Marina, including, but not limited to, the following types of resource consents:

Land Use

Resource consent pursuant to section 9: installation and use of a new landside fuel tank and all necessary infrastructure to establish a boat fuelling facility, including hardstand, structures, roading reconfiguration, servicing, earthworks and all activities associated with the construction of the proposal.

Coastal Marine Area – Coastal Permit

Resource consent pursuant to section 12(1)(b): to place, alter or extend structures fixed in, on, under or over part of the foreshore and seabed.

Resource consent pursuant to section 12(3)(a): To carry out an activity (establishment an operation of a fuelling facility) in, on, under and over part of the coastal marine area.

Discharge Permit

Resource consent pursuant to section 15 (1)(a): To discharge stormwater to water.

Resource consent pursuant to section 15 (1)(a): To discharge contaminants to water during construction works.

Resource consent pursuant to section 15 (1)(b): To discharge contaminants to land in circumstances that may result in that contaminant entering water, during construction works.

2. **The activity to which the application relates (the proposed activity) is as follows:**

To develop, operate and maintain a boat fuelling facility at existing jetty 13W in the Waikawa Marina.

3. **The site at which the proposed activity is to occur is as follows:**

The site for the proposal is on the western side of Waikawa Marina.

The site for landside facilities (fuel tank, hardstand, pipework) is legally described as Pt B2A ML 3890 WAIKAWA WEST (Total area approximately 12.4 hectares).

The site for the boat fuelling station, Jetty 13W, is located in the coastal marine area, LINZ Parcel ID 3745111 (unregistered)

The entire proposal is located in the Marina zone in both the operative and proposed District Plans (the Marlborough Sounds Resource Management Plan and the Proposed Marlborough Environment Plan).

4. **The applicant is owner and occupier of the site to which the application relates.**

5. **There are no other activities that are part of the proposal to which this application relates.**

6. **No additional resource consents are needed for the proposal to which this application relates.**

7. **I attach an assessment of the proposed activity's effect on the environment that—**

(a) includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and

(b) addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and

(c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

8. **I attach an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991**.

9. **I attach an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.**

10. I attach the following further information required to be included in this application by the district plan, the regional plan, the Resource Management Act 1991, or any regulations made under that Act:

Assessment of Environmental Effects.

Appendix 1 – Hynds API

Appendix 2 – Proposed conditions of consent

Appendix 3 – Fuel tank schematic

Appendix 4 – Te Ātiawa email

Appendix 4 – Records of title

Signature:

(Agent on behalf of applicant)

(A signature is not required if the application is made by electronic means.)

Date: 10 June 2024

Electronic address for Service: andrew.brown@mitchelldaysh.co.nz

Telephone: 021 5300566

Postal address (or alternative method of service under section 352 of the Act):

Mitchell Daysh Limited
PO Box 392
Nelson 7074

Contact person: Andrew Brown

B

PART B

Assessment of Environmental Effects

1. INTRODUCTION

1.1 THE PROPOSED FUELLING FACILITY

This Assessment of Environment Effects ("**AEE**") is provided in accordance with the requirements of Section 88 and the Fourth Schedule of the Resource Management Act 1991 ("**RMA**" or the "**Act**"). It addresses the construction, operation and maintenance of a boat fuelling facility. The application for resource consents necessary for this activity is made on behalf of Port Marlborough New Zealand Limited ("**Port Marlborough**" or **"PMNZ"**) to the Marlborough District Council ("**MDC**").

The proposed fuelling facility is to be located at Jetty 13W of the existing Waikawa Marina (owned by Port Marlborough) (see **Figure 1** below). It intended to supplement the existing fuelling jetty located further south by Jetty 6W, thus increasing the level of service (reduced waiting times for fuelling) and reducing congestion (and hence collision risk for waiting vessels) for users of the fuelling facilities at the Marina. The proposed fuelling facility will supply diesel fuel only – petrol fuelled boats will continue to use the existing fuelling facility by Jetty 6W.

Figure 1: Location of proposed fuelling facility

1.2 PORT MARLBOROUGH NEW ZEALAND LIMITED

Port Marlborough is a Port Company under the Port Companies Act 1988. Its sole shareholder is MDC Holdings Limited, a wholly-owned subsidiary of MDC. Port Marlborough distributes profits by way of dividend to MDC Holdings Limited. These financial benefits ultimately accrue to the residents and ratepayers of Marlborough through MDC.

Port Marlborough operates Marlborough's regional port and marina facilities. The company plays a key role in Marlborough's economy; and at a national level facilitates significant and emerging industries including tourism, forestry export, fishing and marine farming.

Port Marlborough takes its corporate and community responsibilities seriously. Port Marlborough's mission is to create value for customers and for Marlborough by delivering excellence in port and marina services and facilities.

Port Marlborough's strategic development and operational activities are underpinned by the company's driving values. In particular, it has stringent safety management systems in place to prevent harm to people in their workplace, and to the users of all Port Marlborough's facilities. Port Marlborough also has a strong commitment to engaging openly with the Marlborough communities affected by its activities.

Port Marlborough recognises and respects the important role of Marlborough's Iwi as kaitiaki of the lands and waters of Marlborough, and the relevant Statutory Acknowledgements. It actively seeks to engage with those Iwi who have special relationships with the specific areas within which it operates. At an operational level, engagement and consultation around specific resource usage within the Port's operational areas is frequent.

With respect to environmental matters Port Marlborough has a guiding value of respecting the environment, and actively working to minimise its environmental footprint. As part of implementing this guiding value, Port Marlborough has internal systems and processes in place to manage the environmental performance of its operations, and the impacts of its development projects.

2. DESCRIPTION OF THE EXISTING ENVIRONMENT

This section of the AEE provides a description of the receiving environment and context in which the proposed fuelling facility will exist.

2.1 GEOGRAPHIC SETTING

Waikawa Bay is a northeast facing inlet located in Queen Charlotte Sound in the Marlborough Sounds. It is located approximately 3.5km north – east of Picton. The Sounds is a partly drowned river valley system, dominated by steep hill and mountain slopes rising from sea level to over 1000m.

Waikawa Bay is typically 750m wide (and approximately 1.2km wide at its widest point), and around 2.4km long. The mouth of the Waikawa Stream discharges into the bay at the southern end.

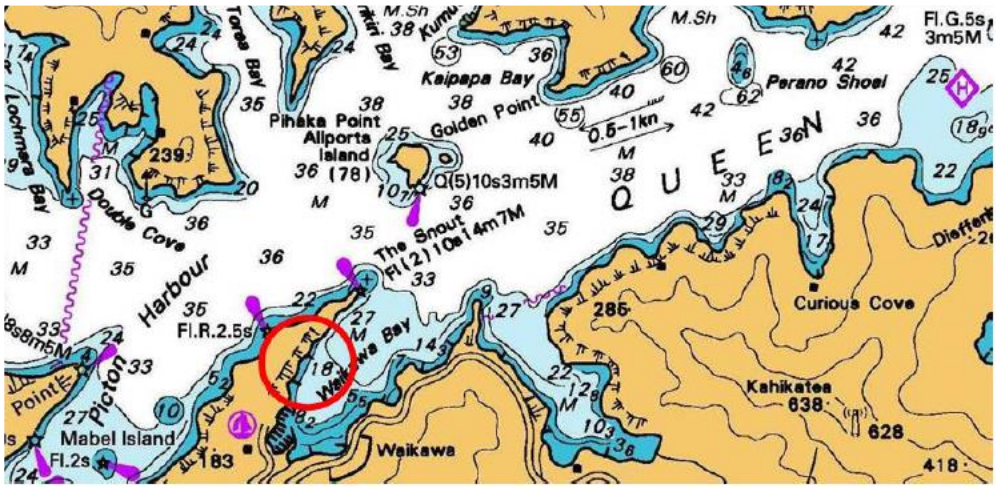

Figure 2: Location of Waikawa Bay (Extract from NZ615, LINZ).

2.2 LANDSCAPE

Waikawa Bay and Picton Bay are the two most developed embayments within the Queen Charlotte Sounds, and along with Havelock are the only urbanised areas within the greater Sounds area. The urban area of Waikawa is contiguous with Picton, the port town where the ferry services between the North and South Islands have their southern base.

The main suburban residential area of Waikawa occupies the alluvial plain at the base of the bay and provides motels, camp grounds and other amenities. Some larger homes occupy the coastal edge and the elevated land on the eastern side of Waikawa Bay. A small cluster of homes are also located on the eastern hillside of The Snout. None of these residences are in close proximity to the proposal.

The hills to the east and the west of Waikawa Bay are covered in low stature indigenous coastal vegetation with some areas of managed pine trees and some weed species.

There is a walkway along the ridge of The Snout landform to the north of Waikawa Bay, known as The Snout Walkway. At the end of the landform to the east of Waikawa Bay is Karaka Point. The Snout and Karaka Point frame the entrance into Waikawa Bay.

The immediate environment of the proposed fuel facility is characterised by the existing jetty moorings and the access / parking infrastructure of Marina Drive.

2.3 TANGATA WHENUA VALUES

Waikawa Bay is within the Te Tau Ihu Statutory Acknowledgment Area. Waikawa Bay is a cultural landscape with a history of Māori land use and occupation, and a tradition of mahinga kai. The particular cultural, spiritual, historical and traditional association of Te Ātiawa with Waikawa is described in the statement of association for the Queen Charlotte Sound/Tōtaranui Statutory Acknowledgement:

> *"Waikawa Bay is rich in history for Te Ātiawa o Te Waka-a-Māui. It was a main tauranga waka site for the whānau who resided in the Sounds. Te Ātiawa o Te Waka-a- Māui was relocated from Waitohi to Waikawa in 1856, and Te Ātiawa o Te Waka-a- Māui set up several papakāinga in the area. The mouth of the Waikawa Stream supplied the iwi with freshwater mussels, koura and tuna."*
>
> *"Waikawa Bay was the food cupboard of Te Ātiawa o Te Waka-a-Māui and is historically, culturally and spiritually significant. Due to the location it was readily accessible in all weather conditions for kai gathering, weaving resources such as dyes, and as a waka corridor to Tōtaranui. The Bay was intensively fished and actively managed by Te Ātiawa o Te Waka-a-Māui to ensure that the Bay remained an abundant food and weaving resource. There are wāhi tapu, wāhi taonga and mahinga kai within Waikawa Bay."*[1]
>
> …
>
> *"Te Ātiawa o Te Waka-a-Māui have kaitiaki responsibilities for every bay, point, island and waterway within Queen Charlotte Sound and the Islands. This is about our obligation to care for these resources, as well as our relationship with land and the natural world that is widely articulated by tangata whenua with regard to environmental responsibilities."*[2]

The Te Ātiawa o Te Waka-a-Māui Deed of Settlement confirms the iwi as kaitiaki of Queen Charlotte Sound/Tōtaranui. This means that the iwi has an ancestral right and responsibility to protect and enhance the health of Waikawa Bay, including water quality and mahinga kai resources. This responsibility is about making decisions that enable sustainable development while avoiding compromising cultural values, and delivering good cultural, environmental, social and economic outcomes.

2.3.1 Wāhi Tapu and Wāhi Taonga

There are no known wāhi tapu sites on the coast in the Marina Zone (although there are sites of archaeological and cultural significance in the broader environs of Waikawa Bay).

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1 Deed of Settlement Schedule: Documents (2012), pp. 13-14. Deed of Settlement 5.16.1 (a).

2 Deed of Settlement Schedule: Documents 2012, p. 5.

2.4 VEGETATION

The entire landside aspect of the proposal is on previously developed land with no vegetation present.

2.5 EXISTING MARINA ACTIVITIES

The existing marina extends along the western side of Waikawa Bay. It was extended in 2018 (U180137) to provide an additional 250 berths, bringing the total berthage up to 857.

Ancillary land use activities include boat sheds, boat storage compounds, maintenance areas and small-scale marina related commercial or retail activities such as rigging, marine engineering and boat charter companies.

Access to the main berth areas and car parking facilities is located along the waterfront. There are also café/bar facilities, a boat ramp and associated trailer parking, and further boat charter and water-based activities in the area.

The marina is currently served by a single fuelling facility, located by Jetty 6W (see **Figure 1**).

2.6 TRANSPORT ENVIRONMENT

Access to the existing marina is provided from Waikawa Road via Beach Road and Marina Drive. Waikawa Road provides the primary connection between Picton and Waikawa. Beach Road is a cul-de-sac that meets Waikawa Road and provides access to local businesses and residential properties that are located around the existing marina.

2.7 PLANNING CONTEXT

As shown in **Figure 3**, the proposed fuelling facility is entirely located in the Marina Zone.

The proposed replacement pontoons, incorporating fuel dispensers and pipe ducting, are within that part of the Marina Zone in Waikawa Bay identified in Appendix 10 of the PMEP, as shown in **Figure 4**.

It is understood that there are no outstanding appeals regarding the relevant PEMP zoning provisions, which are therefore treated as operative.

Figure 3: PMEP Zones (with outline proposal plan overlayed)

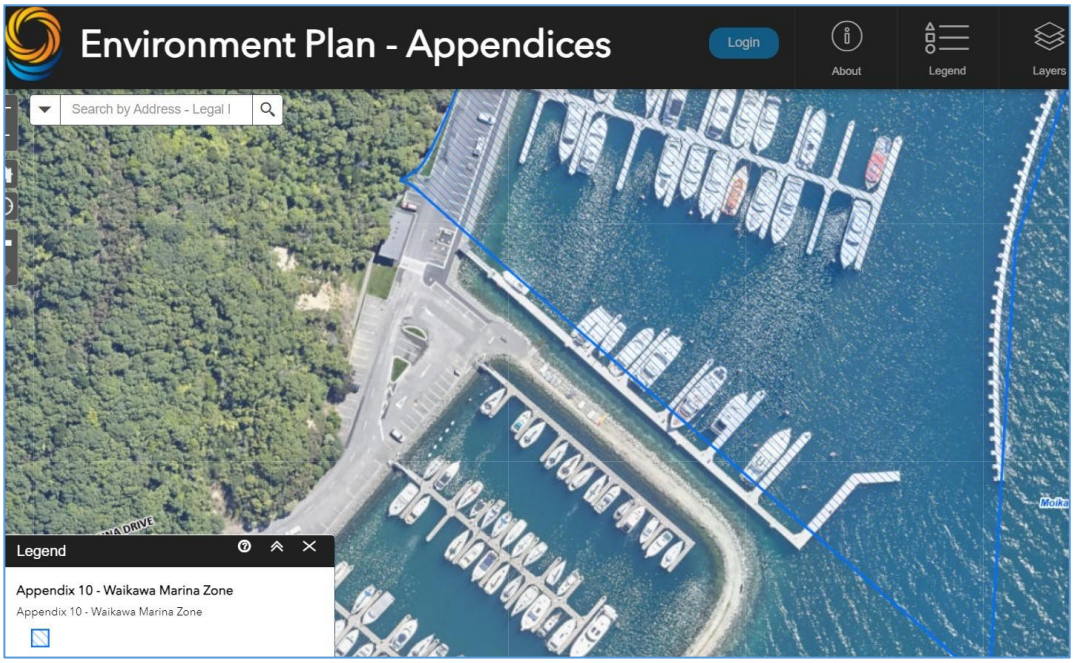


Figure 4: That part of the Marina Zone in Waikawa Bay identified in Appendix 10

3. DESCRIPTION OF THE PROPOSAL

3.1 BACKGROUND

The current reliance on a single fuelling facility means that Waikawa Marina provides a sub-standard service to marina users. There is little published guidance on sizing and layout of fuel docks for marinas. But in an attempt to compare marinas of similar berth size distribution, a ratio of Fuel Dock length To total Berth metres (**FDTB**) is proposed. Prior to the development of the Waikawa NW Extension, the existing ratio was 55m:6,991m or 0.8%, with the Waikawa NW Extension now complete, the ratio has now dropped to 55:10,750 or 0.5%, which is lower than comparative marinas in the country. Waikawa Marina currently has the lowest FDTB in the country. **Table 1** provides a comparison.

Table 1: Comparison of marina fuel dock to total berth meterage

	Westhaven	Gulf Harbour	Half Moon Bay	Waikawa (current)	Waikawa (with new fuel dock)	Picton	Havelock
# Berths	1,492	1,052	560	862	862	250	366
Berth meterage	19,250	13,520	5,918	10,750	10,750	4,021	5,024
Fuel Dock Meterage	150	90	50	55	127	44	62
FDTB	0.8%	0.7%	0.8%	0.5%	1.9%	1.1%	1.23%

3.2 OVERVIEW OF THE PROPOSAL

The proposed solution is a reconfiguration of Jetty 13W to allow the last “finger” to be repurposed to serve as a fuel dock. The proposed configuration, together with the location of landside works, is shown in **Figure 5**.

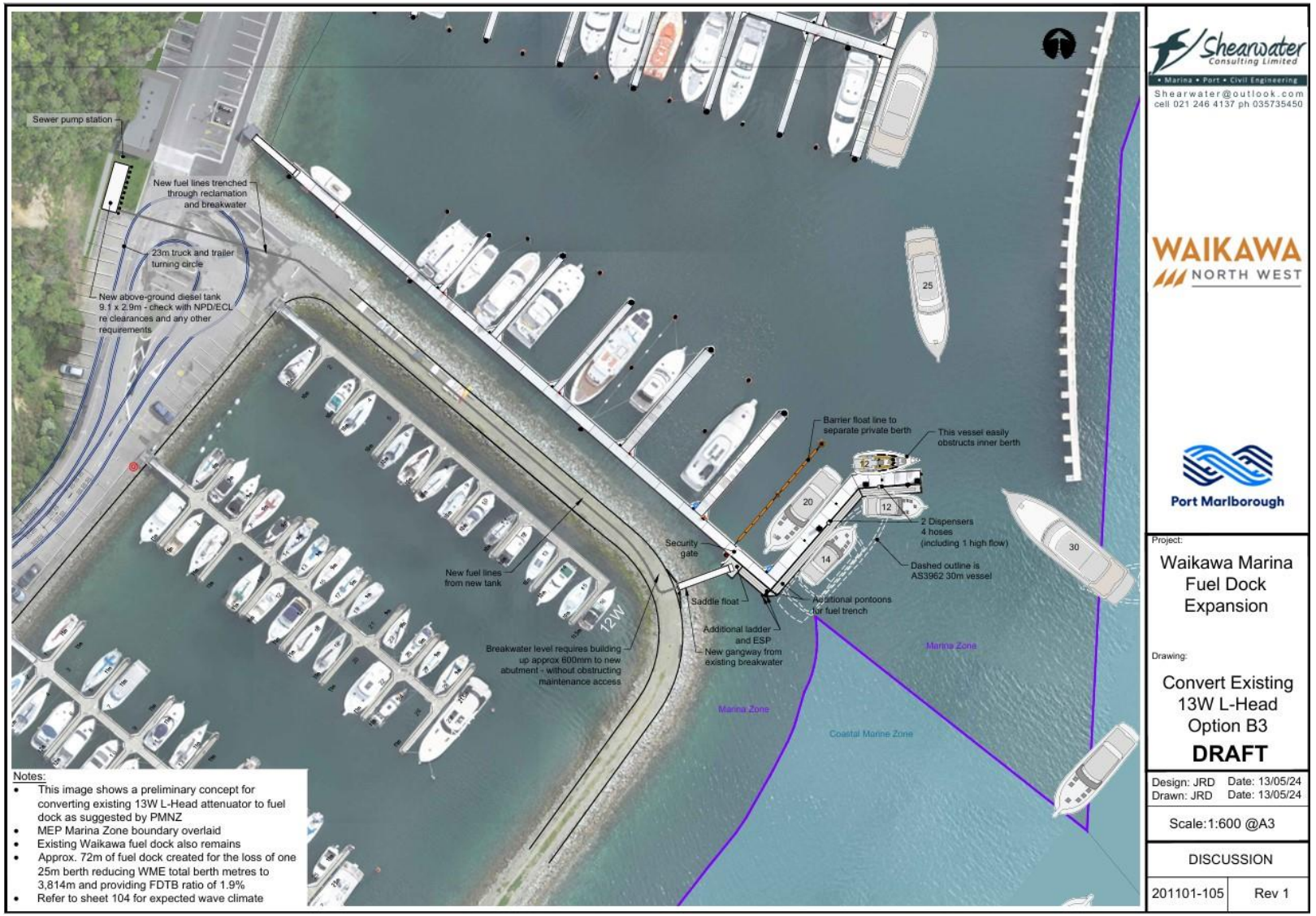


Figure 5: Configuration of the proposed fuelling facility

When considering alternatives, this solution was selected because:

- Establishment of additional fuelling capacity at a new location minimises on-water congestion and hence improves safety. Jetty 13W is ideally located to serve this purpose;
- Repurposing of an existing jetty avoids the need for additional works in the Coastal Marine Area (**CMA**), optimises use of existing infrastructure and requires minimal additional works (and hence environmental effects);
- The last finger of 13W is double sided, and provides maximum additional capacity (FDTB 1.9%) with minimal loss of existing berths (gain of 72 fuel dock metres for loss of 25 m berthage); and
- No change to existing fuel jetty or breakwater by 6W is required.

The option of extending the existing fuel dock at 6W was explored, but rejected because it would require the partial removal of the existing breakwater and would exacerbate 'on-water' congestion issues.

The establishment of the new fuel dock at Jetty 13W will require:

- Installation of new (replacement) floating jetty structures (pontoons), which include ducting to accommodate the fuel lines. The new pontoons will be 1.5m wider than those existing visually similar, but otherwise similar in appearance. No additional piling will be required;
- Installation of 2 fuel dispensers (4 hoses) on the new pontoons;
- Installation of a security gate on Jetty 13W to separate the fuel dock from the existing berths;
- Installation of a gangway to provide direct access to the fuel dock from the breakwater, including installation of an abutment (c.600mm height) on the breakwater;
- Trenching and installation of approximately 95 metres of fuel line in the breakwater, together with a further c. 15 m in the adjoining reclaimed land;
- Formation of a concrete / asphalt hardstand of approximately 125 m^2 area on the adjoining reclaimed land, equipped with drainage and fuel interceptors; and
- Installation of a double skinned fuel tank, housed in a low container / building painted in a suitable recessive colour (similar to the existing installation by 6W).

These elements are outlined below.

3.2.1 Fuel Dock

The fuel dock will comprise replacement of the existing floating pontoons with new ones, which are essentially the same, except that they are 1.5m wider and include ducting for

pipework and electrical connections. Fuel dispensers (bowsers) will be placed on the new pontoons and these will be the only noticeable difference in terms of appearance.

The layout of the proposed fuel dock is shown in **Figure 6**, and the existing fuel dock (Jetty 6W) is shown for comparison in **Figure 7**.

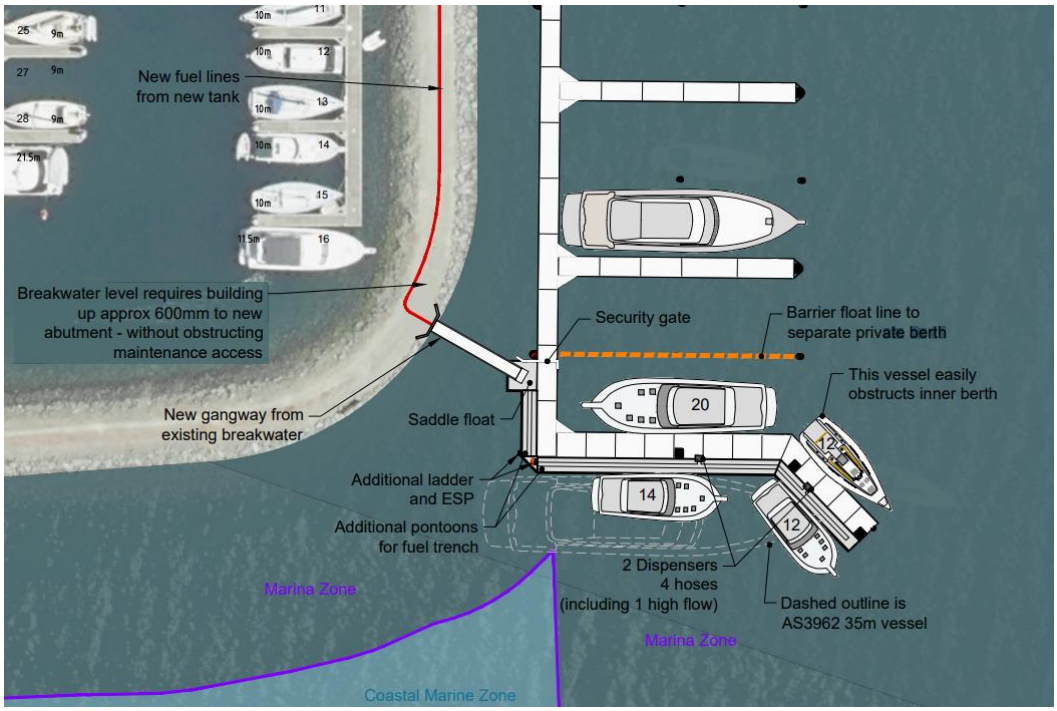


Figure 6: Proposed fuel jetty configuration

Figure 7: Existing fuel dock at Jetty 6W (for comparison)

3.2.2 Fuel Tank and Hardstand

The hardstand and fuel tank, including pumps, meters etc., will be similar in appearance and scale to the existing facility at 6W. This is shown for comparative purposes in **Figure 8**.

Figure 8: Existing hardstand and fuel tank at Jetty 6W

The hardstand will be bunded and stormwater directed to a Hynds API separator (or similar), which meets all industry standards for treating stormwater associated with a fuel storage facility (see **Appendix 1** for Hynds API plans and specifications). Once stormwater has passed through, and been treated by, the interceptor it will discharge into the CMA within the marina either via connection to the existing stormwater system or via a new outfall in the immediate vicinity. It is proposed that final discharge point be identified in a detailed design plan to be certified by MDC prior to construction (see proposed conditions at **Appendix 2**).

The proposed double skinned fuel storage tanks are purpose designed for marine fuel facilities where there is no provision for interceptors. When refuelling the tank, the pumping of fuel is done from pump in the bunded tank kiosk as opposed to pumping from the truck. This methodology eliminates the drips or minor spills onto the pavement in the refuelling process. Despite the design, an interceptor will be installed as a precautionary measure to treat stormwater.

In the event of a spill, the interceptor valve can be shut off and has the ability to store up to 2,500 litres of fuel, preventing it from either contaminating stormwater or entering the marine environment.

The interceptor will be specifically designed for fuel facility applications and will meet all Ministry for the Environment, industry and HSNO requirements. The bunded area will also provide a Marine Spill Kit which can also be deployed in the event of a spill beyond the site.

Indicative plans and specifications for the tank are attached as **Appendix 3** to this AEE.

3.2.3 Options for Hardstand Location

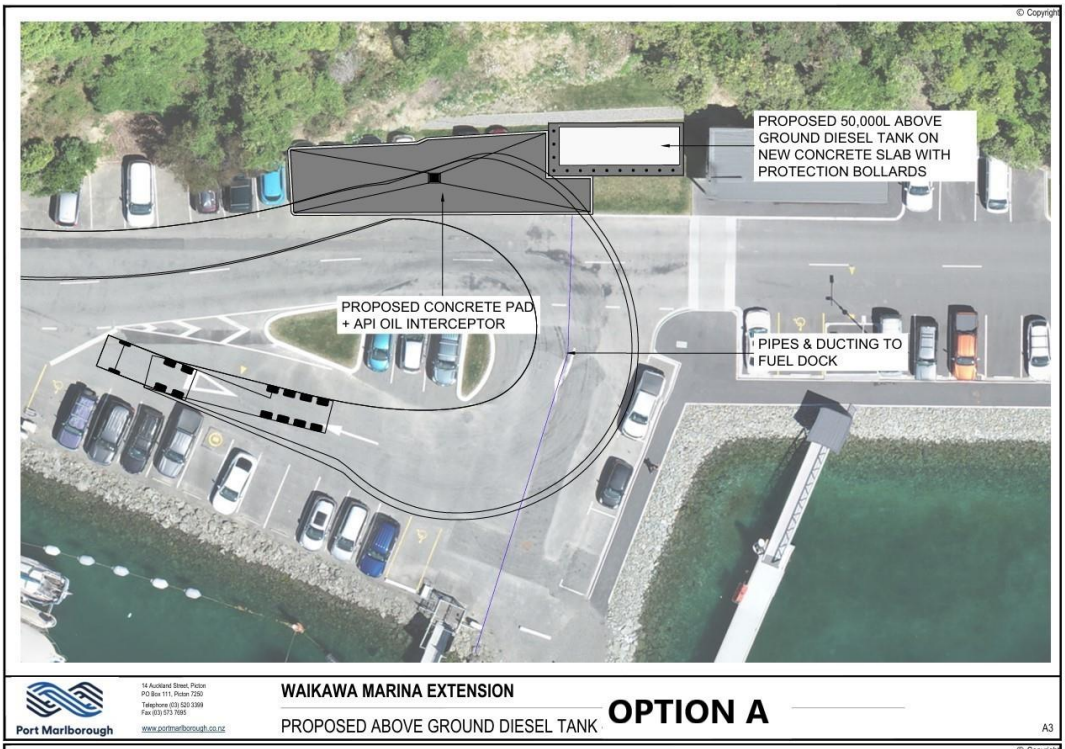
Two options are under consideration for location of the hardstand. These are:

- Option A: Adjacent to the fuel tank; and
- Option B: Opposite the fuel tank, on the other side of the turning circle.

Option A has the advantage of being immediately adjacent to the fuel tank, but necessitates the loss of 9 car parks. Option B only sacrifices 4 parks, but would require additional underground pipework to connect to the tank (in practice this may not be significant if co-located with the pipes and ducting from the tank to the fuel dock). The alternative locations are shown in **Figure 9.** This also includes turning circles to demonstrate that either option will facilitate appropriate truck access.

Consent is sought on the basis that either option may be used – this is to allow the preferred option to be determined in consultation with the appointed engineering contractor.[3]

[3] The contractor would be appointed post-consent to enable consideration of any requirements of consent conditions.



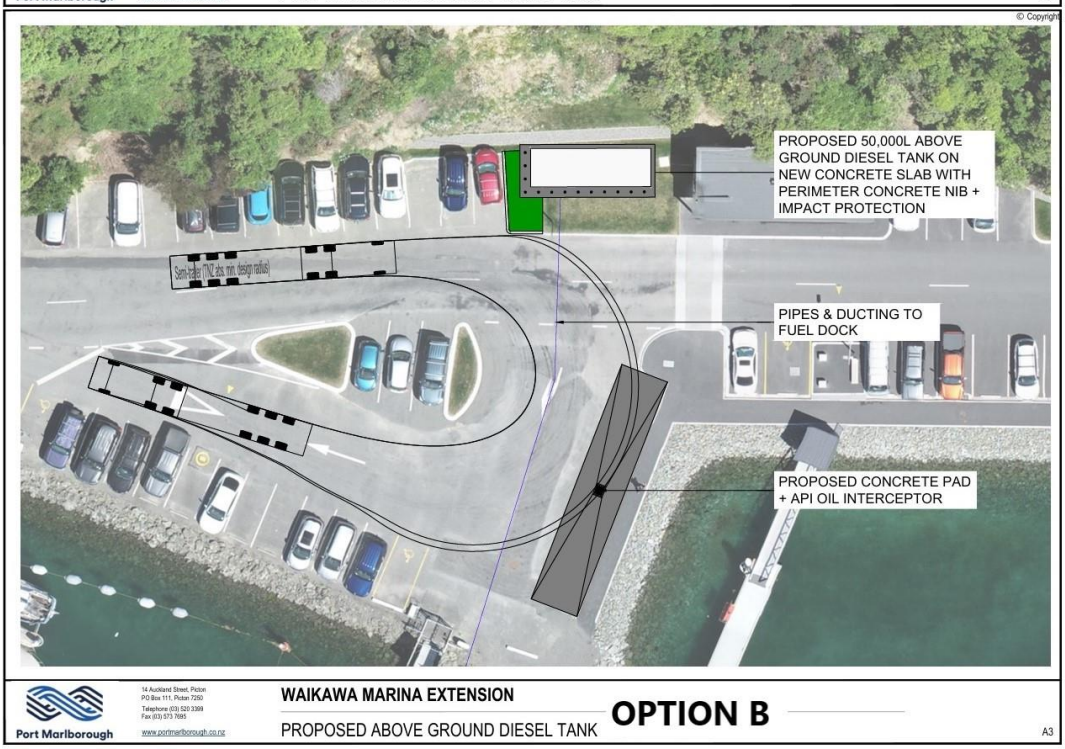


Figure 9: Hardstand location options

3.2.4 Access and Car Parking

The proposal involves the loss of 8 or 4 car parks, depending on whether Option A or Option B respectively is selected as the hardstand location.

When this part of the marina was developed, these carparks were allocated as public and swing mooring holder carparks, with ten carparks were intended for swing mooring holders.

The proposal will not affect the allocation of berth-holder carparks. As part of the Waikawa NW development, the swing mooring carparks were relocated to the northern end of the Waikawa NW and additional public parks were also allocated in Waikawa NW. The loss of carparks associated with the fuel facility proposal is therefore offset by the additional carparks provided in Waikawa NW, and is considered to be no more than minor.

In terms of access, the proposal is designed (with either hardstand option) to operate with no disruption to general access. The only time that access may be disrupted is during construction, and in particular the trenching of service pipes across the road (which again is required with either hardstand option). Construction works will be managed to minimise such disruption by staging works such that access can be maintained (using priority giveaway and contra-flow if necessary). It should be noted that this section of road is privately owned (PMNZ) and not a public highway.

3.3 CONSTRUCTION

Construction of the fuel facility includes the following elements (see **Figure 3**):

- Modification of the floating jetty;
- Installation of new abutment and gangway;
- Trenching and laying new pipework and ducting from abutment to tank;
- Install above ground fuel tank;
- Install transfer pad with drainage and API separator;
- Install electrical supply to tank;
- Install pipework/dispensers/masts/reels/pay kiosk and other equipment on floating jetty; and
- Commission system.

Construction and implementation works are expected to take 3-4 months.

Floating Jetty

The existing floating jetty will be modified to carry the fuel pipes, cabling etc, required to service the fuel dock. This will be either by:

a) Replacing the existing pontoons with purpose-built sections that include a fuel trench to take the pipe work and cables to the dispenser locations; or

b) Installing purpose-built clip-ons to the existing pontoons to carry the pipe work and cables to the dispenser locations.

For either option, no changes are required to the piles – the new floats will work around the existing piles. The fuel jetty will be separated from the adjacent private berth holders jetty with a locking gate.

Gangway

A new abutment and gangway will be installed from the breakwater to the floating jetty. This will provide separate access to the fuel dock and also will support the pipe work and cables from the landside to the floating jetty.

Trenching

Pipework and associated services will be laid underground along the length of the breakwater and across the road back to the fuel tank. This will entail around 130m of trenching c. 1m deep by 1m wide (130 m^3 earthworks). Excavated material will be used to backfill the trench with any surplus removed for disposal off-site.

Tank and hardstand

Installation of the hardstand will require limited surface levelling, with excavation to a depth of c. 300mm entailing some 15m^3 earthworks. Any excess spoil will either be re-used on site of disposed to an approved fill facility.

During construction works sediment control measures conforming to Wellington Regional Council guidelines, or similar best practice document, will be used.

Construction noise shall be managed to comply with the requirements of the standards applicable to the Marina Zone.

3.4 OPERATIONAL MANAGEMENT

3.4.1 Fuel Delivery / Tank Refuelling Procedure

Frequency of fills for the 50,000l tank is expected to be once every 10 - 15 days, variable with the seasonal demand.

The refilling process is operated with a transfer pump located in the lockable compartment of the double walled fuel tank housing. This is bunded to mitigate spill risk. A schematic showing the compartment location is at **Appendix 3** of this AEE.

Transfer of fuel is via a 'dry-break' system is designed not to leak any product on connection and disconnection, if any drips do happen they are caught within the hardstand and captured in the API separator. The connection has a very positive locking system onto the faucets of the truck that prevents it from working if it is not connected correctly. This is the same set-up used at the current fuel tank.

All tanks are fitted with overfill prevention systems that shut down the transfer pump if the 'Safe Fill Level' ("**SFL**") is accidently reached. The total capacity of a diesel tank with a SFL

of 50,000 litres is 52,000 litres. These overfill systems are checked when the periodic marine installation checks are performed. These Six-Monthly marine site checks are in-depth checks on the entire installation which includes pressure testing of all underground pipelines etc.

The transfer of the fuel product is operated and managed under very strict guidelines and procedures for Hazardous Goods trained and certified drivers. Drivers deliver to multiple tanks of this nature both land and marine on a daily basis.

3.4.2 Vessel Refuelling

The fuel will be dispensed via swipe card operated pumps located adjacent on the floating pontoon.

The proposed fuel jetty is in a high traffic location and is therefore expected to cause a change in the navigation risk profile of the immediate surrounding waters, while alleviating congestion in waters surrounding the existing fuel jetty at 6W Accordingly, Port Marlborough has undertaken a risk assessment concerning operation of the proposed fuelling facility at 13W. This considers navigation risk that may arise once the fuel jetty is operational against the existing navigation risk in the marina. This has been summarised in Section 5.3 of this AEE. Although there will be a net positive effect on traffic flow throughout the marina waters with the installation of a second fuelling dock, a Navigation Safety Plan will ensure navigational risks identified at 13W are mitigated.

3.4.3 Spill Risk Management

Management of routine spill risk associated with fuel deliveries to the tank are described above. In summary, whilst the risk of spills associated with fuel delivery is low, the system includes the following layers of protection:

- Use of a double-skinned and bunded tank;
- Establishment of a bunded concrete pad for delivery trucks, draining to an API interceptor; and
- Holding of a spill response kit in the fuel tank kiosk.

The main source of spill risk is associated with refuelling of vessels at the jetty. To mitigate this, a Tier 1 Response Plan will be put in place. It is proposed that this be a requirement of consent and a proposed condition is included at **Appendix 2** of this AEE.

The Tier 1 Response Plan will include the following provisions:

- Specification of a spill kit on site sufficient to account for the line volume;
- Spill kit inventory (including boom(s) to contain fuel on land or sea);
- Consideration of need to close the marina to prevent a wider oil spill event; and

- Identification of responsible persons and trained responders in case of spills.

In addition, the following features will be incorporated in the fuel dock design:

- The line between the landside fuel tank and the fuel dock will have two cut off valves – one at the tank end, one at the dock end; and
- The fuel bowsers will be bunded sufficiently to hold potential spill volumes from the bowser lines.

It is proposed that detailed design plans will be submitted to MDC, for certification, as a requirement of the conditions.

4. RESOURCE CONSENT REQUIREMENTS

There are currently two plans applicable in the Waikawa area, the operative Marlborough Sounds Resource Management Plan (**MSRMP**) and the Proposed Marlborough Environment Plan (**PMEP**).

The PMEP is now well advanced in its Schedule 1 process and, in accordance with s. 86F of the RMA, all rules relevant to the proposal are to be treated as operative (and the corresponding rules of the MSRMP inoperative). There are no applicable rules in the MSRMP that have not been superseded by the PMEP and therefore, the MSRMP rules are not considered further.

4.1 PROPOSED MARLBOROUGH ENVIRONMENT PLAN

The following rules and corresponding resource consent requirements are relevant to the fuel dock proposal:

Fuel facility (activity)

Discretionary Activity

> ***Rule 15.6.2****. Any use of land not provided for as a Permitted Activity or limited as a Prohibited Activity.*
>
> ***Rule 15.6.3.*** *Any use of the coastal marine area not provided for as a Permitted Activity or Restricted Discretionary Activity, or limited as a Prohibited Activity.*

(Note 1: the fuel facility does not meet the PMEP definition of a "marine fuel facility" as it is commercial in nature and permitted activity Rule 15.1.5. therefore does not apply).

(Note 2: the fuel facility as whole does not meet the restricted discretionary standards for Rule 15.5.1. as the jetty is partly within the PMEP Appendix 10 area (see **Figure 10**))

Replacement pontoons

Permitted Activity:

> ***Rule 15.1.12****. Maintenance, repair or replacement and use of a building or structure in the coastal marine area, and for Permitted Activity purposes, the construction, use, maintenance, repair or replacement of a building or structure on existing wharves.*

The proposal meets all permitted activity standards, in particular:

- 15.3.5.1. In the case of replacement a building or structure to be replaced must have been lawfully established.
- 15.3.5.2. There must be no increase in the height, size or scale of a building or structure.
- 15.3.5.3. There must be no change in the location of a building or structure.

New Gangway

Restricted discretionary activity

> ***Rule 15.5.1.*** *Construction and use of a building or structure (including the extension of an existing building or structure) and associated occupancy of the coastal marine area.*

The gangway meets the RDA standards, being necessary for the operational requirements of the marina, and not in the Appendix 10 area – see **Figure 10**)

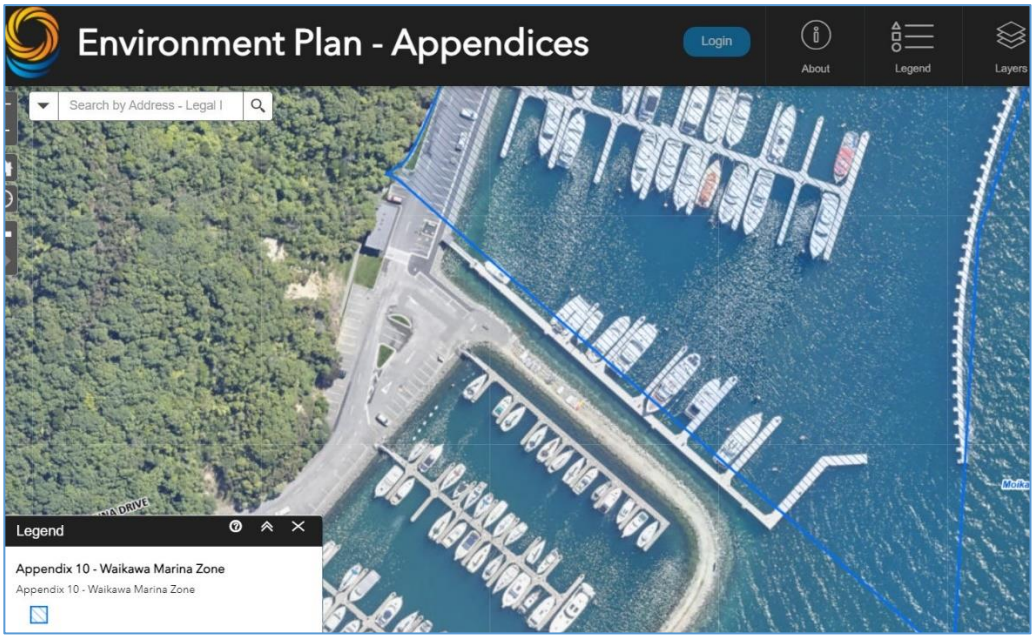


Figure 10: PMEP Appendix 10 area

Earthworks - Excavation

Discretionary activity

> ***Rule 15.6.1.*** *Any activity provided for as a Permitted Activity, Controlled Activity or Restricted Discretionary Activity that does not meet the applicable standards.*

Excavation required for the installation of tank foundation, concrete fuel delivery pad and new fuel lines and meets all standards for permitted activity (Rule 15.1.27) except:

15.3.16.1. Excavation must not be in, or within 8m of, a river (except an ephemeral river when not flowing) or the coastal marine area.

Earthworks - Filling

Discretionary activity

> ***Rule 15.6.1.*** *Any activity provided for as a Permitted Activity, Controlled Activity or Restricted Discretionary Activity that does not meet the applicable standards*

Backfilling of excavations meets all standards for permitted activity (Rule 15.1.28) except:

15.3.17.5 Filling must not be in, or within 8m of, a river (except an ephemeral river when not flowing) or the coastal marine area.

Discharge of stormwater to Marina Zone / CMA

Permitted activity

> ***Rule 2.16.4.*** *Discharge of stormwater to coastal water from roads and the Port, Port Landing Area and Marina Zones.*

The proposed discharge of stormwater meets all permitted activity standards.

Discharge of dust to air (during construction)

Permitted activity

> ***Rule 2.21.6*** *Discharge of dust*

Construction activity will be managed to ensure that discharge of dust (which in any case will be minimal given the sale of the activity) will meet the requirements of permitted activity standard 2.22.5.1 - *There must be no objectionable or offensive discharge of dust to the extent that it causes an adverse effect (including on human health) at or beyond the legal boundary of the site.*

Discharge of contaminants into air from the storage or transfer of petroleum products, including vapour ventilation and displacement.

Permitted activity

> ***Rule 2.21.4*** *Discharge of contaminants into air from the storage or transfer of petroleum products, including vapour ventilation and displacement.*

Refuelling activity will be managed to ensure that discharge of dust (which in any case will be minimal given the sale of the activity) will meet the requirements of permitted activity standard 2.22.3.1 - *There shall be no objectionable or offensive odour to the extent that it causes an adverse effect at or beyond the boundary of the site.*

4.2 NATIONAL ENVIRONMENTAL STANDARDS FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH 2011

The breakwater and reclaimed land where the tank and hardstand are to be located were constructed of cleanfill. Since it was constructed, the relevant land / breakwater has not been disturbed or used for any other purpose (various aerials provide evidence of this).

Whilst the site as a whole (as an active port and refuelling facility) is identified as a HAIL site under the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 ("**NES Soil**"), there is no evidence that a HAIL activity has occurred on the relevant land / breakwater subject to this application.

The land subject to the proposal is therefore not considered to be a 'piece of land' for the purposes of the NES Soil.

4.3 OVERALL ACTIVITY STATUS

The application for resource consents for this proposal relates to a range of activity classes. Where there is a group of activities on one site which are closely associated with each other, or are directed towards one dominant use or purpose, they should be assessed holistically as a single "bundle", according to the most stringent activity status. Accordingly, consents for the proposal are being sought from MDC as a **discretionary activity**.

4.4 DURATION OF CONSENT

An indefinite consent term is being sought for all land use consents which occur above mean high water mark and upon the reclaimed land. A 21 June 2053 expiry date is being sought for all activities in the CMA (consistent with the main marina extension consent U180137).

5. ASSESSMENT OF EFFECTS

5.1 POSITIVE EFFECTS

The proposal will generate a number of positive effects. These include:

Level of Service

The additional capacity provided by the J13W fuel facility will remedy the current shortfall in fuel dock capacity, bringing the FDTB ration up from the current 0.5% to 1.9%. This will provide a level of service in line with comparable marinas elsewhere in the country (refer Table 1 in section 4 above).

Easing of congestion

Additional diesel fuelling on the new J13W facility will ease congestion and reduce the need for queuing at the existing fuel dock (J6W). The position of the existing fuel dock near the entrance does result in some congestion issues at times of high use. However, with the addition of the second fuel facility and the ability to split the demand between two fuelling facilities in the marina, we expect the congestion to be considerably lower than what is currently experienced at the existing fuel jetty near 6W.

Navigational Safety Improvements

The location of the existing fuel facility in the marina poses a navigational hazard through both the need to cross the channel within a congested area of the marina as well as congestion overspill into the marina channel while boats are waiting to fuel.

The double-sided design of the proposed fuel dock at 13W as well as the increase in the number of sites for boats to refuel, will significantly alleviate the navigational risks posed by congestion of the Waikawa Marina channel.

5.2 WATER QUALITY EFFECTS

There are two potential dimensions of water quality effects that need to be considered, and both relate to risk of adverse effects rather than unavoidable effects.

The first relates to risk of sediment discharge during construction earthworks. The scale of the earthwork activity is modest (c.150 m^3 max) and works will be undertaken in accordance with best practise and using appropriate sediment control measures. In light of this, construction effects on water quality are considered to be negligible (less than minor).

The more substantial potential effect relates to the risks of fuel spillage, either during delivery to the holding tank, or when dispensing to vessels.

The risk of spillage during delivery of fuel to the holding tank is considered to be of low probability, but potentially high consequence. It is essentially the same level of risk

associated with delivery of fuel to commercial road vehicle filling stations. As set out in Section 3.4, the risk of accidental spillage is managed in two ways:

- Physical mitigation, including a bunded impermeable delivery area (concrete pad), draining to an API interceptor and use of a double-walled fuel tank; and
- Contingency measures including a spill recovery kit and Tier 1 response plan.

There is also a risk of structural failure in system components (fuel tank, pipework and dispensers). This is a similar level of risk to that associated with any other fuel service station, and will be managed according to industry standards, including six-monthly inspections.

The second area of spillage risk is associated with use of the fuel bowsers by marina users. Again, this risk is managed by physical and contingency means. The bowsers will be bunded to contain any minor drips or spills, and the Teir 1 Response Plan will address a risk of dispensing spills. A marine spill response kit will be maintained on site.

Overall, any effects of the proposal on water quality are considered to be no more than minor.

5.3 MARINE ECOLOGY

There will be no effects on marine ecology as the proposal will not result in any construction works or new structures in the CMA, any water quality impacts from land-side construction will be negligible and any spill risks have been minimised to the extent possible.

5.4 NAVIGATIONAL EFFECTS

Establishment of a second fuel facility at a new location will change the navigation risk profile of the surrounding waters.

Navigation safety risks that need to be considered include:

- Collision (vessel to vessel or vessel with structure);
- Grounding;
- Loss of position of a vessel; and
- Person in the water.

These risks (over existing or “baseline” navigational safety risk in the marina) can be controlled effectively using;

- Buoyage;
- Lighting;

- In water structures;
- Education/Information campaigns; and
- Regulatory controls.

With these controls, it is expected that the establishment of J13W could have a net positive impact on increasing navigation safety at in the Waikawa Marina Entrance. This is because these controls will collectively serve to reduce the speed of vessels operating in the area, increase the visibility of structures (over existing), encourage a safe passing distance from the breakwater corner and increase general awareness of good navigation practice. Overall, this project provides the opportunity to improve navigation safety at the entrance to Waikawa Marina.

It is proposed that these measures are detailed in a Navigation Safety Plan to be approved by MDC in advance of development. This will include (but not be limited to) the following:

- Review of navigational lights and marker buoys; and
- Consideration of a no wake zone from the new marina entrance towards the old marina area breakwater;

5.5 EFFECTS ON TANGATA WHENUA VALUES

Port Marlborough and Te Ātiawa o Te Waka-a-Māui have signed a kawenata which commits them, amongst other values, to prioritise Kaitiakitanga and the duty to protect the future. Both parties have committed to:

- Regular collaboration between the Te Ātiawa Taiao Team and PMNZ infrastructure and environment team;
- The ongoing support of the Te Awe Toroa environmental scholarship for local rangatahi Maori; and
- Engagement and collaboration where possible and appropriate, with each other in areas of high importance to Te Ātiawa.

Port Marlborough consulted with Te Ātiawa in the development of the proposal, and feedback from Te Atiawa showed they are content that any areas of concern and potential adverse effects were identified and will be appropriately avoided or managed. Te Ātiawa have confirmed their view that the fuelling dock is an appropriate development in the selected location. The email confirmation of this is attached at **Appendix 4**.

5.6 LANDSCAPE AND VISUAL EFFECTS

As described in Section 3, the proposed J13W fuel facility will be visually very similar to the existing installation at J6W. Therefore, this is consistent in character with the range of

structures and activities to be expected in the marina environment. As a result, any landscape and / or visual effects are considered to be less than minor.

5.7 TRAFFIC EFFECTS

5.7.1 Traffic Volumes

The main effect in terms of traffic generation will be during the construction phase, and even then, traffic volumes will be low, given the modest scale of the development.

Heavy goods traffic will be limited to transporters delivering operational machinery (diggers etc) and the infrastructure elements, with the largest single item being the fuel tank itself. These truck movements will only be required occasionally. There will be no need to move more than minor amounts of spoil / fill for earthworks as excavated material will largely be backfilled on site.

The following indicative truck movements are anticipated over the construction period (around 3 months).

Table 2: Construction: Indicative truck movements

Activity	Indicative truck movements (total)
Establishment & disestablishing equipment	4
Excavated material (noting most material will be back-filled)	10
Imported Aggregate (noting most material will be back-filled from excavation)	15
Pipes, ducting, cables etc	4
Concrete trucks	5
Fuel tank	1
Pontoons & gangway	4
Total	**43**

There will also be around 30-40 light vehicle movements per week – largely personal/ company vehicles of contractors working on the site.

On the basis that there is a minimal increase in traffic generation and any increases will be temporary, traffic effects are considered to be less than minor in the context of the working marina.

5.7.2 Parking

The proposal involves the loss of 4 or 8 car parks, depending on whether Option A or Option B is selected as the hardstand location. This is from a total of around 75 parks currently existing in the vicinity of the proposed fuel tank location. In this context, the loss of parking capacity for either option is considered to be no more than minor. There will be no loss of berth holder carparks.

In terms of access, the proposal is designed (with either hardstand option) to operate with no disruption to general access. The only time that access may be disrupted is during construction, and in particular the trenching of service pipes across Marina Drive (which again is required with either hardstand option). Construction works will be managed to minimise such disruption by staging works and managing traffic flow using normal roadworks controls such that access can be maintained at all times.

5.8 NOISE EFFECTS

Noise during construction will be managed within the PMEP standards for the zone:

> *15.2.3.5. Construction noise must not exceed the recommended limits in, and must be measured and assessed in accordance with NZS 6803:1999 Acoustics - Construction Noise.*

There will be no operational noise effects associated with the fuelling facility over the existing operating baseline of the marina.

5.8.1 Vibration

For the avoidance of doubt, there will be no vibration effects from the construction of the fuel dock as no new piles are required.

5.9 CONCLUSION

Overall, it is considered that the proposal can be constructed and operated in a manner that will appropriately avoid, remedy or mitigate potential adverse effects on the environment.

A number of the measures that have been identified within this section for avoiding, remedying or mitigating adverse effects are reflected in the proposed resource consent conditions proffered in **Appendix 2** to this AEE.

6. CONSULTATION

In preparing this proposal, Port Marlborough have consulted the following parties.

Te Ātiawa o Te Waka-a-Māui

Te Ātiawa o Te Waka-a-Māui were consulted from the initial stages of the project as options for enhancing boat refuelling were considered. For the J13W proposal, Te Ātiawa sought confirmation that appropriate measure would be in place to manage spill risk management, which are reflected in the design measures and Tier 1 spill risk management set out in this AEE.

Te Ātiawa o Te Waka-a-Māui has confirmed that they are comfortable with the proposal.

Harbour Master

The Harbour Master requested that a Tier 1 spill risk management plan be provided, together with measures to ensure navigational safety.

These matters are addressed by means of the proposed conditions requiring a Tier 1 plan and navigation safety plan to be submitted to and certified by MDC prior to operation of the fuel facility.

7. STAUTORY ASSESSMENT

Section 104(1) of the RMA lists the matters that the consent authority must have regard to when considering an application for resource consent. Section 104(1) states:

> *104 Consideration of applications*
>
> *(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to–*
>
> *(a) any actual and potential effects on the environment of allowing the activity; and*
>
> *(b) any relevant provisions of*
>
> *(i) a national environmental standard:*
>
> *(ii) other regulations:*
>
> *(iii) a national policy statement:*
>
> *(iv) a New Zealand coastal policy statement:*
>
> *(v) a regional policy statement or proposed regional policy statement:*
>
> *(vi) a plan or proposed plan; and*
>
> *(c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

Section 104(1) does not give any of the matters to which a consent authority is required to have regard primacy over any other matter. All the matters are to be given such weight as the consent authority sees fit in the circumstances and all provisions are subject to Part 2.

Set out below is an assessment of all matters relevant to these consent applications under section 104(1) including:

- The New Zealand Coastal Policy Statement ("**NZCPS**").
- The Marlborough Regional Policy Statement ("**RPS**").
- The Operative Marlborough Sounds Resource Management Plan ("**Operative Plan**").
- The Proposed Marlborough Environment Plan ("**Proposed MEP**").
- The Te Ātiawa Iwi Environmental Management Plan ("**Te Ātiawa IEMP**")
- Sections 105 and 107 of the RMA.
- Part 2 of the RMA.

7.1 NEW ZEALAND COASTAL POLICY STATEMENT 2010

The New Zealand Coastal Policy Statement 2010 ("**NZCPS**") sets out a number of objectives and policies for achieving the purpose of the RMA in relation to the coastal environment of New Zealand.

The NZCPS contains provisions which address the following matters of relevance to the proposed fuelling facility:

- Provision for the use and development of the coastal environment;
- Treaty of Waitangi, tangata whenua and Māori Heritage;
- Natural character and landscape values;
- Biodiversity; and
- Public open space and recreation

The NZCPS provisions relating to each matter are addressed below.

7.1.1 Provision for the Use and Development of the Coastal Environment

The NZCPS recognises the importance of the use and development of the coastal environment, and seeks to enable people and communities to provide for their social and economic wellbeing through its use and development recognising that:

- The protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;
- Some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities; and

- Functionally some uses and developments can only be located on the coast or in the CMA.[4]

Also, it seeks that when managing the CMA:

- The potential contributions to the social, economic and cultural wellbeing of people and communities from use and development of the CMA be recognised;[5] and
- It be recognised that there are activities that have a functional need to be located in the CMA, and that those activities should be provided for in appropriate places.[6]

As set out in Section 7.3 and Section 7.4 below, the proposed site is in the Marina Zone of both the Operative Plan and Proposed Plan. The Plans direct that the operational requirements of a marina facility be provided for in this area, and the refuelling facility is an integral element of such activity.

7.1.2 Treaty of Waitangi, Tangata Whenua and Māori

The NZCPS seeks that management of the coastal environment take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:

- Recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;
- Promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;
- Incorporating mātauranga Māori into sustainable management practices; and
- Recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.[7]

In Policy 2, the NZCPS provides direction on how this should be done in the context of resource consent applications, including direction to:

- With the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate mātauranga Māori in the consideration of applications for resource consents;[8]

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4 NZCPS Objective 6.

5 NZCPS Policy 6(2)(a).

6 NZCPS Policy 6(2)(c).

7 NZCPS Objective 3.

8 NZCPS Policy 2(c).

- Take into account any relevant iwi resource management plan to the extent that its content has a bearing on resource management issues in the district;[9]
- Provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as:
    - bringing cultural understanding to monitoring of natural resources; and
    - providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua.[10]
- In consultation and collaboration with tangata whenua, working as far as practicable in accordance with tikanga Māori, and recognise the importance of Māori cultural and heritage values through cultural impact assessments.[11]

Te Ātiawa have been engaged in developing the subject proposal, and are comfortable with the proposals. It is considered that the proposed activity accords with the tangata whenua provisions of the NZCPS.

7.1.3 Natural Character and Landscape

The NZCPS seeks that management of the coastal environment preserve the natural character of the coastal environment and protect natural features and landscape values through:

- Recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;
- Identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and
- Encouraging restoration of the coastal environment.[12]

The proposed fuelling facility sits comfortably with this planning direction and is an appropriate development in this coastal environment noting that:

- It does not affect any area of outstanding natural character;
- It is proposed within the Marina Zone and the development is an appropriate proposal for this location; and
- It will have a negligible effect on landscape or natural character values of the area.

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9 NZCPS Policy 2(e).

10 Policy 2(f).

11 Policy 2(g).

12 NZCPS Objective 2.

7.1.4 Biodiversity

The NZCPS seeks that the coastal environment be managed to safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:

- Maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature;
- Protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and
- Maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.[13]

Key policies for achieving this objective when considering the proposed activity are Policy 11 (Indigenous biological diversity) and Policy 22 (Sedimentation).

The only operational risk of adverse effects to biodiversity is from accidental spills. This is managed by the physical safeguards and spill response plan described in Sections 3.4 and 5.2 above.

In accordance with Policy 22 (Sedimentation), the construction of the marina extension will also be undertaken in a manner which will ensure it will not result in a significant increase in sedimentation of the surrounding area.

With these mitigation measures in place, the proposal accords with the biodiversity provisions of the NZCPS.

7.1.5 Public Open Space and Recreation

The NZCPS seeks to maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:

- Recognising that the CMA is an extensive area of public space for the public to use and enjoy;
- Maintaining and enhancing public walking access to and along the CMA without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the CMA; and

[13] NZCPS Objective 1.

- Recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the CMA advances inland.[14]

During construction of the marina there may be some temporary and disruption to activities in and around the construction site for health and safety reasons. Policy 19(3) recognises it is appropriate to restrict public access to an area for these reasons. Otherwise, the fuel facility will have no adverse effect on public access, and sits comfortable with the NZCPS provisions.

7.1.6 Summary

As set out in Section 7.3 and Section 7.4 below both the Operative Plan and Proposed MEP identify the proposed site as appropriate for marina activities in applying Marina Zoning, this naturally includes vessel refuelling (noting also that non-commercial vessel refuelling is a permitted activity in the PMEP).[15] The assessments set out in Section 5 of this AEE also confirm that the proposed location is an appropriate place for a new marina.

In that context the construction and operation of the proposed fuel facility sits comfortably with the NZCPS.

7.2 MARLBOROUGH REGIONAL POLICY STATEMENT

The Marlborough Regional Policy Statement ("**RPS**") provides an overview of Marlborough's significant resource management issues. While it is relatively old (1995), and soon to be replaced by the PEMP, the RPS remains operative. Therefore, in accordance with section 104(1)(b)(v) of the RMA, consideration of the RPS is necessary in consideration of consent applications.

Relevant to this proposal, the RPS seeks to:

- Protect water quality in the CMA;[16]
- Maintain and enhance the quality of life for the Marlborough community;[17]
- Sustainably manage the coastal environment, including the appropriate management and allocation of public water space;[18]

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[14] NZCPS Objective 4.

[15] PMEP Rule 15.1.5.

[16] Objective 5.3.2.

[17] Objective 7.1.2.

[18] Objective 7.2.7 and Policy 7.2.10.

- Maintain and enhance the visual character of indigenous, working and built landscapes;[19] and
- Maintain and enhance the natural character of the coastal environment.[20]

It is considered that the proposed fuel facility is consistent with the relevant objectives and policies of the RPS on the basis that:

- The fuel facility, either during its construction or ongoing operation, will not result in significant ecological impacts, either marine or terrestrial based;
- Risks of adverse discharges, either from accidental fuel spillage or from escape of sediment during construction are appropriately identified and mitigated;
- The fuel facility will not impact on any significant sites or outstanding natural features or landscapes;
- The proposed fuel facility will provide for the efficient operation of the marina; and
- The natural character of the Waikawa Bay will be maintained. The area is already developed for use as an existing marina and the fuel facility will be assimilated within this existing activity.

7.3 OPERATIVE MARLBOROUGH SOUNDS RESOURCE MANAGEMENT PLAN (OPERATIVE PLAN)

The Operative Plan is a combined plan containing the regional, regional coastal and district plans for the Marlborough Sounds area. The Operative Plan was made fully operative on 28 March 2003. It will be replaced in due course by the PMEP (which is now well advanced), but the provisions of the Operative Plan remain a matter to which regard must be had when considering the proposed activity.

The development is located in the Marina Zone in the Operative Plan, and of particular relevance in that context is Chapter 10, which contains the provisions directly relevant to the Marina Zone. These Marina Zone provisions are addressed first below. Other chapters containing relevant provisions, and which are also addressed below include:

- Chapter 2 Natural Character
- Chapter 4 Indigenous Flora and Fauna and Their Habitats.
- Chapter 5 Landscape
- Chapter 6 Tangata Whenua and Heritage.
- Chapter 8 Public Access.

[19] Objective 8.1.2.
[20] Policy 8.1.6.

- Chapter 9 Coastal Marine.

7.3.1 Chapter 10 Urban Environment

Chapter 10 contains the Operative Plan's provisions which directly address development of marinas, including:

> ***Objective 3***
> *Enable the sustainable development and operation of marinas and associated infrastructure within the Marina Zone.*
>
> ***Policy 3.1***
> *Avoid the proliferation of marina development within the coastal marine area by focusing such development within the Marina Zone.*
>
> ***Policy 3.2***
> *Enable the construction, maintenance and operation of marina activities within Marina Zones, whilst ensuring any adverse effects on the environment are avoided, remedied or mitigated. In considering effects, particular regard will be given to any adverse effects on areas regularly used for the gathering of kaimoana and sites of cultural significance.*
>
> ***Policy 3.3***
> *Ensure marinas incorporate and retain public access to the foreshore, coastal environment and coastal marine areas where such access does not interfere with the safe and efficient operation of the marina.*

These provisions clearly support the development of the fuelling facility in the proposed location and provide direction on constructing and operating the development in an appropriate form and within appropriate limits. The proposed development is consistent with that direction noting that it is only a very minor physical modification of the existing marina environment.

Further direction on managing the adverse effects is provided in Objective 2 and its associated policies. They seek avoidance and, where necessary, remediation and mitigation of adverse effects resulting from marina operations and associated land-based activities,[21] and direct this be done by (*inter alia*) avoiding the adverse effects of discharges from land within marina waters.[22]

In accordance with these provisions, appropriate controls are proposed (physical and operational) to minimise and mitigate risk of accidental spillage. The existing marina has "clean marina" status, indicating that the existing management procedures in place to protect water quality are effective and this will also be the case for the proposed fuel facility.

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[21] Operative Plan – Chapter 10 Objective 2.

[22] Policies 2.1 and 2.2.

7.3.2 Chapter 2 Natural Character

The Operative Plan seeks to preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use and development.[23]

The proposed development sits comfortably with this key policy direction as the current marina activities and mooring areas have altered the natural character of Waikawa Bay and the proposed fuel facility will be seen as part the existing use and character of the area.

7.3.3 Chapter 4 Indigenous Flora and Fauna and their Habitats

The objective and relevant policies in Chapter 4 of the Operative Plan direct that areas of significant ecological value be identified, and that effects on those areas be avoided, remedied or mitigated.[24] As outlined in Section 5 of this AEE no areas of significant ecological value will be directly affected by the proposed activity.

7.3.4 Chapter 5 Landscape

Chapter 5 of the Operative Plan addresses landscape. It seeks management of the visual quality of the Sounds and protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.[25] The proposed marina is not in an outstanding natural feature of landscape area, and in any case will have a negligible effect on the existing landscape quality of Waikawa Bay, where it will be viewed as a logical part of the existing marina activity in the area.

7.3.5 Chapter 6 Tangata Whenua and Heritage

Chapter 6 addresses tangata whenua matters. It seeks recognition and provision for the relationship of Marlborough's Maori to their culture and traditions with their ancestral lands, waters, sites, waahi tapu and other taonga[26] and provides direction on how this be done - in particular:

> ***Policy 1.2***
> *Recognise values important to tangata whenua, including the concepts of mauri, effects on the mana of iwi or hapu, and the ability of tangata whenua to provide manaakitanga.*
>
> ***Policy 1.3***
> *Recognise the role of tangata whenua as kaitiaki in the coastal marine area.*

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[23] Chapter 2 Objective 1.

[24] Chapter 4 Objective 1, Policy 1.1 and Policy 1.2.

[25] Chapter 5 Objective 1.

[26] Chapter 6 Objective 1.

Policy 1.4
Recognise and provide for continued tangata whenua access to, and use, of traditional coastal resources such as maataitai, taiapure and taonga raranga.

Policy 1.5
Maintain and facilitate communication with iwi representatives which ensures that where appropriate, issues of importance to iwi are drawn to the Council's attention.

Addressing these matters has occurred via engagement of Te Te Ātiawa o Te Waka-a-Māui, who have confirmed that they are comfortable with the proposal.

7.3.6 Chapter 8 Public Access

Chapter 8 addresses public access. It seeks that public access to and along the CMA, lakes and rivers be maintained and enhanced.[27] With respect to how this is to be achieved at the proposed marina extension, the most relevant policy states:

Policy 1.2
Adverse effects on public access caused by the erection of structures, marine farms, works or activities in or along the coastal marine area should as far as practicable be avoided. Where complete avoidance is not practicable, the adverse effects should be mitigated and provision made for remedying those effects, to the extent practicable

The proposal sits comfortably with this planning direction. It will not alter the current nature of public access along this part of the coastline, except for minor diversions during construction.

In this regard (as per the NZCPS) the Operative Plan acknowledges it is appropriate for Port Marlborough to restrict public access to the proposed marina extension area during construction for health and safety reasons.[28]

7.3.7 Chapter 9 Coastal Marine Area

Chapter 9 addresses the CMA. Most relevant to the proposed marina extension are its provisions which address the occupation of coastal space, adverse effects on natural and physical resources, and alternation of the foreshore and seabed.

With respect to coastal occupation, the provisions seek the accommodation of appropriate activities in the CMA whilst avoiding, remedying or mitigating the adverse effects of those activities.[29] With respect to marinas, the key direction for how this will be achieved is Policy 1.5 which supports locating marina activities in the Marine Zone.

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[27] Chapter 8 Objective 1.

[28] Chapter 8 Policy 1.8.

[29] Chapter 9 Objective 1.

Also of relevance when assessing and managing the effects of the proposed fuel facility is Policy 1.2 which states:

> ***Policy 1.2***
> *Adverse effects of subdivision, use or development in the coastal environment should as far as practicable be avoided. Where complete avoidance is not practicable, the adverse effects should be mitigated and provision made for remedying those effects to the extent practicable.*

The proposed fuel facility meets these policy objectives by repurposing existing structures in the CMA (Jetty 13W), rather than requiring new ones.

7.3.8 Summary

The Operative Plan has earmarked the proposed site for a marina activities by applying the Marina Zone. It contains direction on how effects are to be managed, and for reasons set out above, and in Section 5, the proposed fuel facility activity aligns comfortably with that direction.

In that context the construction and operation of a fuel facility in the proposed location clearly aligns with, and contributes to achieving, the planning outcomes sought by the Operative Plan.

7.4 PROPOSED MARLBOROUGH ENVIRONMENT PLAN

The PMEP is well advanced in its Schedule 1 process, with most appeals now resolved, and will soon replace the RPS and the Operative Plan. Its provisions should therefore be afforded significant weight.

The development is located in the Marina Zone in the PMEP, and of particular relevance in that context is Chapter 13 which contains provisions directly relevant to the Marina Zone. These provisions are addressed first below. Other chapters containing relevant provisions, and which are also addressed below include:

- Chapter 3 Marlborough's Tangata Whenua Iwi.
- Chapter 4 Use of Natural Physical Resources.
- Chapter 6 Natural Character.
- Chapter 7 Landscape.
- Chapter 9 Public Access.

7.4.1 Chapter 13 – Use of the Coastal Environment

Chapter 13 of the Proposed MEP contains provisions which address use of the coastal environment. Most relevant are those which address the Marina Zone in which the proposed fuel facility would be located.

A key objective of the Proposed MEP in respect of marinas is to enable their efficient operation[30], and its policies direct this be done by:

- Identifying specific areas for the operation of marinas by attributing them a Marina Zone;[31]
- Promoting the efficient use of land within the Marina Zone;[32] and
- Recognising and providing for the operational requirements of marinas within Marina Zones.[33]

Constructing and operating the fuel facility in the Marina Zone is clearly consistent with these provisions, particularly when noting that non-commercial fuel facilities are a permitted activity in the zone.

Chapter 13 also contains provisions which address the effects of development in the Marina Zone. They seek that the operation and maintenance of Marina Zones occurs in a way that minimises adverse effects on adjoining zones, water quality, air quality and values of the coastal environment,[34] and direct that the intensity, character and scale of development and operation of Marina Zones is appropriate in relation to the values of the coastal environment in these locations.[35]

Where a resource consent is required to extend or alter marina infrastructure and this is to occur within that part of the Marina Zone located in the CMA, the following matters shall be considered:

- The intended use of the extended or altered infrastructure (having regard to Policies 13.17.3 and 13.17.4) and the benefits likely to arise from this use;
- The design of structures/reclamation, including size and construction materials;
- Whether there will be a loss of public access or use of the area and/or public access to and along the CMA will be impeded;
- The effects of glare, lighting and noise;
- The effects on natural coastal processes;
- The effects during construction on:
    - Other users of the area, navigation and public safety; and

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30 Objective 13.17.

31 Policy 13.17.1.

32 Policy 13.17.2.

33 Policy 13.17.4.

34 Objective 13.18.

35 Policy 13.18.1.

- Water and air quality.[36]

The proposed fuel facility clearly accords with this direction.

7.4.2 Chapter 3 - Marlborough's Tangata Whenua Iwi

Chapter 3 addresses issues of significance to iwi authorities in Marlborough. Of most relevance to the proposed fuel facility it seeks:

- Natural and physical resources are managed in a manner that takes into account the spiritual and cultural values of Marlborough's tangata whenua iwi and respects and accommodates tikanga Māori;[37]
- The cultural and traditional relationship of Marlborough's tangata whenua iwi with their ancestral lands, water, air, coastal environment, waahi tapu and other sites and taonga are recognised and provided for;[38] and
- Resource management decision making processes that give particular consideration to the cultural and spiritual values of Marlborough's tangata whenua iwi.[39]

Te Ātiawa have been consulted and confirmed that they are comfortable with the proposal. It is considered that the proposed activity sits comfortably with the PMEP provisions addressing tangata whenua matters.

7.4.3 Chapter 4 – Use of Natural Physical Resources

Chapter 4 addresses the use of natural and physical resources. Of particular relevance to the proposed marina extension is Objective 4.3 which addresses the Marlborough Sounds, and which seeks to maintain and enhance the visual, ecological and physical qualities that contribute to their character. The proposed fuel facility sits comfortably with this objective, noting in particular that the Proposed MEP attributes the area Marina Zoning and the visual effects of the proposed development are consistent with those anticipated for this zone.

7.4.4 Chapter 6 – Natural Character

Chapter 6 addresses natural character. It seeks:

- To establish the degree of natural character in the coastal environment, and in lakes and rivers and their margins;[40] and

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[36] Policy 13.18.7.

[37] Objective 3.2.

[38] Objective 3.3.

[39] Objective 3.5.

[40] Objective 6.1.

- To preserve the natural character of the coastal environment, and lakes and rivers and their margins, and protect them from inappropriate subdivision, use and development.[41]

The supporting policies direct that areas with compromised natural character values are more appropriate for further use and development than those which are comparatively pristine. The location of the fuel facility is appropriate in this context.

7.4.5 Chapter 7 - Landscape

Chapter 7 addresses landscape. The PMSP does not identify the site as being within an outstanding natural landscape or feature, however it is located within the Marlborough Sounds Coastal Landscape. Policy 7.2.7 is relevant to activities in this landscape area. It seeks seek to protect the high amenity values attributed to this landscape area by (*inter alia*):

> *a) In respect of structures:*
>
> *(i) ...*
>
> *(ii) ...*
>
> *(iii) using reflectivity levels and building materials that complement the colours in the surrounding landscape;*
>
> *(iv) limiting the scale, height and placement of structures to minimise intrusion of built form into the landscape;*
>
> *(v) recognising that existing structures may contribute to the landscape character of an area and additional structures may complement this contribution;*
>
> *(vi) ...*
>
> *(vii) encouraging utilities to be co-located wherever possible;*

In accordance with these provisions the design of the fuel facility has sought to reduce visual impact, and to minimise its intrusion on the landscape. It will be seen as a congruous extension to the existing use and character of the area, will have a very low (de minims) level of effect on the landscape values of Waikawa Bay, and is appropriate development in the landscape context considering the above policy.

7.4.6 Chapter 9 – Public Access and Open Space

Chapter 9 contains provisions relating to public access and open space. It seeks that the public are able to enjoy the amenity and recreational opportunities of Marlborough's coastal environment.[42]

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[41] Objective 6.2.

[42] Objective 9.1.

The provisions also direct that decision makers recognise the existing network of marinas at Picton, Waikawa and Havelock, publicly owned community jetties, landing areas and launching ramps make a significant contribution in providing access for the public to Marlborough's coastal areas.[43] The proposed fuel facility will have no adverse effects of public assess (other than some minor inconvenience during construction).

7.4.7 Summary

The PMEP has earmarked the proposed site for new marina activities by attributing it Marina Zoning – indeed, if the fuel facility were non-commercial, it would be a permitted activity. The PMEP also contains direction on how effects are to be managed, and for reasons set out above, and in Section 5, the proposed activity aligns comfortably with that direction.

In that context the construction and operation of the fuel facility in the proposed location clearly aligns with, and contributes to achieving, the planning outcomes sought by the MEP.

7.5 TE ĀTIAWA O TE WAKA-A-MĀUI IWI ENVIRONMENTAL MANAGEMENT PLAN 2014

The Te Ātiawa Iwi Environmental Management Plan ("**Te Ātiawa IEMP**") is the principle resource management planning document for Te Ātiawa. It is a relevant matter under s104(1)(c) of the RMA.

Section 4.2 of the IEMP identifies eight matters of particular strategic importance to Te Ātiawa as the basis for the management of resources in the rohe. They state:

Kaupapa 1: ***TINO RANGATIRATANGA*** *(Self-determination: Asserting mana whenua - authority in Te Ātiawa rohe).*

Kaupapa 2: *Exercising the role as* ***KAITIAKI*** *(guardians).*

Kaupapa 3: *Sustainable management of* ***WAAHI TAPU*** *(sites of significance; cultural / spiritual sacred places).*

Kaupapa 4: *Sustainable management of* ***WAAHI TAONGA*** *(sites of significance; treasured natural resources).*

Kaupapa 5: *Sustainable management of* ***WHENUA*** *(land).*

Kaupapa 6: *Sustainable management of* ***TE WAI MĀORI*** *(fresh water management).*

Kaupapa 7: *Sustainable management of* ***MOANA*** *(sea – coastal / marine area).*

Kaupapa 8: *Sustainable resource use opportunities for* ***IWI, HAPŪ****, and* ***WHĀNAU***

[43] Policy 9.1.7.

Each of these Kaupapa is attributed its own section in the Te Ātiawa IEMP, and its own specific objectives and policies.

The consultation undertaken for this proposal, and the ongoing commitment of Port Marlborough to work together with Te Ātiawa on the long-term management of Waikawa Bay, is consistent with objectives and policies for Kaupapa 1 – Tino Rangatiratanga (Section 7.2) and Kaupapa 2 – Kaitiaki (Section 7.3). It recognises Te Ātiawa as kaitiaki of Waikawa Bay, with the responsibility to ensure that the mauri of the bay is maintained.

The three objectives and associated policies for Kaupapa 7 Sustainable management of MOANA (sea – coastal marine area) (Section 7.8) are particularly relevant to the proposed fuel facility. They state:

Objective 1 ***The quality of coastal / marine water throughout the rohe will be a priority outcome for all managers.***

Policy 1 *Vigorously oppose all unauthorised discharges of contaminants to coastal / marine water and intertidal areas, throughout the rohe.*

Policy 2 *Support coastal / marine water quality monitoring and reporting in the rohe – including the need for research and development as appropriate.*

Policy 3 *Require legal enforcement where there is a breach of coastal / marine water quality standards.*

Policy 4 *Raise the understanding and awareness of tikanga and kaitiakitanga in relation to coastal / marine water quality.*

Objective 2 ***The integrity of the coastal / marine habitat, inclusive of saltwater wetlands and the coastal riparian habitat, which forms the coastal / marine ecosystem throughout the rohe, will be a priority outcome for the community and all the managers of the rohe***.

Policy 1 *Work with co-managers of the rohe to maintain the mauri of the coastal / marine ecosystems, including the saltwater wetlands and coastal riparian ecosystems.*

Policy 2 *Support monitoring – including research and knowledge development – of the integrity of coastal, riparian and saltwater wetland ecology in the rohe.*

Policy 3 *Support projects aimed at enhancing the indigenous coastal / marine area ecology of the rohe.*

Policy 4 *Consider intervention options where activities are being undertaken with the potential to compromise coastal marine and associated ecosystems in the rohe.*

These provisions have been reflected in the consultation with Te Ātiawa, particularly regarding the strong focus on water quality in Waikawa Bay and the spill risk management measures outlined in Sections 3.4.3 and 5.2. In turn, it is considered the way in which the

proposed fuel jetty has been designed, and would be implemented, and sits comfortably with the objectives and policies of Kaupapa 7 set out above.

7.6 SECTIONS 105 AND 107

Sections 105 and 107 of the RMA set out additional matters that consent authorities must have regard to when considering a resource consent for a discharge and/or coastal permit. There is potential for sediment to be released into the CMA during construction of the reclamation and structures associated with the marina. The assessments in this regard have found that any adverse effects are likely to be relatively localised and temporary and can be managed via adherence to best practice construction and erosion control measures to prevent any significant plumes of sediment being released into the environment. The assessment also finds that there are no significant or particularly sensitive habitats that will be affected.

Operationally, the facility will be managed so as to appropriately avoid, remedy or mitigate any potential adverse effects arising from storage and dispensing of fuel.

7.7 PART 2 RMA

Section 104(1)(b) of the RMA sets out the planning documents that decision makers are required to have regard to when considering an application for resource consent and any submissions received. Any such consideration is, however, subject to Part 2 of the RMA which sets out the purpose and principles of the RMA.

The purpose of the RMA as expressed in section 5 is to promote the sustainable management of natural and physical resources, with sustainable management defined in section 5(2) as:

> *sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—*
>
> *(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
>
> *(b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
>
> *(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

Case law has established that direct recourse to Part 2 will generally not be necessary in circumstances where the relevant planning documents provide coverage of the pertinent matters, and where there is no ambiguity in their application. In this instance it is

considered that the planning documents do provide clear and complete direction, and as such recourse to Part 2 is not necessary.

Nonetheless, it can be noted that:

- In terms of section 5 of the RMA, the construction, operation and maintenance of the proposed fuel facility will enable people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, by:
  - Improving the level of service of the existing Waikawa Marina which is an existing physical resource and responding to existing demand for additional fuel berth capacity;
  - Providing an efficient solution to meeting this demand; and
  - Maintaining public access to the coast via pedestrian and vehicle routes.
- In terms of sustaining the potential of natural and physical resources for future generations:
  - The proposal is necessary to meet and enhance the demand for boat fuelling facilities in the marina; and
  - The environment within which the proposed marina is to be located is already modified, and has the ability to assimilate the development without giving rise to adverse effects, or those that are incapable of being appropriately mitigated.
- The proposal will safeguard the life supporting capacity:
  - Of air, as it will have no adverse effects on air quality;
  - Of water, as it is within an already modified environment, and use existing structures. Best practice measures will be adopted to avoid or mitigate any adverse effects arising from discharges to the CMA; and
  - Of soils, by the management of the construction activities so to avoid or mitigate any potential adverse effects arising from land disturbance, and to rehabilitate any land areas post construction;
- The proposal includes measures to avoid, remedy or mitigate any actual or potential adverse effects on the environment. These measures have either been developed as part of the design of the fuel facility and/or will be managed as part of its construction and operation. Consultation with neighbours, key stakeholders such as the Harbour Master, Waikawa Boat Club at Te Ātiawa Manawhenua Ki Te Tau Ihu Trust, and the wider community has also informed the locations, design and mitigation measures.
- A number of management plans are proposed and the requirement to prepare and implement these plans is secured via the proposed conditions (see Section **Error! Reference source not found.**).

The proposal recognises and provides for the relevant matters in section 6 of the RMA, particularly in respect of the following aspects:

- Natural character values within the bay are not significant, and due to the current level of modification in the area, which the fuel facility will be viewed as a logical extension to; the overall level of natural character will remain unchanged;
- The proposed development is considered to be an appropriate use and development of the CMA in the location proposed as the natural character has already been influenced by the existing marina activities and surrounding development, and the environment has ample capacity to absorb the fuel facility without giving rise to adverse effects;
- Public access to and along the CMA is maintained;
- The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga has been recognised by Port Marlborough through the engagement with Te Ātiawa; and
- The proposal does not impact on any known sites of historic heritage;

The proposal has also had regard to and has appropriately responded to the matters in sections 7 and 8 of the RMA, as follows:

- The kaitakitanga of tangata whenua has been recognised in engagement with Te Ātiawa; and an ongoing commitment to involve iwi in the planning and development of the marina, particularly with regard to the management and monitoring of effects;
- The ethic of stewardship has also been recognised through the engagement with tangata whenua;
- The proposal will improve the efficient operation of the existing marina facilities at Waikawa Bay in an appropriately zoned location;
- The proposal will not adversely affect any significant ecosystems or habitats;
- The proposal will not adversely affect the amenity values or quality of the environment in which it exists; and
- The effects of climate change are not expected to generate any adverse effects on the integrity or form of the proposed fuel facility.

The NZCPS, the RPS, various plans and the relevant objectives, policies and rules provide direction and guidance, in accordance with hierarchical principles embodied in the RMA for assessing this application in terms of its impact on factors such as natural character, landscape, ecology, coastal processes, recreation, public access and amenity values. The assessments of this AEE confirms that Port Marlborough has accounted for all of the potential or actual effects arising from the proposal, and where a potential or actual

adverse effect has been identified, appropriate steps have been taken for avoidance, remedy or mitigation.

Overall, it is considered that the proposal will enable the efficient use of the water space at Waikawa Bay in an appropriate and sustainable manner. The proposed fuel facility provides a long term, comprehensive solution to the current and future demands for boat refuelling in the area and will give rise to operational and recreational benefits.

8. NOTIFICATION ASSESSMENT

8.1 SECTION 95A PUBLIC NOTIFICATION

Whether the application should be notified has been assessed as follows, according to section 95A of the Act.

Step 1 – Mandatory public notification:

The applicant does **not** request public notification of the application (s95A(3)(a)).

The application does not include an exchange of recreation reserve land (s95A(3)(c)).

Step 2 – Public notification precluded:

Public notification is not precluded by any rule or national environmental standard (s95A(5)(a)).

The proposal is not a boundary activity and therefore, public notification is not precluded under s95A(5)(b)(iii).

Step 3 – Public notification required in certain circumstances:

No applicable rules or national environmental standards require public notification (s95A(8)(a)).

For the reasons set out in this AEE, the activity is not expected to have adverse effects on the environment that are more than minor (s95A(8)(b)).

Step 4 – Public notification in special circumstances:

There are no “special circumstances” (a matter that is well-established in resource management caselaw) in relation to this application. Therefore, in terms of s95A(9) public notification of the application is not required due to special circumstances.

8.2 SECTION 95B LIMITED NOTIFICATION

Section 95B(1) of the Act requires a consent authority to determine whether to give limited notification of an application if it is not publicly notified under s95A. Limited notification according to section 95B is assessed as follows.

Step 1 - certain affected groups and affected persons must be notified (s95B(2)):

Limited notification is not required under Step 1 as there are no affected protected customary rights groups or affected customary marine title groups in relation to the site.

Step 2 - if not required by Step 1, limited notification precluded in certain circumstances:

Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or an NES that precludes notification, and it is not for a controlled activity.

Step 3 - if not precluded by Step 2, certain other affected persons must be notified:

The proposal is not a boundary activity and therefore s 95B(7) is inapplicable.

The proposal therefore falls into the 'any other activity' category (s 95B(8)) and the consent authority must determine under s95E if there are any other affected persons. The Applicant considers that the assessment of effects provided in this AEE indicates that there are no affected persons.

Step 4 – special circumstances:

The Applicant has not identified any "special circumstances" (as characterised by caselaw) that would warrant limited notification of the application to any person.

8.3 NOTIFICATION CONCLUSION

The proposal's actual and potential adverse effects on the environment are expected to be minimal and, for the purposes of s95E less than minor. The Applicant is not aware of any person(s) who would be adversely affected by the proposal and as such, although consultation has been undertaken with the parties listed in Section 7, no formal written approvals to the proposal have been requested.

As such, the Applicant considers the application can be processed on a non-notified basis

9. CONCLUSION

The Waikawa marina is currently under-served for vessel refuelling when compared to similar marinas in New Zealand. The proposed addition of a fuel dock facility at Jetty 13W will bring the level of service up to a comparable standard, and can be developed with minimal environmental effect. The addition of the required capacity at a separate location will also ease congestion at the existing fuel dock at Jetty 6W.

The proposal is in line with the activities anticipated in the Marina Zone of the PMEP and there are no considerations in the statutory framework which indicate that consent should not be granted.

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APPENDIX 1

Hynds API

Hynds
API Separator
Oil/Water Management System

- Commercial & Residential Systems

EVI 4 HYNDS API SEPARATOR **JULY 2012**

0800 425 433
www.***hyndsenv***.co.nz

HYNDS ENVIRONMENTAL

The Hynds API Separator is a secure and reliable spill management system designed to separate hydrocarbons from stormwater.

The system contains up to 2500 litres of spilt hydrocarbons and separate free oil and water to 15 ppm (MG/L).

Should an accidental spillage occur the victaulic butterfly shut-off valve will close once the system is at capacity, and eliminates the danger of hydrocarbons contaminating the stormwater system.

Applications

The reliable design of the separator has proven the Hynds API is an ideal separator wherever oil-water management is required. Applications include:

- Fuelling facilities
- Truck stops
- Vehicle service centres
- Treatment of non-detergent wash water from vehicle washing and repair workshops.

Advantages

- Cost effective
- Separates free oil from water
- High quality precast concrete chambers
- Meets accepted environmental separation standard of 15 ppm (mg/L)
- Manual shut-off valve
- Easy access for servicing
- Design and sizing available to meet range of catchment sizes
- Designed to contain 2500 litre of hydrocarbons
- Low maintenance
- High operational reliability
- Easy to install

Installation

A level and uniform sub-base providing a safe bearing capacity of at least 100 kPa is required to bed the Hynds API Separator. The sub-base should be pre- prepared with at least 100 mm of compacted granular material. The lid must be bedded uniformly on all sides using SM 9020, or similar, to ensure a watertight seal between the lid and the chamber.

Size	API 3.0	API 3.5	API 4.0	API 4.5	API 5.0	API 5.5
Internal Length	3000	3500	4000	4500	5000	5500
External Length	3300	3800	4300	4800	5300	5800
Internal Width	1580	1580	1580	1580	1580	1580
External Width	1880	1880	1880	1880	1880	1880
Unit Weight	12	13.5	15	16.5	18	19.5

Auckland Regional Council TP 10

Size	API 3.0	API 3.5	API 4.0	API 4.5	API 5.0	API 5.5
Catchment Area m^2	117	140	160	183	203	227
Design Flow	0.48	0.58	0.66	0.76	0.85	0.95

Oil Industry Design Guidelines (Rainfall Rate used is 15 mm/hr)

Size	API 3.0	API 3.5	API 4.0	API 4.5	API 5.0	API 5.5
Catchment Area m^2	163	197	230	263	290	320
Design Flow (litres/sec)	0.68	0.82	1.32	1.1	1.21	1.33

Operating Procedures

Subsequent to installation the API separator should be filled with clean water up to the invert level of the inlet. The butterfly valve should be left **open**.

In the event of a spillage, the following steps must be followed:

- **Close** the butterfly valve immediately (using the telescopic handle attached to the valve under the Toby box lid).
- Management should be notified.
- The valve is to remain closed until the spillage is fully contained, and is pumped out.
- The API Separator should then be pumped out and cleaned thoroughly before recommissioning the system.
- On re-commissioning the butterfly valve must be left **open**.

An authorised liquid waste disposal company must carry out the removal of the contaminated liquid and sediment using vacuum inductor trucks, with subsequent disposal of the waste at a licensed treatment facility.

Maintenance

Hynds Environmental offers a maintenance service for all our treatment systems.

Without continuous maintenance the performance of the system will be diminished.

The API is easily inspected by lifting the Toby box lid and should be inspected as least once a week as well as after any non-routine event.

All separated substances (grit, petroleum by-products, and floatables) have to be pumped and disposed in time. To ensure that the separator is maintained properly a suitably trained individual is to inspect and report the status of the system.

Due to the danger of explosions, smoking, or naked flames near the separator should be prohibited; particularly after the access covers are removed.

Note: *The heavy duty cast iron access covers must be fitted securely and accurately and should be accessible at all times. They must not be covered with earth or other construction material.*

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APPENDIX 2

Proposed Conditions of Consent

APPENDIX 2 - PROPOSED CONDITIONS

General

1. The activity shall be undertaken in accordance with the application documents received by Council on XX June 2024 and held on Council file XXX.

2. Prior to commencement of works a detailed design plan shall be submitted to and certified by the Compliance Manager, Marlborough District Council. The detailed design plan shall include specification and location of all components to be installed in accordance with this consent.

3. Prior to bringing the fuelling facility into operation, a Navigational Safety Plan shall be submitted to and certified by the Compliance Manager, Marlborough District Council. The Navigational Safety Plan shall set out measures to ensure navigational safety of marina users, including (but not limited to) buoyage, lighting, signage and any other in-water structures.

4. In accordance with section 128 of the Resource Management Act 1991, the Marlborough District Council may review the conditions of this resource consent. This review may be conducted annually in November for the duration of the consent, for the following purposes:

    a) To review the effectiveness of the existing resource consent conditions in avoiding or mitigating any adverse effects on the environment from the exercise of this resource consent and, if necessary, to avoid, remedy or mitigate such effects by way of further or amended conditions; or

    b) To review the adequacy of and necessity for monitoring the effect of the discharge on the environment; or

    c) To require the consent holder to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment.

Land use

5. The fuel tank shall be fitted with an overflow shut off protection system or equivalent on each compartment.

6. The fuel tank shall be located on an impervious surface that drains to an oil/water separator which conforms to API standards.

7. Refilling of the fuel tank shall only occur from tankers parked on an impervious surface that drains to the API oil/water separator.

8. All pipe work placed underground that conveys petroleum product shall have a secondary containment system.

9. Prior to commissioning of the facility, the consent holder shall supply the Council's Harbour Master with a Tier 1 Oil Spill Contingency Plan. No fuel dispensing shall occur until the Harbour Master provides written approval to the consent holder that this document is adequate.

10. Prior to commissioning the facility, the consent holder shall supply the Compliance Manager, Marlborough District Council, with photographs showing the location (on the site) of the following information:

    a) Emergency contact numbers

    b) Emergency procedures including a Tier 1 Emergency Response Spill Plan

    c) General safety information

    d) Spill response kit

Discharge (to water)

11. This consent shall expire on 21 June 2053.

12. On completion of the works, the following items shall be submitted to the Compliance Manager, Marlborough District Council:

    a) A certificate signed by the person responsible for designing the stormwater system, to certify that the system has been installed in accordance with the plans submitted to Condition 2.

    b) A certificate signed by a suitably qualified person, to certify that the system Pipe work has been leak tested and certified as being free of leaks.

13. The consent holder shall ensure that the discharge of stormwater does not, at any time, result in:

    a) The production of conspicuous oil or grease films, scums, foams or floatable or suspended materials in receiving water;

    b) Objectionable odours;

    c) Any conspicuous change in the colour or visual clarity in receiving water; and

    c) Fish or shellfish being rendered unsuitable for human consumption.

14. An inventory reconciliation of hazardous substances shall be carried out at least once every 6 months.

15. The consent holder shall undertake sampling of petroleum hydrocarbons and total suspended solids. Samples shall be collected after treatment by the API separator and prior to entering the coastal marine area. The frequency of sampling shall be annual, unless agreed otherwise by the Compliance Manager, Marlborough District Council.

16. All samples required under this consent shall be taken by a suitably qualified person and analysed using the most appropriate scientifically recognised and current method by a laboratory that is certified for that method of analysis by an accreditation authority such as International Accreditation New Zealand (IANZ). The results of all sampling shall be provided to the Marlborough District Council within two weeks of receipt. An assessment of effects on the environment shall accompany the results. This assessment will be completed by an appropriately qualified person.

17. A site-specific management plan shall be developed for the site and incorporate a range of issues, including operational procedures, site maintenance and procedures for emergency response.

18. The API separator shall be visually inspected at least once every six months by a trained operator for the presence of hydrocarbons and sediment. Any visible hydrocarbons shall be removed immediately. All debris and sediment shall be removed from the separator whenever it occupies greater than one quarter of the storage volume below the outlet pipe.

19. The following checks and inspections shall be carried out not less than once every six months:

    a) Inspection of the above ground container for leaks including interstitial space and general condition; and

    b) Inspection of the pipe work for leaks and general condition.

20. Records shall be kept of the operation of the separator and shall include the following information:

    a) The dates of all inspections and maintenance carried out under conditions 18 and 19;

    b) Dates when cleaning has occurred, the form that it took, and the location of the site of disposal of any material removed from the interceptor;

    c) Dates when any containment spill greater than 20 litres entered the system; and

    d) Instances when a slick of hydrocarbon product was observed in the outlet chamber, and action taken to rectify this.

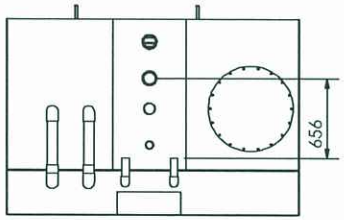
    These records shall be provided to the Marlborough District Council upon request.

21. During construction works authorised by this consent all practical measures shall be undertaken to prevent sediment entering the marine environment.

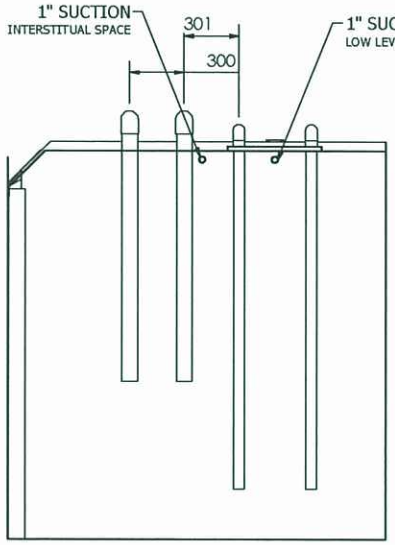
3

APPENDIX 3

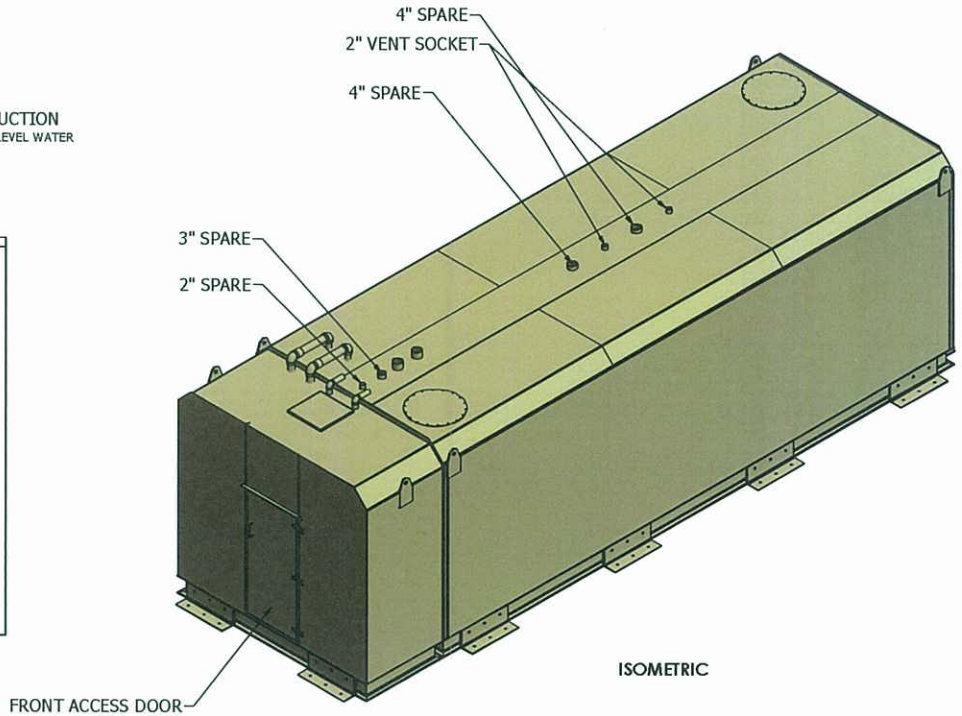
Fuel Tank Schematic



SECTION
A-A



SECTION
B-B



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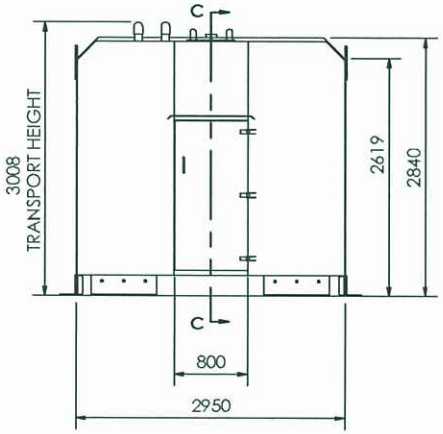
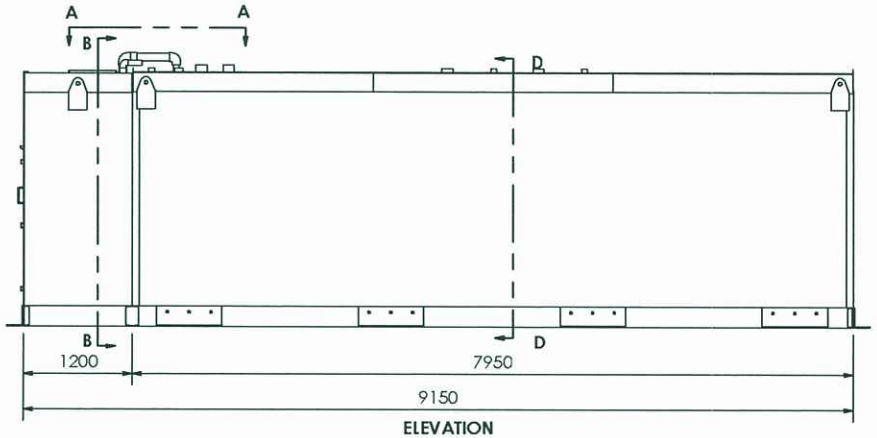


FRONT VIEW
1 : 40



ELEVATION
1 : 40

ALL DIMENSIONS IN MILLIMETERS.

PKengineering (nelson) Ltd
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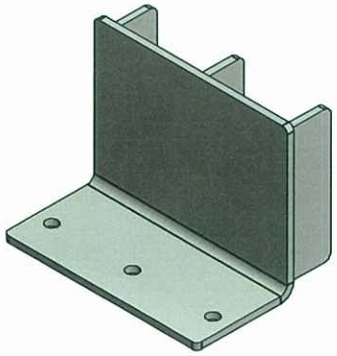
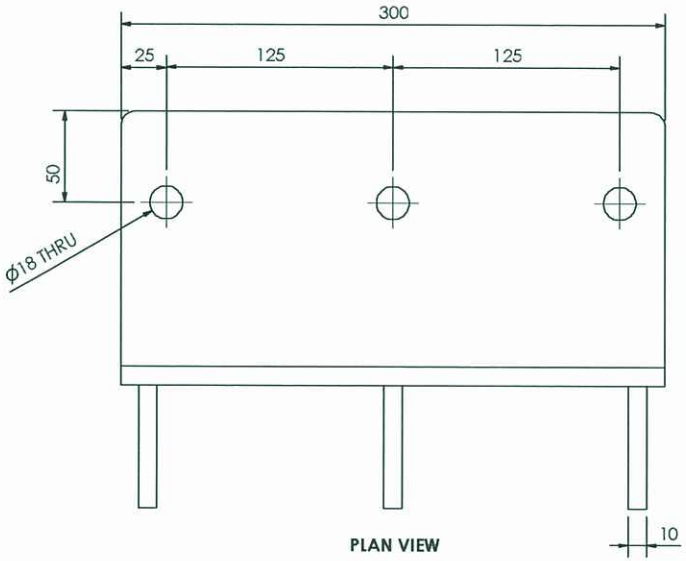
Brightwater
Nelson
Ph +64 3 542 3422
Fax +64 3 542 3574

PK ENGINEERING LTD
50000 Lt PUFF
GENERAL ARRANGEMENT

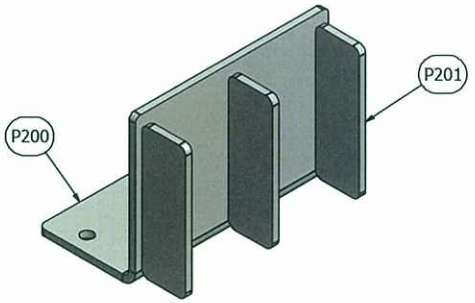
	NAME	DATE	REV
CHECKED BY			A
MODELLED BY	AM	07/11/2012	SHEET 1 / 3
DWG NO	PKE-50KSQ-A001		



ISOMETRIC LEFT



PLAN VIEW



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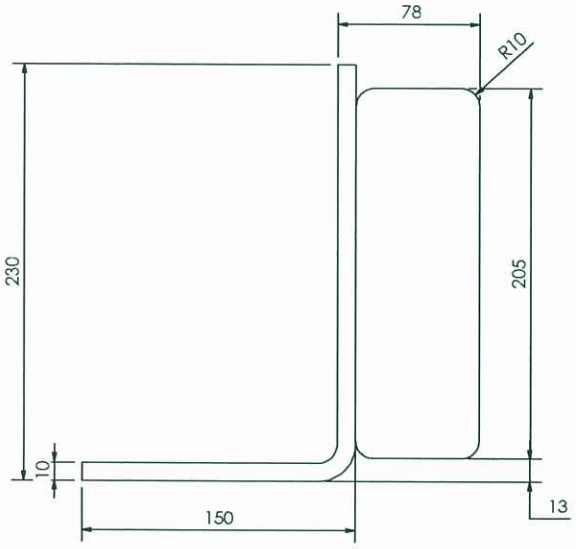
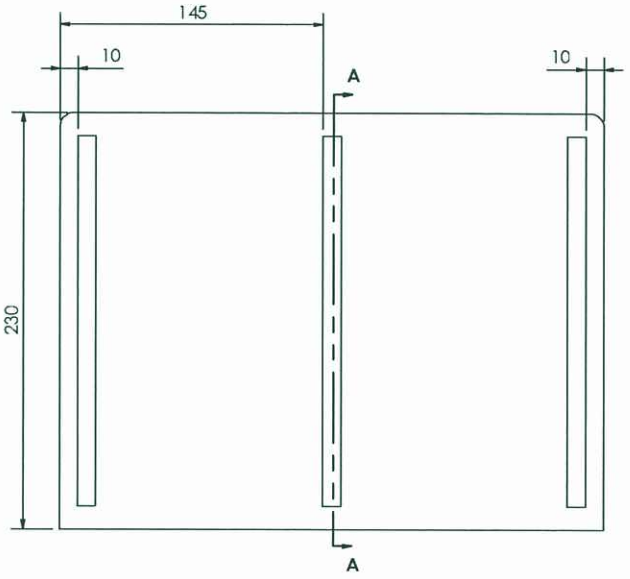
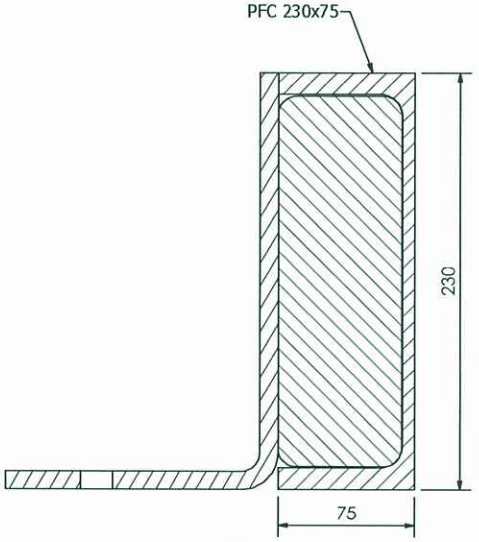


END VIEW
SCALE 1 : 2



ELEVATION
1 : 2



SECTION A-A
1 : 2

ALL DIMENSIONS IN MILLIMETERS.

REV	REVISION DISCRITION	BY	APP	DATE
A	APPROVAL FOR DESIGN	AM	LH	24/07/2014

PKengineering (nelson) Ltd

13 Factory Road
Brightwater
Nelson
Ph +64 3 542 3422
Fax +64 3 542 3574

NELSON PETROLIUM LTD

PUFF TANK

SIESMIC RESTRAINT

	NAME	DATE	REV
CHECKED BY		01/02/2014	A
MODELLED BY	Allister	24/07/2014	SHEET 1 / 1

DWG NO **PKE-50000-A019**

4

APPENDIX 4

Te Ātiawa e-mail

Andrew Brown

From: Andrew Brown
Sent: Wednesday, 22 May 2024 2:55 pm
To: Andrew Brown
Subject: FW: Te Ātiawa Taiao Team's visit to Port Marlborough

Andrew Brown
Senior Consultant

+64 27 530 0566 | PO Box 392, Nelson 7040
www.mitchelldaysh.co.nz

From: Renee Love | Te Ātiawa Trust <renee@teatiawatrust.co.nz>
Sent: Tuesday, September 5, 2023 2:14 PM
To: Connie Smith <Connie.Smith@pmnz.co.nz>
Cc: Gavin Beattie <gavin.beattie@pmnz.co.nz>
Subject: RE: Te Ātiawa Taiao Team's visit to Port Marlborough

Kia ora Connie,

Thanks to you, Ayla, and Gavin for taking the time to walkover some of the significant sites under construction within the port.
Also, for the updated information for the Waikawa Fuel Jetty.

Te Ātiawa o te Waka-a-Māui are satisfied the mitigation measures by Port Marlborough, for the installation of the diesel pumps at Waikawa Fuel Jetty 13W have been considered.
Our initial concerns were:

- fuel and leak spills
- finding land-based solutions for refuelling
- an appropriate spill recovery management plan to be in place to prevent spillage into the moana.

Due to the demand for diesel during the busier summer periods, the location of the 13W refuelling pump would be ideal to prevent collisions and allow easier refuelling for boats. This location also has the least disturbance in the CMA.

Hope this helps, please let me know if you have any other pātai?

Noho ora mai,

Renēe

Renēe Love
Taiao Support

Te Ātiawa o Te Waka a Māui Trust

TE ĀTIAWA
O TE WAKA-A-MĀUI

Beach Road, Picton 7220
PO Box 340, Picton 7250
03 573 5170
0800 284 292
021 088 74189

www.teatiawatrust.co.nz

5

APPENDIX 5

Records of Title

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy

R.W. Muir
Registrar-General
of Land

Identifier	**MB4C/1468**
Land Registration District	**Marlborough**
Date Issued	24 November 1989

Prior References
MB4C/953

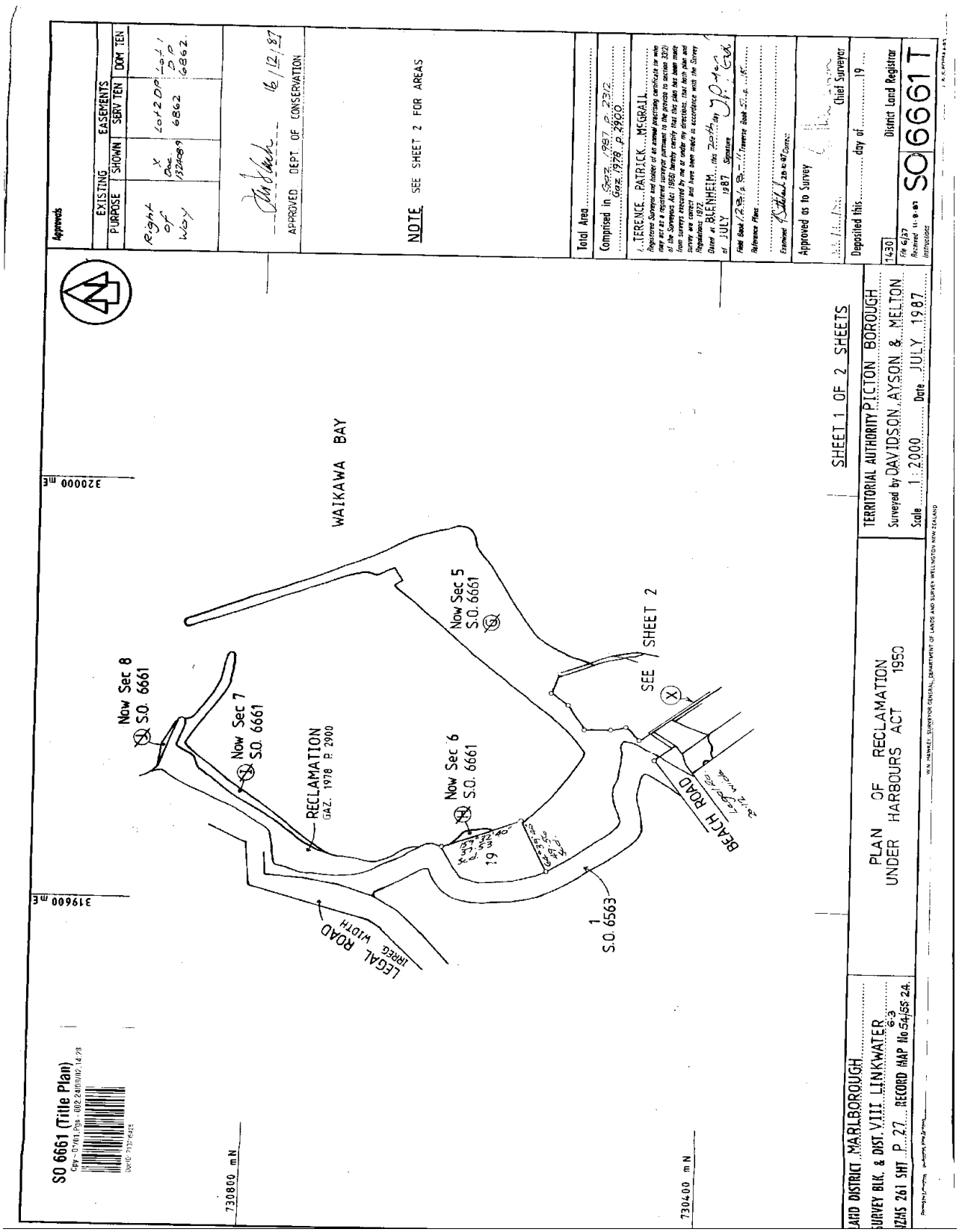
Estate	Fee Simple
Area	6588 square metres more or less
Legal Description	Section 6-8 and Section 11 Survey Office Plan 6661 and Section 1 Survey Office Plan 5730

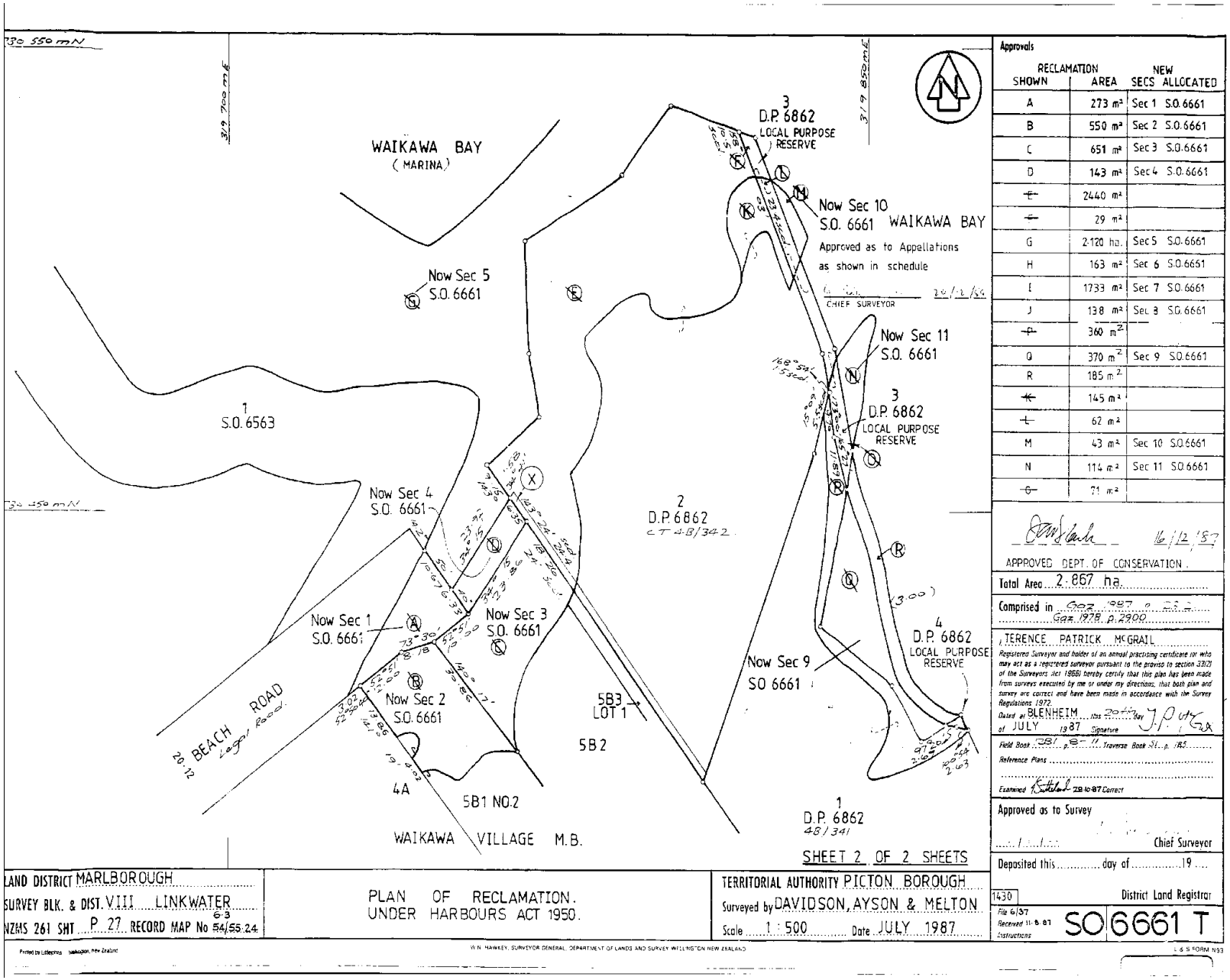
Registered Owners
Port Marlborough New Zealand Limited

Interests

8545864.1 CERTIFICATE PURSUANT TO SECTION 77 BUILDING ACT 2004 THAT SECTION 1 SO 5730 IN THIS COMPUTER REGISTER IS SUBJECT TO THE CONDITION IMPOSED UNDER SECTION 75(2) (ALSO AFFECTS MB4C/165) - 20.7.2010 at 12:59 pm

Identifier **MB4C/1468**





Approvals		
RECLAMATION SHOWN	AREA	NEW SECS ALLOCATED
A	273 m²	Sec 1 S.O.6661
B	550 m²	Sec 2 S.O.6661
C	651 m²	Sec 3 S.O.6661
D	143 m²	Sec 4 S.O.6661
~~E~~	2440 m²	
~~F~~	29 m²	
G	2·120 ha.	Sec 5 S.O.6661
H	163 m²	Sec 6 S.O.6661
I	1733 m²	Sec 7 S.O.6661
J	138 m²	Sec 8 S.O.6661
~~P~~	360 m²	
Q	370 m²	Sec 9 S.O.6661
R	185 m²	
~~K~~	145 m²	
~~L~~	62 m²	
M	43 m²	Sec 10 S.O.6661
N	114 m²	Sec 11 S.O.6661
~~O~~	71 m²	

16/12/87
APPPOVED DEPT. OF CONSERVATION.

Total Area 2.867 ha.

Comprised in Gaz 1987 p. 2312
Gaz 1978 p. 2900

I TERENCE PATRICK MCGRAIL
Registered Surveyor and holder of an annual practising certificate (or who may act as a registered surveyor pursuant to the proviso to section 33(2) of the Surveyors Act 1966) hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972.
Dated at BLENHEIM this 20th day of JULY 1987 Signature J.P. McGrail

Field Book 281 p. 8-11 Traverse Book 31 p. 185
Reference Plans
Examined 29-10-87 Correct

Approved as to Survey
Chief Surveyor

Deposited this day of 19

1430 District Land Registrar

File 6/37
Received 11-8-87
Instructions

SO 6661 T

LAND DISTRICT MARLBOROUGH
SURVEY BLK. & DIST. VIII LINKWATER 6·3
NZMS 261 SHT P 27 RECORD MAP No 54/55.24

PLAN OF RECLAMATION. UNDER HARBOURS ACT 1950.

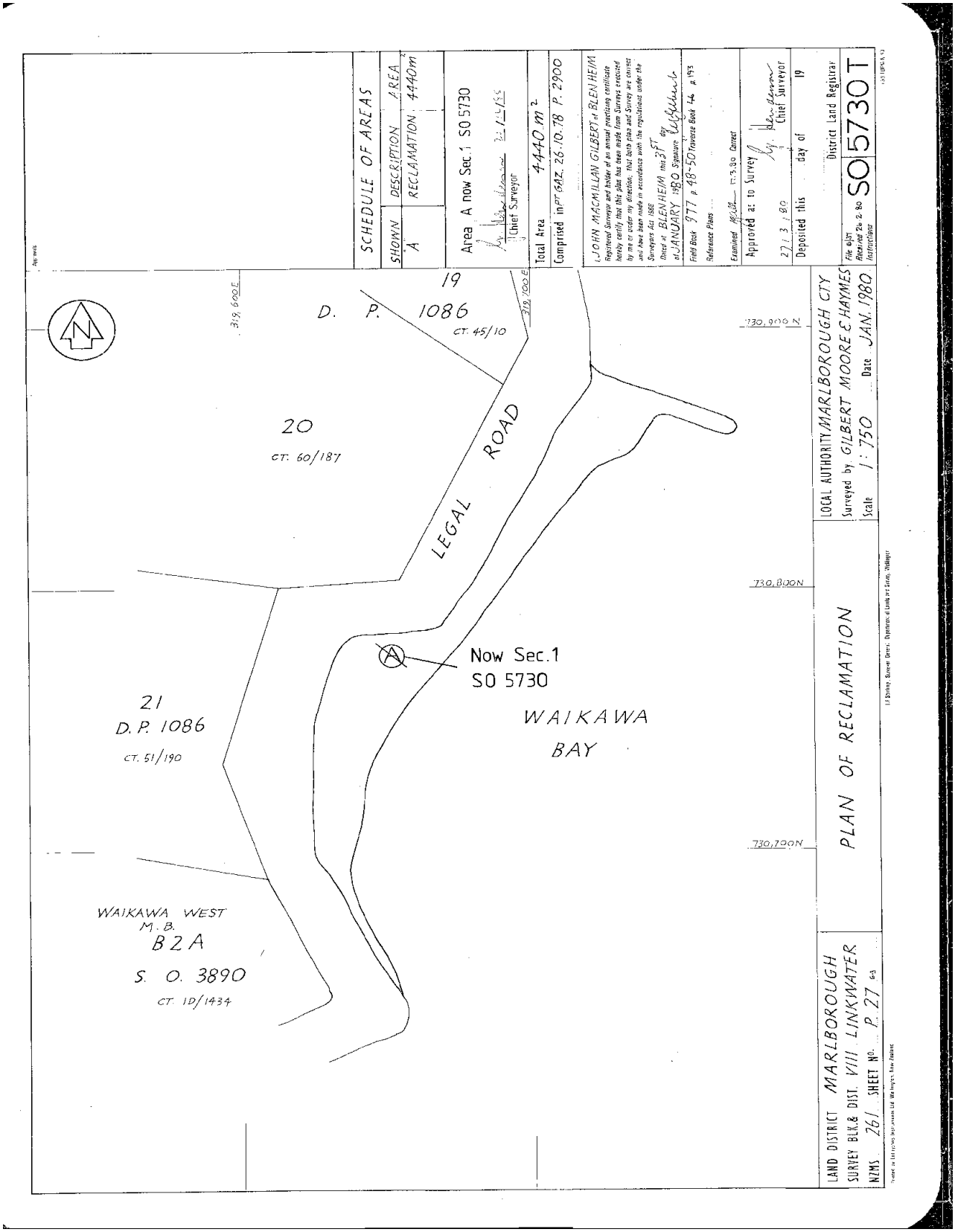
TERRITORIAL AUTHORITY PICTON BOROUGH
Surveyed by DAVIDSON, AYSON & MELTON
Scale 1 : 500 Date JULY 1987

Printed by Lithocraft Wellington, New Zealand

W.N. HAWKEY, SURVEYOR GENERAL, DEPARTMENT OF LANDS AND SURVEY WELLINGTON NEW ZEALAND

L & S FORM N93

Identifier **MB4C/1468**



Port Marlborough

Navigational Safety Plan

June 2024

Managing the maritime risks associated with the construction and operation of the proposed new Fuel Dock at 13W in the Waikawa NW

Referenced to the Maritime Transport Act 1994, MNZ Maritime Rules, and the New Zealand Port & Harbour Safety Code 2016

1. PURPOSE AND SCOPE

Note this Plan is in Draft format and will be finalised in collaboration with the MDC Harbourmaster as we progress through the stages as identified below.

The purpose of this Navigational Safety Plan is to summarise how Port Marlborough in collaboration with the MDC Harbourmaster will manage the maritime risks to all marina users, associated with the construction and operation of the proposed new Fuel dock at J13W in Waikawa NW.

It focuses on marine infrastructure improvements, development of new operational procedures and the amendment of existing operational procedures that deal with marine activity. It does not deal with construction risks directly.

The contents of this plan and some of the risk controls that it proposes, will affect all users of Waikawa Marina, commercial and recreational, and will require clear and sustained communication before and during the construction phase and throughout the operational life of the fuel jetty.

The Marina Operator (PMNZ) & the Regional Harbourmaster both have duties imposed on them to manage maritime risk and the safe movement of vessels under the Maritime Transport Act 1994 and the NZ Port & Harbour Marine Safety Code 2016.

2. CONSTRUCTION PLAN AND OPERATIONAL STAGING

2.1 NAVIGATIONAL AREA

The drawing on the following page shows the proposed Fuel Jetty in the navigational context of Waikawa Marina.

2.2 OPERATIONAL STAGING

The table below broadly shows the proposed staging of the construction and delivery of the new fuel dock on J13W, note this list is not exhaustive and does not include the landside activities.

TIME INTERVAL	DESCRIPTION
Stage 1 Construction	Modification of existing floating jetty, including installation of new abutment and gangway Estimated time to complete 1-2 months
Stage 2 Construction	Install pipework/dispensers/masts/reels/pay kiosk and other equipment on floating Jetty Estimated time to complete 1-2 months
Stage 3 Operation	Once works are finished on J13W the system will be commissioned and operationally live for public use

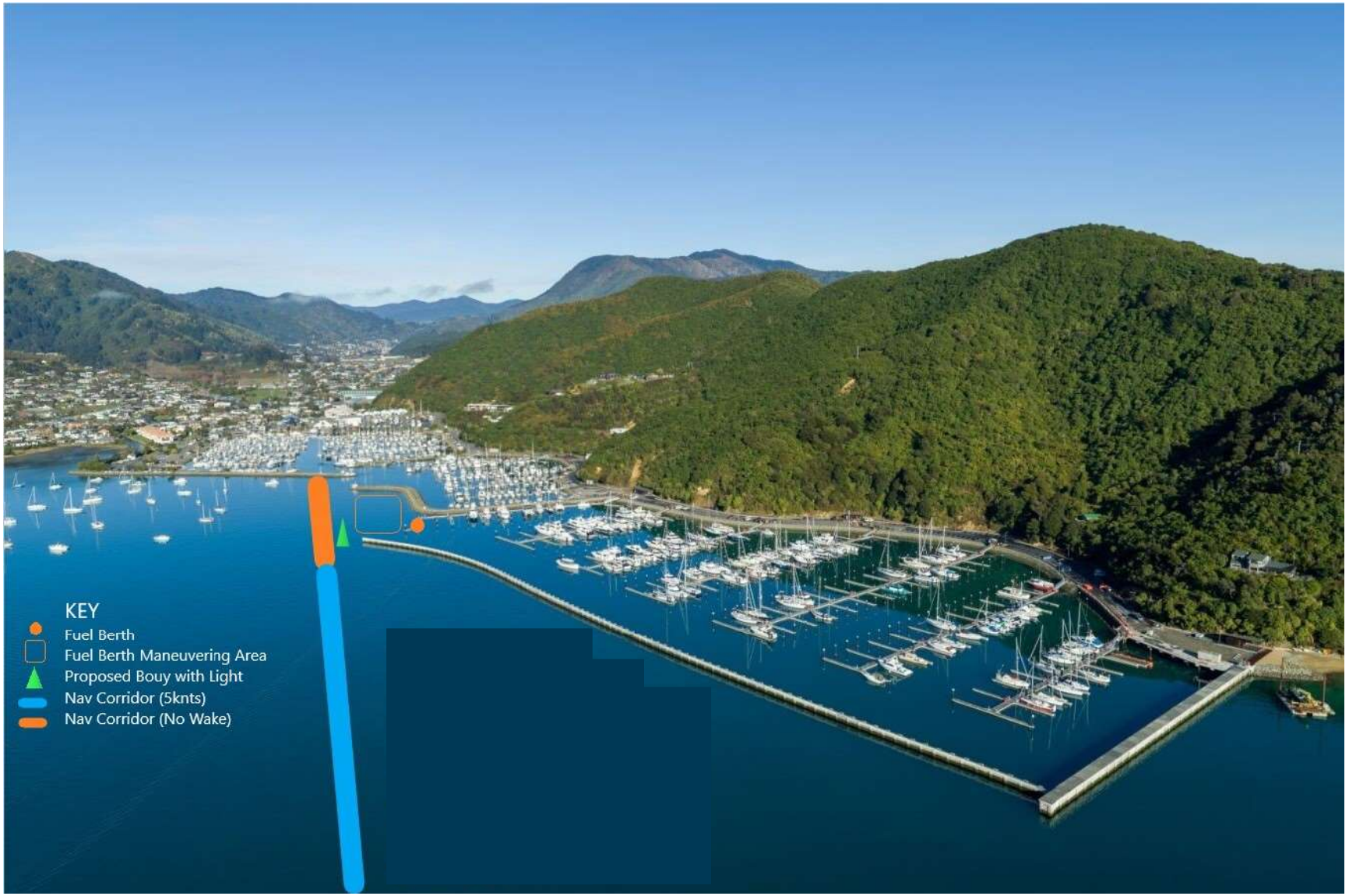


Figure 1 - Proposed New Fuel Dock in relation to a Navigational Context

3. RISK

A navigational risk review has been undertaken on the proposed fuel dock, a copy of the Risk Review is attached in Appendix A. The Navigational Risk Review has been discussed with the MDC Harbour Master and comments included in Appendix B.

The following hazard categories were identified in the risk review and considered for this Plan and will form part of the overall Marina risk assessments, compliant with the NZ Port and Harbour Marine Safety Code.

At this stage, likelihood of occurrence and consequence has not been formally assessed.

HAZARD	DESCRIPTION
1. Collision	The risk of unintentional contact between a vessel and the J13W structure, or with another vessel, already exists, but due to the addition of a fuel jetty in this area the Rate, Flow and Type of vessel will change. The rate will increase due to the greater amount of people fuelling up in this area. The flow of vessels will shift such that more vessels will enter and depart the main thoroughfare as they seek to access and depart from the fuel jetty. The challenge of merging or departing from the main traffic flow is what increase the collision risk. The type of vessels accessing J13W will tend to be the larger recreational vessels or small commercial as it is diesel only. Larger vessels are known to be more difficult to manoeuvre. Which can increase the consequences of a collision.
2. Grounding	Grounding is a baseline risk that already has the potential to occur on the breakwater of the marina entrance. However, the risk of such an event could increase because of a fuel site at J13W for reasons already mentioned. Specifically: - An increase in the quantity of vessels navigating in the area, - An increase in the number of vessels having to merge or depart from the main traffic flow.
3. Loss of position of a vessel	It should be recognised that loss of position occurs frequently in the Waikawa and Picton marina and vessels often make unintended contact with the wharfs or another vessel as a result. J13W is not regularly used as a location for vessels to moor at the present time however, once the fuel jetty is established, a notable rise in the risk of 'Loss of position' incidents should be expected (beyond baseline risk).
4. Person in the water	The baseline risk of a person in the water is presently the same at J13W as on any other jetty or pontoon, but with the addition of a fuel jetty this will increase. An increase in foot traffic should also be expected once the fuel berth is operational which will increase the likelihood of a person in the water.

4. CONTROLS

The following sections list the controls available to Port Marlborough in a tabular form, alongside the hazards already identified. A brief narrative of how each control should be implemented follows each table of controls.

4.1 COLLISION

HAZARD	CONTROL TYPE	DETAIL
COLLISION	Procedure	HM Navigational warnings PMNZ Safety Management System
	Aids to navigation	Consider installing a green marker buoy to western boundary of main corridor and discourage vessels from passing to close to the breakwater. Signage to show speed 'no wake' zone inward of the green buoy, in fuel manoeuvring and in all marina areas.
	Communication	Marinas team to relay comms to all berth holders and marina users around new navigational plan.

Preventing collision in the areas around J13W will be the highest priority from the perspective of maritime risk, from the commencement of modification and continuing for the operational life of the jetty.

The first steps in the process are as follows:

1. Define the exclusion zone during the modifications works on J13W.

2. Define safe navigational channels for the main Marina traffic and vessels entering and exiting J13W.

4.2 GROUNDING

HAZARD	CONTROL TYPE	DETAIL
GROUNDING	Procedure	PMNZ Safety Management System
	Aids to navigation	Buoyage, Lighting, Signage, Education/Information Campaign,

Suitable buoys should be installed where needed within the areas surrounding J13W.

Navigation lights should be monitored on the breakwater structure and any navigational buoys in the J13W area.

Signage should be reviewed to show speed 'no wake' zone inwards of the navigation buoy, in fuel manoeuvring and in all marina areas.

PMNZ should conduct an educational/informational campaign for marina users to enlighten people on the new developments & changes to the navigation around the J13W fuel jetty.

4.3 LOSS OF POSITION

HAZARD	CONTROL TYPE	DETAIL
LOSS OF POSITION OF A VESSEL	Procedure	PMNZ Safety Management Systems
	Aids to navigation	Physical barrier between fuel berth & adjacent berths, Signage, Education/Information Campaigns.

The controls for reducing Loss of Position risk for are, creating barriers along adjacent jetties to stop boats which have lost their position from hitting other structures or boats not at the fuel jetty.

Having an educational/informational campaign which includes guidance and advice on what to do when you lose position of your vessel.

4.4 PERSON IN WATER

HAZARD	CONTROL TYPE	DETAIL
PERSON IN THE WATER	Procedure	PMNZ Safety Management System
	Aids to navigation	Signage showing no swimming zone within marina, Lifesaving equipment and ladders around the fuel jetty, Lighting, Education/information campaign,

Lifesaving equipment and ladders should be installed on the fuel jetty in case of any persons falling of the fuel jetty or boat in the surrounding areas so that they are able to keep themselves afloat and be able to get back up onto the land.

APPENDIX A – Navigational Risk Review

Port Marlborough

Risk Review: Proposed Fuel Jetty in Waikawa Marina Extension

BACKGROUND:

Port Marlborough is proposing to establish a fuelling facility at the entrance to the extension of the Waikawa Marina. The specific location is known as J13W

The proposed fuel jetty is in a high traffic location and is therefore expected to cause a change in the navigation risk profile of the surrounding waters.

The purpose of this document is to provide a preliminary scan of the new navigation risks that may arise once a fuel berth is operational in this location and how that additional navigation risk affects the risk profile of the surrounding waters. Further, some risk controls for further discussion and consideration that, if once installed, are likely to reduce navigation risk at the marina entrance below the existing baseline level

SCOPE:

This risk review does not seek make a full assessment of the navigation risk as presently exists in Waikawa Bay. Rather it considers all existing navigation risk in Waikawa Bay to be 'baseline risk' and focuses only on the additional consequential navigation risk that may arise once the fuel jetty is operational.

A narrow focus on the navigation impact of the proposed fuel jetty once operational means that this review expressly does not consider navigation safety risk that may arise during the construction or establishment of the jetty.

The specific navigation risks considered are;

- Collsion (vessel to vessel or vessel with structure)
- Grounding
- Loss of postion of a vessel
- Person in the water

Note that oil spill is not addresed in this risk review. Oil spill is not usually considered a primary navigation safty risk as it genrealy the outcome rather than the cause of a navigation safety incidnet (suh as a collision). Further, the expected 'slow speed' collisions that might reasonably be expected to occur in the vacinity of the fuel berth are unlikely to result in an oil spill of a scale beyond the existing credible scenarios (foundering/sinking etc).

Oil spills from bowser operations such as overfilling of tanks or split hoses are outside the scope of this reiew.

METHOD:

This risk reivew was composed following a day time site visit to J13W on Monday 14 August 2023. In attendance were 4x Port Marlborough personnel namely;

- Anouk Ezeby - General Manager Marinas & Property
- Grant Beattie - Waikawa Project Engineer
- Tom Lennon – PMNZ Propery Manager
- Luke Grogan – Marine Manager/Pilot

Following the site visit design drawings for the proposed marina, aerial photographs, and the resource consent documentation where reivewed.

The reports primary author Capt. Luke Grogan also drew heavily on his knwoledge of marine risk in the area gained through his previous experaince as Harbourmaster for Marlbrough Region.

FINDINGS

COLLISION

Jetty J13W already exists as a physical structure in the water at the entrance to the Waikawa Marina Extension and vessels transiting to and from the marina extension navigation around it daily. For this reason, the risk of vessels colliding with this structure, or with one another, when transiting, exiting or entering the marina is considered baseline risk.

It is assumed that this baseline risk is presently controlled effectively but it is acknowledge that concerns have recently been raised by Marina users as to the low visibility of structures in this area of Waikawa Marina. Changes in lighting to address those concerns have recently be made and the effectiveness of these enhanced risk controls is being monitored. Further change may or may not be required.

However, it is expected the introduction of a fuel berth at J13W will change the rate, flow and type of vessel traffic in the vicinity of J13W and these changes have the potential to increase the risk of collision. How these factors affect navigation safety risk is briefly explained below.

Rate; The rate or quantity of vessels manoeuvring in and around J13W will increase once the fuel berth is established as it will provide comparatively easy to access fuel site for large diesel vessels. Put simply, more vessel movements equal more risk of collision.

Flow: The flow of vessels will shift such that more vessels will enter and depart the main thoroughfare (as marked by the existing sector light) as they seek to access and depart from the fuel jetty. It is the challenge of merging or departing from the main traffic flow which increases collision risk.

Type: The type of vessels accessing J13W will tend to be the larger recreational vessels or small commercial as it is diesel only. Smaller vessels tend to be petrol powered and there is no plan to provide petrol at this facility. Larger vessels have greater mass, carry more people and pollutants (i.e. fuel) and can be more difficult to manoeuvre. These factors can increase the consequences of a collision. However, this is offset by the fact that larger vessels tend to operate at slower speed and the level of skill and expertise of operators tends to be higher than what is commonly observed in small boats.

In considering all these factors it is apparent that additional effort will be required to mitigate collision risk at J13W if the fuel jetty is established.

Controls proposed to manage this additional collision risk in the vicinity of J13W are listed below and explained in more detail in the control details section.

- Safe speed
- Bouyage
- Lighting
- Signage
- Education/Information campaigns

GROUNDING

Grounding is a baseline risk that already has the potential to occur on the breakwater of the marina entrance. However the risk of such an event could increase as a result of a fuel site at J13W for reasons already mentioned. Specifically;

- An increase in the quantity of vessels navigating in the area and

- An increase in the number of vessels having to merge or depart from the main traffic flow.

The extent of the increase in this risk beyond the existing baseline risk is likely to minor but regardless, requires additional control. Controls to manage this risk overlap with those required to reduce collision such as;

- Bouyage
- Lighting
- Signage
- Eduation/Informaition Campaign.

LOSS OF POSITION

Loss of position means a vessel is unable to hold it's intended position. This may be a result of ship handling error, mechanical failure on the vessel (such as propulsion) or a failure of a system external to the vessel (such as failure of a bollard on the wharf).

It should be recognised that loss of position occurs frequently in the the Waikawa and Picton marina and vessels often make unintended contact with the wharfs or another vessel as a result. However, whilst embarrassing and occasionally expensive for the offending boat, the consequences of a loss of position are not generally severe.

J13W is not regularly used as a location for vessels to moor at the present time however, once the fuel jetty is established, a notable rise in the risk of 'loss of position' incidents should be expected (beyond baseline risk).

To be specific, given the expected frequency of use of the jetty it is likely that from time to time (perhaps especially in strong wind conditions) vessels will experience a loss of position as they manoeuvre to and from the fuel berth.

If not properly controlled, such loss of position will, more likely than not, result in a collision with a vessel moored in the adjacent berth and/or with a vessel or vessels moored in other locations on the fuel jetty.

Proposed controls to prevent loss of position are;

- A physical barrier between the fuel berth and the adjacent berth(s)
- Signage
- Education/Information campaigns (inlcuding guidnace and advcie)

PERSON IN WATER

The baseline risk of a person in the water is presently the same at J13W as on any other jetty or pontoon. However, the risk of a person in the water will increase if the fuel berth is established since fuelling requires personnel to transfer between vessel and shore.

An increase in foot traffic should also be expected once the fuel berth is operational as the fuelling time provides an opportunity for sundry activities such as accessing vehicles and provisions ashore, using amenities or dropping off/picking up passengers. An increase in foot traffic increases the likelihood of a person in the water.

Proposed controls for the risk of person in water include;

- Provision of life saving equipment and ladders
- Lighting
- Education/Information campaigns
- Regulatory controls i.e. establishment of a no swimming zones

CONCLUSION

The establishment of J13W as a fuel berth in Waikawa Bay will create additional navigation safety risk with regard to;

- Collsion (vessel to vessel or vessel with structure)
- Grounding
- Loss of postion of a vessel
- Person in the water

However, this additional risk (which is beyond the existing baseline risk) can be controlled effectively using;

- Bouyage
- Lighting
- In water structures
- Signage
- Bouyage
- Education/Information campaigns
- Regualtory controls.

If these controls are properly designed and impliented it is expected that the establishment of J13W could have a net postive impact on increasing navigaition safety at in the Waikawa Marina Entrance.

This is because these controls will collectively serve to reduce the speed of vessels oeprating in the area, increase the visiblity of structures, encourage a safe passing distnace from the breakwater corner and increase general awareness of good navigation proactice (i.e. how to merge safetly with the main traffic flow).

Some of these controls can immediatley and readily be establihed so as to ensure they are in palce, effective and well understood by marina users before the fuel berth is operational.

With controls in palce and the fuel berth operational it is further reasoned that the availabilty of two seprate fueling locations will, at busy time means less vessels queing up at either location and further reduce the risk of unintended vessel contacts druing fueling operations.

In summary, this project provides the opportunity to improve navigaiton safety at he entrance to Waikawa Marina.

CONTROL DETAILS

The attached ariel photo provides a visual overview of the Marina Entrance and shows the lcoation of the fuel jettyand the fuel jetty maneuvering area seaward of the marina entrance.

Also shown are proposed changes/risk controls that should be considererd to reduce collision risk in the area,

The primary objectives are to ensure vessels inbound and outbound to/from the launching ramp an inner marina do not;

- needlessly encrouch on the new fuel berth manouvering area
- operate at a safe speed when adjacent to the new fuel berth (no wake)
- maintain a safe passing from the breakwater day and night

Further, the green marker with a light will encourage both inbound and outbound vessels from the new marina (or new fuel berth) to go wide of the breakwater thus increaseing their visibility to other vessels when joining or departing the main traffic flow.


KEY
Fuel Berth
Fuel Berth Maneuvering Area
Proposed Bouy with Light
Nav Corridor (5knts)
Nav Corridor (No Wake)
1. Remove sector light
2. Replace with leading lights
3. Bearing of leading lights to be determined with Harbourmaster
4. Install green marker bouy to mark western boundary of main corridor and discourage vessel from passing too close to the breakwater.
5. Signage to show speed 'no wake' zone inward of the green bouy (marked as orange), in fuel manouvering basing and in all marina areas.

APPENDIX B – Consultation with MDC Harbourmaster

Comments below are from initial consultation with the MDC Harbourmaster regarding the proposed new fuel dock.

Notes from the meeting with PMNZ and MDC Harbourmaster 25 August 2023:

Navigation:

- Agree that need to change the sign in WMT from 5knots top no wake zone.
- Suggest we change the speed / no wake zone signage and monitors how many vessels voluntary complies.
- Suggest review of signage.
- Suggest that marina monitors vessel passage and proximity to breakwater.
- Prefer to tweak sector light by a few degrees away from breakwater rather than removing it.
- Quite favourable to install a green buoy with white light at end of breakwater (white to avoid confusion with light on the breakwater).
- Like to have a joint communication programme on speed and no wake zone in Waikawa marina.

Email feedback from the MDC Harbourmaster following the meeting, received 29 August 2023:

> …
> *In respect to the navigation aspect.*
>
> *To remove the sector light and leading lights would require PMNZ to assist with locating and provide a suitable location for a rear lead to be established on.*
>
> *I support the trial of a no wake zone from the new marina entrance towards the old marina area breakwater. The comms around this will need to be a combined effort between the Harbour Office and PMNZ. I have copied Janina Duessler in on this. Can PMNZ draft a proposal for comms.*
>
> *To gain a better understanding of the passing distances off the marina breakwater, can PMNZ undertake random surveys of distances off before a buoy is established. It needs to be understood what the scale of the issue that is trying to be solved.*

OIL TRANSFER SITE MARINE OIL SPILL CONTINGENCY PLAN

FIXED FACILITY

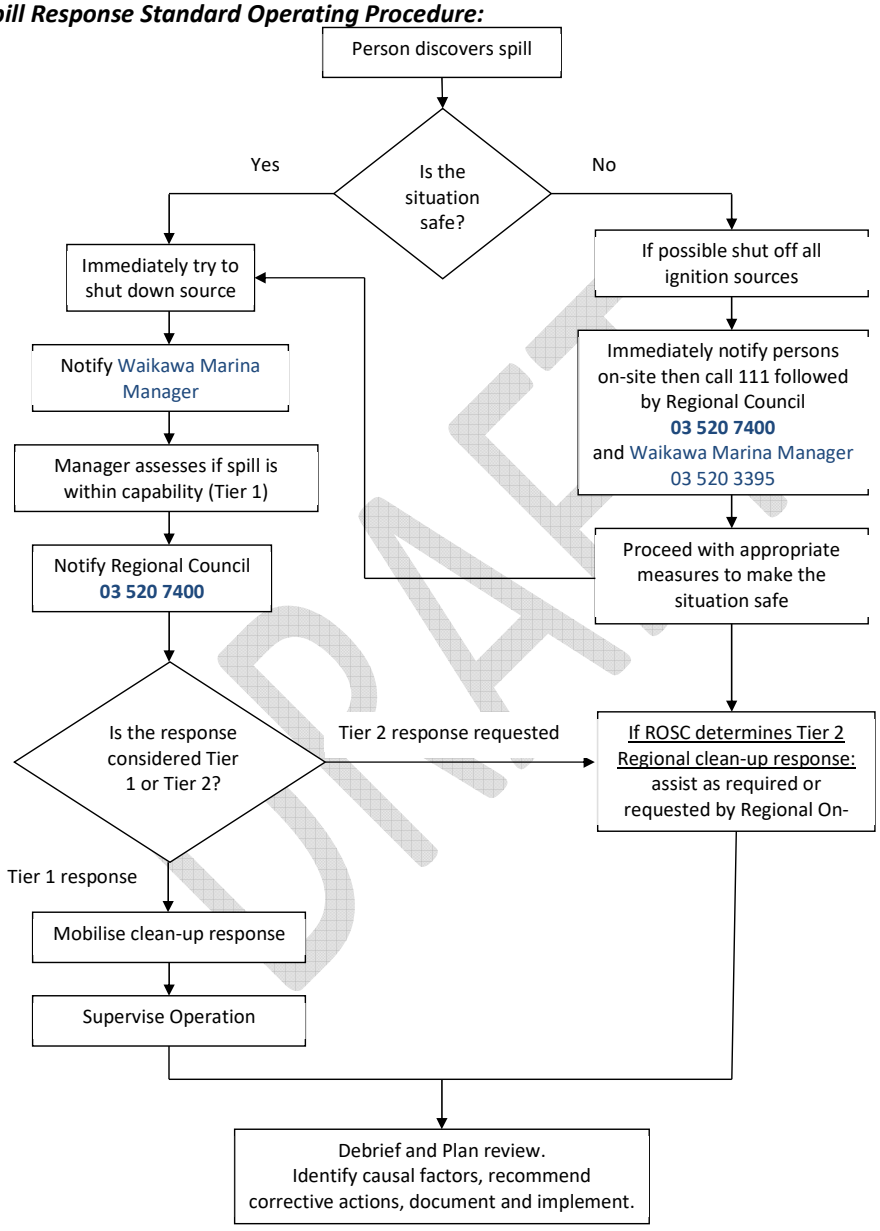
for

PORT MARLBOROUGH WAIKAWA MARINA FUEL FACILITY

Port Marlborough

VERSION 3
21 January 2025

Spill Response Standard Operating Procedure:



Note: further contact details are listed in Annex 1

CONTENTS

Log of changes

Date	Author	Section	Details
13 August 2024	Rebekah Anderson	All	Document created
23 August 2024	Rebekah Anderson	All	Update as per Harbourmaster review

Introduction

Purpose and Policy

The purpose of this document is to describe in detail the systems whereby there is a planned response in place in case of any emergencies that relate to spillage of oils and hydrocarbons from the proposed Waikawa Fuel facility at Jetty 13W that is liable to pollute the marine environment.

Part 130B of the Marine Protection Rules requires owners of oil transfer sites to develop contingency plans for dealing with oil spills into New Zealand's internal waters, territorial sea and exclusive economic zone.

To meet its responsibilities Port Marlborough has prepared this site marine oil spill contingency plan.

The responsibility of the execution of this plan lies with the Waikawa Marina team, this is however subject to change depending on the agreement with the fuel supplier.

Safety

The safety of people overrides all other considerations.

In the event of a spillage of flammable or explosive hydrocarbons, all sources of ignition must be shut down and the area checked for flammable vapours before deploying any machinery in the area. Operations in conditions that endanger personnel must be suspended until conditions improve.

No clean-up of any spill or area is to commence until it has been determined safe to do so.

"Safe to do so" means each person must make a judgement based on his/her training and experience in coping with the situation faced. Personnel involved in a clean-up must be appropriately trained and issued with the appropriate protective clothing and safety equipment.

In the event of a spill, PVC gloves are in the spill kit kept in the storage area of the fuel tank.
Caution: All cell phones, pagers etc. should be turned off around a spill site.

1. Risk identification, assessment and prevention

1.1. Description of the Site and Operations

The proposed fuel facility is in the northwestern area of Waikawa Marina. The location of landside facilities (fuel tank, hardstand, pipework) is legally described as Pt B2A ML 3890 WAIKAWA WEST (Total area approximately 12.4 hectares). The location of the boat fuelling station, Jetty 13W, is located in the coastal marine area, LINZ Parcel ID 3745111 (unregistered).

The proposed fuelling facility will supply diesel fuel only – petrol fuelled boats will continue to use the existing fuelling facility by Jetty 6W.

The site is unmanned and accessible 24/7 by the public, the Marina supervisors office is based approximately 750m from the refuelling jetty. Refuelling will take place from a floating fuel jetty at 13W (Figure 1) which will consist of 2 fuel dispensers, 4 hoses.

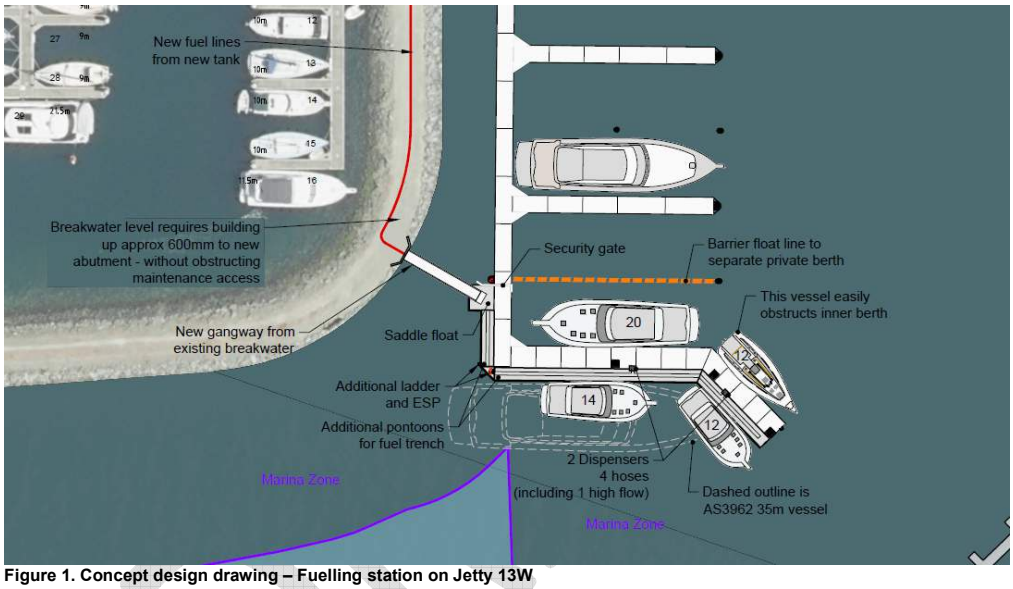


Figure 1. Concept design drawing – Fuelling station on Jetty 13W

Site design

Hardstand:
The hardstand will be bunded and stormwater directed to a Hynds API separator (or similar), which meets all industry standards for treating stormwater associated with a fuel storage. Once stormwater has passed through, and been treated by, the interceptor, it will discharge into the CMA within the marina.

Fuel storage tank:
The proposed double skinned fuel storage tank has the capacity to store up to 50,000L of fuel and is purpose designed for marine fuel facilities where there is no provision for interceptors. When refuelling the tank, the pumping of fuel is done from pump in the bunded tank kiosk as opposed to pumping from the truck. This methodology eliminates the drips or minor spills onto the pavement in the refuelling process. Despite the design, an interceptor will be installed as a precautionary measure to treat stormwater. The proposed tank location is illustrated in the site plans in Annex 2.

The hardstand will be bunded and stormwater directed to a Hynds API separator (or similar), which meets all industry standards for treating stormwater associated with a fuel storage facility.

Fuel jetty:
The fuel jetty will host 2 fuel dispensers. The design of the fuel jetty will ensure it minimises the risk of any spills through engineering controls, such as; the line between the landside fuel tank and the fuel dock will have two cut off valves – one at the tank end, one at the dock end; and The fuel bowsers will be bunded sufficiently to hold potential spill volumes from the bowser lines.

The fuel will be dispensed via swipe card operated pumps located adjacent on the floating pontoon. Due to the southerly exposure of the fuel jetty, the operation of the fuel bowsers will be controlled during severe weather events. Considerations for automated controls will be made in discussions with the fuel supplier.

Site operations:
Transfer operations

- Oil type(s) - Diesel
- Oil transfer operations – refuelling from Jetty 13W to vessels, refilling fuel tanks (landside) from fuel tanker by fuel supplier
- The fuel pumps on jetty 13W are proposed to operate 24/7, refuelling of the landside tank is estimated to occur approximately 30 times per year, with the most frequent refuels taking place during the busier periods (December – March). This is a conservative estimation as it is based on the current fuel site. The addition of a secondary fuel site will split the demand between the two sites and refuels at this specific site are not expected to be as high as at the current site.
- Transfer of fuel is via a 'dry-break' system is designed not to leak any product on connection and disconnection, if any drips do happen they are caught within the hardstand and captured in the API separator. The connection has a very positive locking system onto the faucets of the truck that prevents it from working if it is not connected correctly.
- The fuel site will be managed by the allocated fuel supplier, Port Marlborough will have overview of the operation and be the first responders to any oil spills from the facility.
- The line between the landside fuel tank and the fuel dock will have two cut off valves – one at the tank end, one at the dock end; and the fuel bowsers will be bunded sufficiently to hold potential spill volumes from the bowser lines.

1.2. Characteristics of Oils and Hydrocarbons transferred at the site

The product transferred at site is:

Gas-Oil, (Diesel)
In the event of a spill the fuel will float on the surface of water. Absorbent pads and booms are provided in the spill kit as a first line of defence.

Characteristics of Diesel relevant to the marine environment:

- **Ecotoxicity**:
  - expected to be ecotoxic to aquatic organisms and may cause long-term adverse effects in the aquatic environment.
- **Mobility**:
  - Highly volatile, will partition rapidly to air
- **Bioaccumulation potential:**
  - Has the potential to bioaccumulate, however metabolism or physical properties may reduce the bioconcentration or limit bioavailability.
- **Risk of Ignition**
  - Diesel is flammable. In a marine environment, the risk of ignition is generally lower due to the cooling effect of water, but it can still pose a fire hazard, especially if the spill occurs near a source of ignition. Regular maintenance on fuel dispensers will be conducted to minimise the risk of electric faults. Signage will be displayed on the fuel jetty to prohibit any naked flames, use of mobile phones and smoking and to encourage shutting down the engines while refuelling.

Safety Data Sheets are included for all hydrocarbons transferred in Annex 4 of this plan.

Commented [RA1]: Would be good to see this section expanded on slightly with general information relevant to an a spill in a marine environment such as persistence, toxicity, risk of ignition etc.

1.3. Potential Spill Sources and Risks

This plan identifies the most common risks likely to occur during marine transfer operations.

Spill events could arise from the following, but not limited to, scenarios:

Spill scenario	Type of spill	Estimated potential spill (worst case)	Likely consequence of spill
Burst hose	Diesel oil spill	700l – working on 2,000l in the hose and flow rate of 100l/m for 2mins	Oil spill onto jetty and into the CMA
Pipeline leak	Diesel oil spill	500l – working on complete loss of volume in the pipeline. Leak detection system prevents further loss.	Oil spill into CMA.
Spill during vessel refuelling	Diesel oil spill	100l – working on inattention of operator responding within 1min at flow rate 100l/m	Oil spill into CMA
Vessel fuel tank overflow/ blow back	Diesel oil spill	100l – working on inattention of operator responding within 1min at flow rate 100l/m	Oil spill into CMA
Loss of storage containment – valve failure	Diesel oil spill	48,000 litres	Oil in bund (2000 litre capacity), the remainder to surrounds, potentially to stormwater and eventually to the CMA
Land-based spills during fuel transfer to landside storage tank	Diesel oil spill	48,000 litres	Oil spill contained in bund (2000L), remainder to sealed surface, potential to land up in stormwater and eventually CMA.

* not the operator's responsibility, however will be responded to in accordance with the plan and response costs recovered from the vessel owner.

Commented [RA2]: Bunding for only 2000 litres provides a significant risk. Does RMA consenting and HSNO allow for this? I thought 110% bunding were required?

Commented [RA3R2]: The secondary containment requirements are generally met by the double-skinned design itself.

1.4. Preventative Measures in Place

The following preventative measures are in place at the fuel site:

- A spill kit on site with sufficient material to contain spills – the spill kit will be placed near the refuelling jetty and shall contain marine spill kit materials.
- An additional spill kit shall be held within the fuel truck when refuelling the above ground landside fuel tank
- Appropriately trained response personnel located within the Waikawa marina.
- Regular inspections (6-monthly) on the infrastructure around Port Marlborough fuel sites as part of the Waikawa Marina's asset management framework
- In the event of a spill, to prevent fuel from entering the stormwater system, the interceptor valve shall be shut and can store up to 2,500 litres of fuel.
- A notice detailing the spill response procedure is displayed in a prominent position at the refuelling site for all users. All PMNZ and staff delivering fuel to this site are trained in spill response procedures and hold Approved Handler Certificates or equivalent. Waikawa Operations Manager holds Approved Handler certificate

The fuel supplier will:

- Regularly inspect the infrastructure – pipelines, hoses and couplings for any wear and tear and maintain as necessary.
- Complete hose pressure testing – 6 monthly
- Complete pipeline pressure tests – 6 monthly

Prior to transferring, the following procedures are undertaken:

- complete the pre-transfer checklist prior to transferring
- inspect bunding / close bund outlet valves
- ensure pre-deployment of response equipment to [location].

Fuel transfer/ delivery process:

- Transfer of fuel is via a 'dry-break' system is designed not to leak any product on connection and disconnection, if any drips do happen they are caught within the hardstand and captured in the API separator. The connection has a very positive locking system onto the faucets of the truck that prevents it from working if it is not connected correctly.
- All tanks are fitted with overfill prevention systems that shut down the transfer pump if the 'Safe Fill Level' ("**SFL**") is accidently reached. The total capacity of a diesel tank with a SFL of 50,000 litres is 52,000 litres. These overfill systems are checked when the periodic marine installation checks are performed. These Six-Monthly marine site checks are in depth checks on the entire installation which includes pressure testing of all underground pipelines etc.
- The transfer of the fuel product is operated and managed under very strict guidelines and procedures for Hazardous Goods trained and certified drivers.

Vessel refuelling at the fuel jetty:

- The fuel pumps on the jetty are fitted with an automatic shut off nozzle to stop any over filling occurring and the dispenser is fitted with a litre pre-set option. A marine spill kit is stored on site.
- Jetty infrastructure has been designed to AS3962:2020 – Marina design guideline. The guideline details designs suited for site specific loadings and environmental conditions.
- A spill kit shall be available on the fuel jetty, the spill kit contains marine grade spill response equipment and a detailed spill response procedure to follow in the event of a spill. Signs instructing users of the steps to follow in the event of a spill shall also be in place on the fuel jetty. A mobile floating boom and back up spill kit will be available at the marina's office (approx. 600m from the fuel dock).
- Regular inspections are conducted as part of Port Marlborough's asset management plan, these low risk inspections are conducted every 6 months on the fuel system.

Commented [RA4]: Considering the jetty location appears to be suseptible to swells and navigational mishaps, to what standards will the infrastrucure be built to?

Commented [RA5R4]: Is this close enough to allow equipment to be deployed quickly? Can it be stored on the jetty?

1.5. Potential Environmental Impacts

This section outlines the environments and assets that may be impacted by a spill from the site.

The location of the proposed fuel jetty indicated by a red circle outline in the map below falls within an Important Bird area, the Marlborough Sounds, it hosts species such as the King Shag, Prion, Fluttering Shearwater, Australasian Gannet, Black-billed Gull and the Black fronted tern.

The nearest Ecologically Significant Marine Site, Waikawa Bay Sea Grass, is approximately 500m south east of the proposed fuel jetty location, illustrated by the blue outlined area labelled 4.29 in the map below. A major spill may result in contamination of this Ecologically significant marine site due to the ability of even a small volume diesel oil to spread across a large surface area. As described in Marlborough' Regional Plan, within Waikawa Bay there is a small estuary, Waikawa Estuary. It is a relatively small and highly modified tidal delta estuary, with high cultural significance to Te Ātiawa o Te Waka-a-Māui, and high human use ecological values.

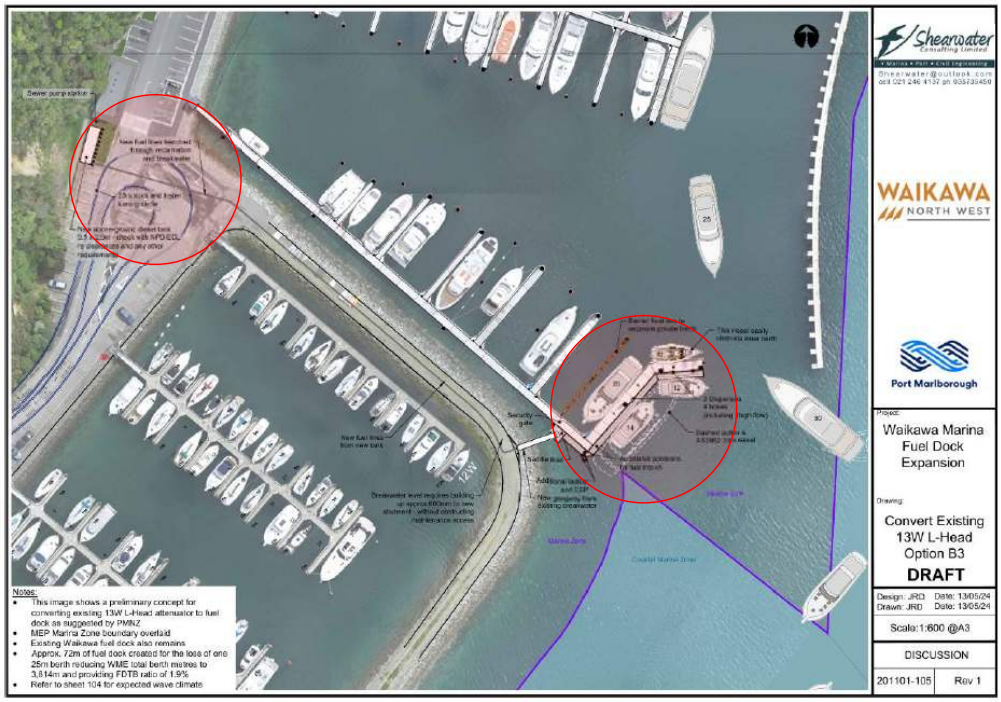
Port Marlborough is committed to managing a Tier 1 oil response in Waikawa Bay to ensure the protection of its natural environment. Given the bay's connection to Picton and its substantial marina, the response plan includes rapid deployment of containment booms to prevent the spread of oil, especially around the numerous moored boats and residential areas on the eastern fringe. The presence of launching ramps at both the northern end of the settlement and within the marina facilitates swift access for response teams.

Special attention will be given to the highly-modified estuary within Waikawa Bay, which, despite its strong tidal flushing and open coastal nature, requires protection due to its ecological and cultural significance. The estuary's well-flushed, seawater-dominated environment, combined with its regenerating coastal forest catchment, will be monitored closely to mitigate any potential impacts from oil spills.

A spill from above ground land side tank has the potential to impact the stormwater system if not adequately contained. A failure from tank containment may also impact the natural vegetation if the spill travels to the hill side of the proposed tank location. These scenarios are highly unlikely.

A spill from the fuel dispensers on Jetty 13W is likely to enter the marina waters and may impact marine life in the immediate surrounds. Mitigation measures in place minimise the consequence of a spill such that it can often be contained and cleaned up immediately. Residual oil on the surface of marina waters may be dispersed further by vessel traffic through the fairway. In the event of a major marine spill, appropriate measures will be taken to minimise any impact on marine life.

Refer to Figure 2 for an overview and details of sites likely to be directly impacted.



To mitigate the impacts, the following (viable) response options have been selected for each site as follows:

- At the fuel storage tank
  - Bunding & API separator (engineering control)
  - Stormwater drain isolation
  - Clean up using spill materials – trained spill responders on site in Marina
- At the fuel jetty
  - protection booming fixed in place on fuel jetty,
  - Marine spill kit on site to contain spill and clean up
  - Trained spill responders on site in the marina

2. Response to marine oil spills

2.1. Tier 1 Response Capability

A tier 1 spill response to an oil spill from the proposed fuel facility in Waikawa marina will be followed. See Appendix 1 for a detailed guide to the PMNZ marine oil spill response procedure. The discoverer of the spill will report it to the Marina manager who will then initiate the tier one spill response.

The discoverer will report the;

- size of the spill,
- the type of fuel spilt, and
- the category of the spill as follows:
    - Type A - A spill which can be contained before it reached the water and can be cleaned up by the company or its contractors, within the scope of this plan
    - Type B - A spill which reaches the water, but can still be contained and cleaned up by the company or its contractors within the scope of this plan
    - Type C - A spill which cannot be contained and reaches the water or threatens to do so and cannot be cleared up without significant external resources; there is or may be a threat to local resources; and/or response is beyond the scope of this plan and should be under the control of the regional on-scene commander. **Only the ROSC can determine if a spill requires a T2 response.**

Support will also be provided should the event be subsequently elevated to a Tier 2 or Tier 3 response.

The Marina manager/ Environment Manager will then notify Marlborough District Council Harbour master to determine if the spill needs to be escalated to a Tier 2 response.

2.2. Spill Response Procedures

If a spill is discovered, the following generic course of actions must be carried out by the tier 1 site responders immediately if it is safe to do so;

1. **Contain the spill:**
   If safe to do so, immediately shut down pumps, close valves or take whatever other action is appropriate to limit the size of the spill. Access the spill kit. Ensure the appropriate protective clothing is worn and protect the environment by placing pillows into scuppers and floor drains. Taking safety into consideration, contain the spill with absorbent booms, allowing room for the fuel to go into the boom rather than dropping it onto a flowing spill. If possible, stop a leak.

2. **Report** the spill to the Marina manager – **Waikawa marina – 03 520 3395** after hours contact **Port Services - 03 520 3350**
   Give details on the amount of oil spilled, extent of the spill and what action has been taken. At this time, take further direction from the marina operations manager.

   Clean up:
3. Use absorbent pads, booms and pillows to soak up the spill. Place saturated material in disposal bag and identify. Arrange for collection by specialist contractor.

4. **Internal reporting and follow up actions**:
   Waikawa Marina manager/ environment manager to report internally and investigate. Determine the cause of the spill and training necessary to avoid a repetition. Re-order materials used in the spill response

If there is a spill from the refuelling jetty, the marina manager must immediately be notified. Spill response signage will be installed on the fuel jetty. A tier 1 spill response will be deployed immediately.

The following procedures shall be undertaken in the event of a spill:

2.2.1 Procedures for a Type A Spill

"A spill which can be contained before it reached the water and can be cleaned up by the company or its contractors, within the scope of this plan."

Once a spill has been categorized Type A, the Spill Response coordinator is to supervise the following actions:

1. Carry out procedures to ensure safety of staff and the public. If appropriate, notify Fire Service and Police and initiate evacuation procedures;
2. Take any safe steps to prevent further discharge at the source of the spill;
3. Mobilize appropriate spill equipment and personnel to commence containment and clean-up;
4. Advise Marlborough District Council 03 520 7400 (24hrs)
5. Notify neighbours of the spill such as properties, landowners and neighbouring vessels
6. Supervise clean-up operations in such a manner as to ensure no or minimal environmental damage.

2.2.2. Procedures for a Type B Spill

"A spill which reaches the water, but can still be contained and cleaned up by the company or its contractors within the scope of this plan"

Once a spill has been categorized Type B, the spill response coordinator is to supervise the following actions:

1. Carry out procedures to ensure safety of staff and the public. If appropriate, notify Fire Service and Police and initiate evacuation procedures;
2. Take any safe steps to prevent further discharge at the source of the spill;
3. Mobilize appropriate spill equipment and personnel to commence containment and clean-up; it should be notes that equipment from other sources is available for use and this is listed is section 2.6
4. Advise Marlborough District Council 03 520 7400 (24hrs)
5. Notify neighbours of the spill such as properties, landowners and neighbouring vessels
6. Supervise clean-up operations in such a manner as to minimize any environmental damage
7. Clean up should be completed so that the area affected is returned as near as possible to its natural state prior to the spillage
8. The Marlborough District Council will attend the response and monitor the clean-up. The regional on scene commander may take control of the response if they consider it appropriate or is asked to do so by the spill response coordinator.

Commented [RA6]: Is this process still the same outside of office hours i.e. will there be staff on site to carry this out?

Commented [RA7R6]: For all after hours spills - we have 24/7 response team as our Port services operate 24/7 and our workshop is on call.

2.2.3. Procedures for A Spill Requiring A Regional Response

"A spill which cannot be contained and reaches the water or threatens to do so and cannot be cleared up without significant external resources; there is or may be a threat to local resources; and/or response is beyond the scope of this plan and should be under the control of the regional on-scene commander."

If containment and/or clean-up operation are determined to be beyond the capability of the site response system, the on site responders will notify the Marlborough district council who will then determine if the spill is to be classified as a regional response.

The Spill Response coordinator can ask that the response be declared beyond their capability. Alternately, the regional on-scene commander can independently determine that the response is beyond the resources or expertise of the Spill Response Co-coordinator and declare the response to be a regional response. The regional on-scene commander will then take control of the clean up operation.

The Marlborough District Council should be notified as soon as possible on 03 520 7400 (24hrs)

- In some instances, the regional council may classify the spill as requiring a regional response and take control of the clean-up.

Once the spill has been declared to be under the control of the regional on-scene commander, management of the company should:

1. Carry out procedures to ensure safety of staff and the public. If appropriate, notify Fire Service and Police and initiate evacuation procedures;
2. Take any safe steps to prevent further discharge at the source of the spill;
3. Notify neighbours of the spill such as properties, landowners and neighbouring vessels
4. Take any safe steps to deal with the spill (as directed by the regional on-scene commander) until outside help arrives;
5. Assist the regional on scene commander with personnel and equipment to undertake the clean-up operations until completed; and

Please note the regional on-scene commander will control and supervise the clean-up operation using all available personal and equipment at their disposal.

2.2.4 Spill Response Procedures – SCENARIO*S*

The two identified spill scenarios with specific controls are a spill over land at the tank refuelling area and a spill into the marina waters surrounding the refuelling jetty.

A. Landside spill at refuelling tank:

Minor spills at the refuelling tank are contained in the secondary tank containment. If a fuel spill is not captured by the secondary containment, a tier 1 spill response will be deployed. The spill response team will utilise spill kit materials such as absorbent pads, socks and kitty litter to clean up the fuel spill.

The spill responders will notify the necessary Port Marlborough staff members, who will then notify the Marlborough District Council. Depending on the size and nature of the spill, the response may be escalated to a tier 2 or 3 response.

B. Marine spill at fuel jetty:

Spills at the refuelling jetty are notified to the marina manager as per the spill response procedures visible to customers on the jetty.

Commented [RA8]: Should provide details on how boom is deployed as per the image below, including responsibilities.

The marina manager/ first responder on duty at the marina then coordinates a tier 1 response to the marine spill. Marine spill kits with absorbent booms are available in close proximity to the refuelling jetty. A boom will be used to isolate the spill around the refuelling jetty. In the event of a marine spill from the fuel jetty, a boom may be deployed to isolate the spill by attaching the boom from the jetty to the breakwater. The mobile boom shall be deployed by our trained response team. The boom will be stored in close proximity to the fuel jetty and be deployed using a workboat that is easily accessible in the marina. We will have sufficient boom to close off the marina entrance as indicated in Figure 3 below.

If the spill is out of the Port Marlborough responders control, necessary steps will be followed to escalate to the ROSC, who will then make the call to coordinate a response as necessary.

Figure 3. Spill scenarios showing potentially impacted areas

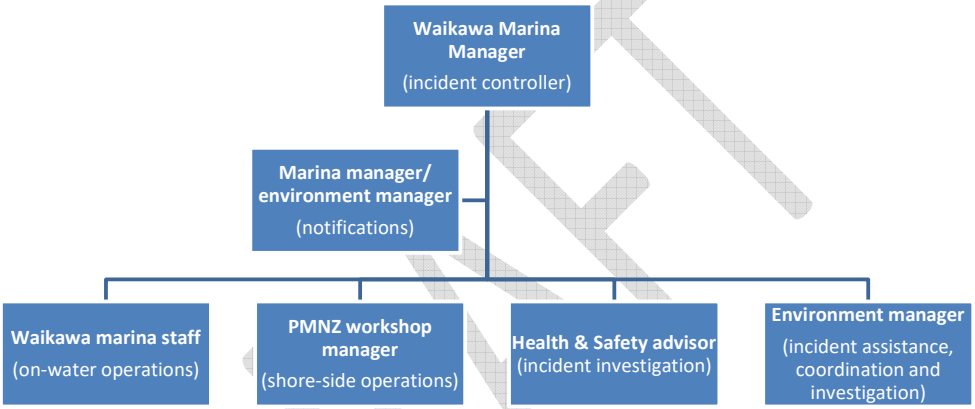
2.3. Tier 2 or 3 Response

During Tier 2 or 3 responses to a spill from the site the Regional or National On-Scene Commander will control and supervise the clean-up operation.
The oil transfer site operator and site personnel should assist the Regional or National OSC with personnel and equipment.

Trained PMNZ spill responders are able to provide support for the Tier 2 and 3 response in the following ways;

- Man hours – assistance by trained responders
- Vessel for deploying booms and cleaning up spill
- Materials such as absorbent pads, smaller absorbent boom socks, kitty litter (land side) and PPE can also be provided

2.4. Roles and Responsibilities for a tier 1 response



2.5. Notification Procedures

Immediately after any marine oil spill, the operator must report the spill, by fastest means of communication available and with the highest possible priority to the Marlborough District Council using the following procedures.

Procedures for the following notifications:

- Operator to Management:
  - Incident responder to notify Waikawa Marina Manager
  - Waikawa Marina manager to notify Environment Manager
- Environment manager/ Waikawa Marina manager to notify ROSC (Marlborough District Council)
- Environment manager/ Waikawa Marina manager to notify Port Services (if necessary)
- Environment manager/ Waikawa Marina manager to notify Fire Service (if necessary)

A list of relevant phone numbers and personnel to contact is included in Annex 1.

Fill in an incident report on Mango.
As soon as practicable, email or hand deliver this report to the Regional On-Scene Commander.

ALL SPILLS INTO THE MARINE ENVIRONMENT OR THAT ARE LIKELY TO REACH THE MARINE ENVIRONMENT ARE TO BE IMMEDIATELY REPORTED TO THE MARLBOROUGH DISTRICT COUNCIL

2.6. Spill Response Equipment

Commented [RA9]: Is there enough sorbent boom to seal off marina entrance as shown in the above image?

The following list of equipment is held on the site.

For information regarding the equipment locations, refer to site plan in Annex 2.

Location: at workshop, Lagoon road	
Item	**Quantity ie unit (& number of units)**
Vessel for use to contain spills	1
3 x 120L spill kits • Absorbent pads • 2.5m socks • Pillows • Disposal bags • Bag of particulate • PPE • Instructions	• 20 pads • 3 socks • 2 • 4 bags • 1 bag
240L bin of booms	
15kg bags of kittly litter	12 bags
Absorbent pads	200
Location: at Jetty 13W	
Item	**Quantity (unit x number of units)**
2 x Spill kits containing:	
Sorbent Pads - Oil Only - Heavy Weight	100 pads
Sorbent Booms - Oil Only	4 x booms 130mm x 3m in size
Hazardous Waste Bags	6 bags
Safety Gloves - Red PVC	1 pair
Protective overall	1
Safety goggles	1
Spill response procedure	1
Location: 13W Emergency response store	
Item	**Quantity (unit x number of units)**
Rapid deploy boom	4 x 15m units
Location: at Waikawa marina office	
Item	**Quantity (unit x number of units)**
8 x Spill kits containing:	
Sorbent Pads - Oil Only - Heavy Weight	100 pads
Sorbent Booms - Oil Only	4 x booms 130mm x 3m in size
Hazardous Waste Bags	6 bags
Safety Gloves - Red PVC	1 pair
Protective overall	1
Safety goggles	1
Spill response procedure	1

3. Debriefing, Plan Review and Plan Testing

3.1. Debriefing

After the clean-up has been completed a debriefing involving all personnel concerned with the spill should be carried out, and a report with recommendations compiled to the Marlborough District Council. It is the responsibility of Waikawa Marina Operations Manager, PMNZ to arrange and organize a debriefing and review of the plan.

The only person who is authorized to make public statements, via the media is Rhys Welbourn, Chief Executive, PMNZ and/or the ROSC, MDC.

3.2. Plan Review

The plan must be reviewed not less than once every twelve months to check the currency and completeness of the information contained in it. This plan must also be reviewed after its use in response to an oil spill. The Marlborough District Council shall be notified of any changes made as a result of these reviews.

3.3. Plan Testing

This plan must be fully tested not less than once every twelve months, with individual components of the plan being exercised as necessary. Tests are due within 12 months of operation of the facility. Any modification that would increase the effectiveness of the plan must be made.

Annex 1 – Personnel / Contact Details

Contact Telephone Numbers

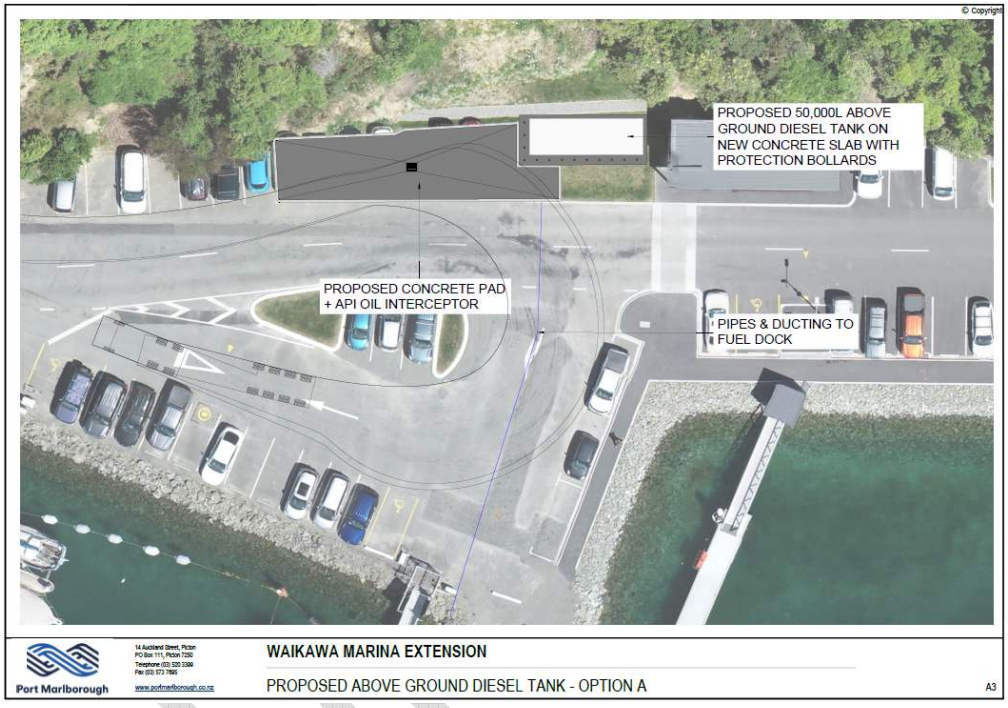
Emergency contacts				
Name	**Role**	**Office**	**Mobile**	**After hours**
	Fire - emergency services	111	n/a	111
MDC	ROSC	(03) 520 7400	-	(03) 520 7400
Response support				
Grant Atkinson	Waikawa Marina operations manager	03 520 3395		03 520 3395
Mark Woodmore	Picton Marina manager - regional Oil spill response team member	03 520 3390		021 704 920
Darren Neilson	Boatyard Manager	03 520 3395		03 520 3395
Shane Herbert	Hardstand operator	03 520 3395		-
Maddox Thompson	Hardstand operator	03 520 3395		-
Rebekah Anderson	Port Marlborough Environment Manager	03 520 3315		-
Mark Ivamy	Caretaker - spill responder	03 520 3371		-
Ray Mckay	Lines crew – spill responder	03 520 3371		-
Port Marlborough	Port Services	03 520 3350		

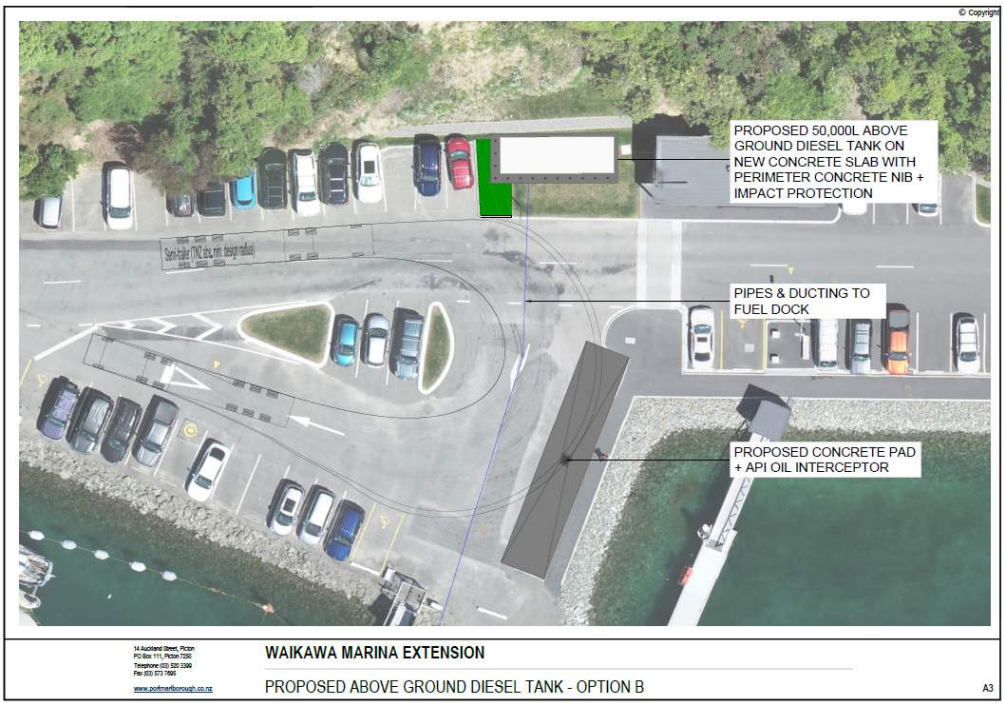
All personnel and contact details shall be checked and updated regularly.

Annex 2 - Site Plans

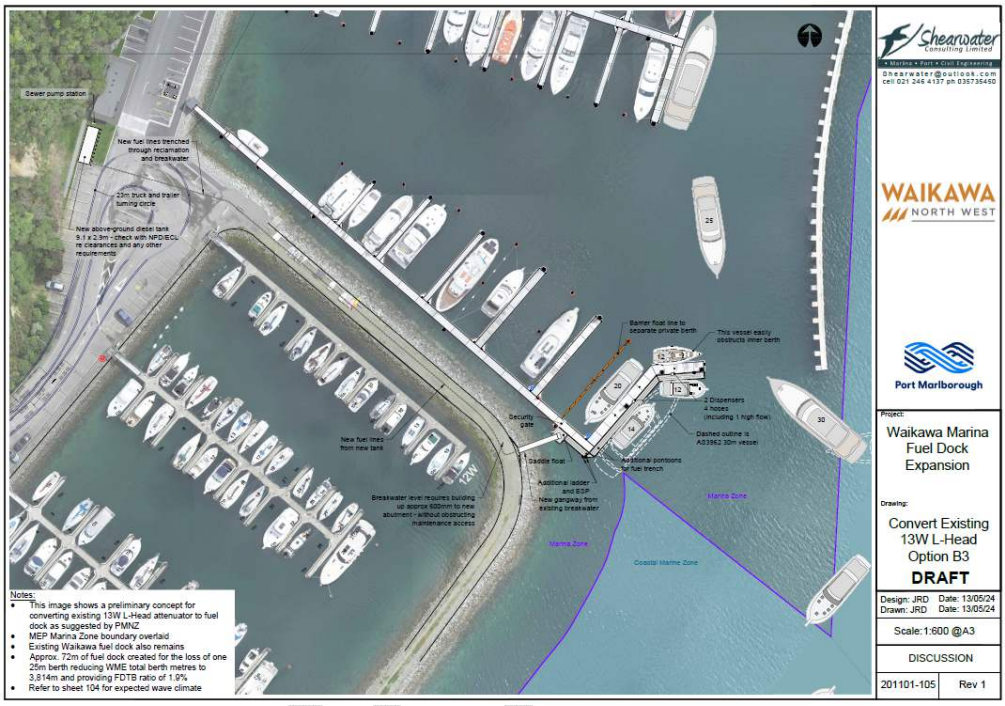
*Note these plans are indicative of the proposed tank location and fuel jetty configuration. They will be updated and finalised in the final version of the Oil transfer plan.

Updated plans to include aspects such as where shut off valves are located, pipework designs and photos of valves and shut off procedures.




© Copyright
PROPOSED 50,000L ABOVE GROUND DIESEL TANK ON NEW CONCRETE SLAB WITH PERIMETER CONCRETE NIB + IMPACT PROTECTION
PIPES & DUCTING TO FUEL DOCK
PROPOSED CONCRETE PAD + API OIL INTERCEPTOR
14 Auckland Street, Picton
PO Box 111, Picton 7320
Telephone (03) 520 3399
Fax (03) 573 7960
www.portmarlborough.co.nz
WAIKAWA MARINA EXTENSION
PROPOSED ABOVE GROUND DIESEL TANK - OPTION B
A3

The plan below illustrates the proposed fuel jetty configuration on 13W. This plan indicates an old tank location – the plan will be updated in the final Oil transfer plan.



Annex 3 – Safety Data Sheets

A generic SDS for Diesel fuel taken from NPD fuels website. To be updated once fuel supplier finalised

MATERIAL SAFETY DATA SHEET

SECTION 1 PRODUCT AND COMPANY IDENTIFICATION

As of the revision date above, this (M)SDS meets the regulations in New Zealand.

PRODUCT

Product Name: **DIESEL FUEL**
Product Description: Hydrocarbons and Additives
Product Code: 166009-86, 169938-86, 176156-86
Intended Use: Diesel engine fuel

Trade Names	Trade Names
DIESEL	EXTRA DIESEL
MARINE GAS OIL	MOBIL DIESEL EFFICIENT
SYNERGY DIESEL	

COMPANY IDENTIFICATION

Supplier: **Mobil Oil New Zealand Limited**
c/o Russell McVeagh
Vero Centre
48 Shortland Street
Auckland 1140 New Zealand

National Poison Control Centre +64 3 479 7248/ Freephone 0800 764 766
General Contact Number +64 4 568 0400

SECTION 2 HAZARDS IDENTIFICATION

HAZARD CLASSIFICATION: HAZARDOUS SUBSTANCE. DANGEROUS GOOD.

This material is hazardous according to regulatory guidelines (see (M)SDS Section 15).

CLASSIFICATION:

3.1D
6.3B 6.7B 6.1E
9.1B

Flammable liquid: Category 4.
Skin irritation: Category 3. Carcinogen: Category 2. Aspiration toxicant: Category 1.
Acute aquatic toxicant: Category 2. Chronic aquatic toxicant: Category 2.

LABEL:
Symbol:

Signal Word: Danger

Hazard Statements:

Physical: H227: Combustible liquid.
Health: H304: May be fatal if swallowed and enters airways. H316: Causes mild skin irritation. H351: Suspected of causing cancer.
Environmental: H411: Toxic to aquatic life with long lasting effects.

Precautionary Statements:

General: P101: If medical advice is needed, have product container or label at hand. P102: Keep out of reach of children. P103: Read label before use.
Prevention: P201: Obtain special instructions before use. P202: Do not handle until all safety precautions have been read and understood. P210: Keep away from flames and hot surfaces. No smoking. P273: Avoid release to the environment. P280: Wear protective gloves/protective clothing/eye protection/face protection.
Response: P301 + P310: IF SWALLOWED: Immediately call a POISON CENTER or doctor/physician. P308 + P313: IF exposed or concerned: Get medical advice/attention. P331: Do NOT induce vomiting. P332 + P313: If skin irritation occurs: Get medical advice/attention. P370 + P378: In case of fire: Use water fog, foam, dry chemical or carbon dioxide (CO2) to extinguish. P391: Collect spillage.
Storage: P403 + P235: Store in a well-ventilated place. Keep cool. P405: Store locked up.
Disposal: P501: Dispose of contents and container in accordance with local regulations.

Contains: FUELS, DIESEL

Other hazard information:

PHYSICAL / CHEMICAL HAZARDS
Material can accumulate static charges which may cause an ignition. Material can release vapours that readily form flammable mixtures. Vapour accumulation could flash and/or explode if ignited.

HEALTH HAZARDS
High-pressure injection under skin may cause serious damage. Harmful by inhalation. Danger of adverse health effects by prolonged exposure. Repeated exposure may cause skin dryness or cracking. Mildly irritating to skin. May be irritating to the eyes, nose, throat, and lungs. May cause central nervous system depression.

ENVIRONMENTAL HAZARDS
No additional hazards.

NOTE: This material should not be used for any other purpose than the intended use in Section 1 without expert advice. Health studies have shown that chemical exposure may cause potential human health risks which may vary from person to person.

SECTION 3 COMPOSITION / INFORMATION ON INGREDIENTS

This material is defined as a mixture.

Hazardous Substance(s) or Complex Substance(s) required for disclosure

Name	CAS#	Concentration*	GHS Hazard Codes
FUELS, DIESEL	68334-30-5	> 99 %	H227, H304, H332, H351, H315, H373, H401, H411

* All concentrations are percent by weight unless ingredient is a gas. Gas concentrations are in percent by volume. Other ingredients determined not to be hazardous.

NOTE: Composition may contain up to 0.5% performance additives and / or dyes.

SECTION 4 FIRST AID MEASURES

INHALATION

Immediately remove from further exposure. Get immediate medical assistance. For those providing assistance, avoid exposure to yourself or others. Use adequate respiratory protection. Give supplemental oxygen, if available. If breathing has stopped, assist ventilation with a mechanical device.

SKIN CONTACT

Remove contaminated clothing. Dry wipe exposed skin and cleanse with waterless hand cleaner and follow by washing thoroughly with soap and water. For those providing assistance, avoid further skin contact to yourself or others. Wear impervious gloves. Launder contaminated clothing separately before reuse. Discard contaminated articles that cannot be laundered. If product is injected into or under the skin, or into any part of the body, regardless of the appearance of the wound or its size, the individual should be evaluated immediately by a physician as a surgical emergency. Even though initial symptoms from high pressure injection may be minimal or absent, early surgical treatment within the first few hours may significantly reduce the ultimate extent of injury.

EYE CONTACT

Flush thoroughly with water. If irritation occurs, get medical assistance.

INGESTION

Seek immediate medical attention. Do not induce vomiting.

NOTE TO PHYSICIAN

If ingested, material may be aspirated into the lungs and cause chemical pneumonitis. Treat appropriately.

PRE-EXISTING MEDICAL CONDITIONS WHICH MAY BE AGGRAVATED BY EXPOSURE

Contains hydrocarbon solvent/petroleum hydrocarbons; skin contact may aggravate an existing dermatitis.

SECTION 5 FIRE FIGHTING MEASURES

EXTINGUISHING MEDIA

Appropriate Extinguishing Media: Use water fog, foam, dry chemical or carbon dioxide (CO2) to extinguish

flames.

Inappropriate Extinguishing Media: Straight streams of water

FIRE FIGHTING

Fire Fighting Instructions: Evacuate area. Prevent run-off from fire control or dilution from entering streams, sewers or drinking water supply. Fire-fighters should use standard protective equipment and in enclosed spaces, self-contained breathing apparatus (SCBA). Use water spray to cool fire exposed surfaces and to protect personnel.

Unusual Fire Hazards: Hazardous material. Firefighters should consider protective equipment indicated in Section 8.

Hazardous Combustion Products: Aldehydes, Incomplete combustion products, Oxides of carbon, Smoke, Fume, Sulphur oxides

FLAMMABILITY PROPERTIES

Flash Point [Method]: >61°C (142°F) [ASTM D-93]
Flammable Limits (Approximate volume % in air): LEL: 0.6 UEL: 7.0
Autoignition Temperature: N/D
Hazchem Code: 3Z

SECTION 6 ACCIDENTAL RELEASE MEASURES

NOTIFICATION PROCEDURES

In the event of a spill or accidental release, notify relevant authorities in accordance with all applicable regulations.

PROTECTIVE MEASURES

Avoid contact with spilled material. Warn or evacuate occupants in surrounding and downwind areas if required, due to toxicity or flammability of the material. See Section 5 for fire fighting information. See the Hazard Identification Section for Significant Hazards. See Section 4 for First Aid Advice. See Section 8 for advice on the minimum requirements for personal protective equipment. Additional protective measures may be necessary, depending on the specific circumstances and/or the expert judgment of the emergency responders.

For emergency responders: Respiratory protection: half-face or full-face respirator with filter(s) for organic vapor and, when applicable, H2S, or Self Contained Breathing Apparatus (SCBA) can be used depending on the size of spill and potential level of exposure. If the exposure cannot be completely characterized or an oxygen deficient atmosphere is possible or anticipated, SCBA is recommended. Work gloves that are resistant to aromatic hydrocarbons are recommended. Note: gloves made of polyvinyl acetate (PVA) are not water-resistant and are not suitable for emergency use. Chemical goggles are recommended if splashes or contact with eyes is possible. Small spills: normal antistatic work clothes are usually adequate. Large spills: full body suit of chemical resistant, antistatic material is recommended.

SPILL MANAGEMENT

Land Spill: Eliminate all ignition sources (no smoking, flares, sparks or flames in immediate area). Stop leak if you can do so without risk. All equipment used when handling the product must be grounded. Do not touch or walk through spilled material. Prevent entry into waterways, sewer, basements or confined areas. A vapour-suppressing foam may be used to reduce vapour. Use clean non-sparking tools to collect absorbed material. Absorb or cover with dry earth, sand or other non-combustible material and transfer to containers. Large Spills: Water spray may reduce vapour, but may not prevent ignition in enclosed spaces. Small Spills: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

Water Spill: Stop leak if you can do so without risk. Confine the spill immediately with booms. Warn other shipping. Remove from the surface by skimming or with suitable absorbents. Seek the advice of a specialist before using dispersants.

Water spill and land spill recommendations are based on the most likely spill scenario for this material; however, geographic conditions, wind, temperature, (and in the case of a water spill) wave and current direction and speed may greatly influence the appropriate action to be taken. For this reason, local experts should be consulted. Note: Local regulations may prescribe or limit action to be taken.

ENVIRONMENTAL PRECAUTIONS

Large Spills: Dyke far ahead of liquid spill for later recovery and disposal. Prevent entry into waterways, sewers, basements or confined areas.

SECTION 7 HANDLING AND STORAGE

HANDLING

Avoid all personal contact. Do not siphon by mouth. Do not use as a cleaning solvent or other non-motor fuel uses. For use as a motor fuel only. Do not use electronic devices (including but not limited to cellular phones, computers, calculators, pagers or other electronic devices etc) in or around any fuelling operation or storage area unless the devices are certified intrinsically safe by an approved national testing agency and to the safety standards required by national and/or local laws and regulations. Prevent small spills and leakage to avoid slip hazard. Material can accumulate static charges which may cause an electrical spark (ignition source). When the material is handled in bulk, an electrical spark could ignite any flammable vapors from liquids or residues that may be present (e.g., during switch-loading operations). Use proper bonding and/or earthing procedures. However, bonding and earthing may not eliminate the hazard from static accumulation. Consult local applicable standards for guidance. Additional references include American Petroleum Institute 2003 (Protection Against Ignitions Arising out of Static, Lightning and Stray Currents) or National Fire Protection Agency 77 (Recommended Practice on Static Electricity) or CENELEC CLC/TR 50404 (Electrostatics - Code of practice for the avoidance of hazards due to static electricity).

Static Accumulator: This material is a static accumulator. A liquid is typically considered a nonconductive, static accumulator if its conductivity is below 100 pS/m (100x10E-12 Siemens per meter) and is considered a semiconductive, static accumulator if its conductivity is below 10,000 pS/m. Whether a liquid is nonconductive or semiconductive, the precautions are the same. A number of factors, for example liquid temperature, presence of contaminants, anti-static additives and filtration can greatly influence the conductivity of a liquid.

STORAGE

The type of container used to store the material may affect static accumulation and dissipation. Keep container closed. Handle containers with care. Open slowly in order to control possible pressure release. Store in a cool, well-ventilated area. Keep away from incompatible materials. Storage containers should be earthed and bonded. Fixed storage containers, transfer containers and associated equipment should be earthed and bonded to prevent accumulation of static charge.

SECTION 8 EXPOSURE CONTROLS / PERSONAL PROTECTION

EXPOSURE LIMIT VALUES

Exposure limits/standards (Note: Exposure limits are not additive)

Substance Name	Form	Limit/Standard	Note	Source	Year

FUELS, DIESEL	Stable Aerosol.	TWA	5 mg/m3		Skin	ExxonMobil	2019
FUELS, DIESEL	Vapour.	TWA	200 mg/m3		Skin	ExxonMobil	2019
FUELS, DIESEL [total hydrocarb, vapour&aerosol]	Inhalable fraction and vapour	TWA	100 mg/m3		Skin	ACGIH	2018

Biological limits

No biological limits allocated.

NOTE: Limits/standards shown for guidance only. Follow applicable regulations.

ENGINEERING CONTROLS

The level of protection and types of controls necessary will vary depending upon potential exposure conditions. Control measures to consider:
Use explosion-proof ventilation equipment to stay below exposure limits.

PERSONAL PROTECTION

Personal protective equipment selections vary based on potential exposure conditions such as applications, handling practices, concentration and ventilation. Information on the selection of protective equipment for use with this material, as provided below, is based upon intended, normal usage.

Respiratory Protection: If engineering controls do not maintain airborne contaminant concentrations at a level which is adequate to protect worker health, an approved respirator may be appropriate. Respirator selection, use, and maintenance must be in accordance with regulatory requirements, if applicable. Types of respirators to be considered for this material include:
No special requirements under ordinary conditions of use and with adequate ventilation. Organic vapour

For high airborne concentrations, use an approved supplied-air respirator, operated in positive pressure mode. Supplied air respirators with an escape bottle may be appropriate when oxygen levels are inadequate, gas/vapour warning properties are poor, or if air purifying filter capacity/rating may be exceeded.

Hand Protection: Any specific glove information provided is based on published literature and glove manufacturer data. Glove suitability and breakthrough time will differ depending on the specific use conditions. Contact the glove manufacturer for specific advice on glove selection and breakthrough times for your use conditions. Inspect and replace worn or damaged gloves. The types of gloves to be considered for this material include:
Chemical resistant gloves are recommended. If contact with forearms is likely wear gauntlet style gloves. Nitrile,Viton

Eye Protection: If contact with material is likely, chemical goggles are recommended.

Skin and Body Protection: Any specific clothing information provided is based on published literature or manufacturer data. The types of clothing to be considered for this material include:

Chemical/oil resistant clothing is recommended.

Specific Hygiene Measures: Always observe good personal hygiene measures, such as washing after handling the material and before eating, drinking, and/or smoking. Routinely wash work clothing and protective equipment to remove contaminants. Discard contaminated clothing and footwear that cannot be cleaned. Practice good housekeeping.

ENVIRONMENTAL CONTROLS

Comply with applicable environmental regulations limiting discharge to air, water and soil. Protect the environment by applying appropriate control measures to prevent or limit emissions.

SECTION 9 PHYSICAL AND CHEMICAL PROPERTIES

Note: Physical and chemical properties are provided for safety, health and environmental considerations only and may not fully represent product specifications. Contact the Supplier for additional information.

GENERAL INFORMATION

Physical State: Liquid
Colour: Yellow
Odour: Petroleum/Solvent
Odour Threshold: N/D

IMPORTANT HEALTH, SAFETY, AND ENVIRONMENTAL INFORMATION

Relative Density (at 15 °C): 0.82 - 0.86
Flash Point [Method]: >61°C (142°F) [ASTM D-93]
Flammability (Solid, Gas): N/A
Flammable Limits (Approximate volume % in air): LEL: 0.6 UEL: 7.0
Explosive Properties: N/D
Autoignition Temperature: N/D
Boiling Point / Range: > 149°C (300°F)
Decomposition Temperature: N/D
Vapour Density (Air = 1): > 2 at 101 kPa
Vapour Pressure: 0.067 kPa (0.5 mm Hg) at 20 °C
Evaporation Rate (n-butyl acetate = 1): N/D
pH: N/A
Log Pow (n-Octanol/Water Partition Coefficient): > 3.5
Solubility in Water: Negligible
Viscosity: <4.5 cSt (4.5 mm2/sec) at 40°C
Molecular Weight: N/D
Oxidizing Properties: See Hazards Identification Section.

OTHER INFORMATION

Freezing Point: N/D
Melting Point: N/A
Pour Point: < 12°C (54°F)

SECTION 10 STABILITY AND REACTIVITY

STABILITY: Material is stable under normal conditions.

CONDITIONS TO AVOID: Open flames and high energy ignition sources.

MATERIALS TO AVOID: Halogens, Strong Acids, Strong Bases, Strong oxidisers

HAZARDOUS DECOMPOSITION PRODUCTS: Material does not decompose at ambient temperatures.

POSSIBILITY OF HAZARDOUS REACTIONS: Hazardous polymerization will not occur.

SECTION 11 TOXICOLOGICAL INFORMATION

ACUTE TOXICITY

Route of Exposure	Conclusion / Remarks
Inhalation	
Toxicity (Rat): LC50 4100 mg/m3	Moderately toxic. Based on test data for structurally similar materials.
Irritation: No end point data for material.	Elevated temperatures or mechanical action may form vapours, mist, or fumes which may be irritating to the eyes, nose, throat, or lungs.
Ingestion	
Toxicity (Rat): LD50 > 5000 mg/kg	Minimally Toxic. Based on test data for structurally similar materials.
Skin	
Toxicity (Rabbit): LD50 > 5000 mg/kg	Minimally Toxic. Based on test data for structurally similar materials.
Irritation (Rabbit): Data available.	Irritating to the skin. Based on test data for structurally similar materials.
Eye	
Irritation (Rabbit): Data available.	May cause mild, short-lasting discomfort to eyes. Based on test data for structurally similar materials.

OTHER HEALTH EFFECTS FROM SHORT AND LONG TERM EXPOSURE
Anticipated health effects from sub-chronic, chronic, respiratory or skin sensitization, mutagenicity, reproductive toxicity, carcinogenicity, target organ toxicity (single exposure or repeated exposure), aspiration toxicity and other effects based on human experience and/or experimental data.

For the product itself:
Vapour concentrations above recommended exposure levels are irritating to the eyes and the respiratory tract, may cause headaches and dizziness, are anaesthetic and may have other central nervous system effects. Small amounts of liquid aspirated into the lungs during ingestion or from vomiting may cause chemical pneumonitis or pulmonary edema.
Diesel fuel: Carcinogenic in animal tests. Caused mutations in-vitro. Repeated dermal exposures to high concentrations in test animals resulted in reduced litter size and litter weight, and increased fetal resorptions at maternally toxic doses. Dermal exposure to high concentrations resulted in severe skin irritation with weight loss and some mortality. Inhalation exposure to high concentrations resulted in respiratory tract irritation, lung changes/infiltration/accumulation, and reduction in lung function. Diesel exhaust fumes: Carcinogenic in animal tests. Inhalation exposures to exhaust for 2 years in test animals resulted in lung tumours and

lymphoma. Extract of particulate produced skin tumours in test animals. Caused mutations in-vitro.

IARC Classification:
The following ingredients are cited on the lists below: None.

--REGULATORY LISTS SEARCHED--
1 = IARC 1 2 = IARC 2A 3 = IARC 2B

SECTION 12 ECOLOGICAL INFORMATION

The information given is based on data for the material, components of the material, or for similar materials, through the application of bridging principals.

ECOTOXICITY
Material -- Expected to be toxic to aquatic organisms. May cause long-term adverse effects in the aquatic environment.

MOBILITY
More volatile component -- Highly volatile, will partition rapidly to air. Not expected to partition to sediment and wastewater solids.
High molecular wt. component -- Low solubility and floats and is expected to migrate from water to the land. Expected to partition to sediment and wastewater solids.

PERSISTENCE AND DEGRADABILITY
Biodegradation:
Material -- Expected to be inherently biodegradable
Atmospheric Oxidation:
More volatile component -- Expected to degrade rapidly in air

BIOACCUMULATION POTENTIAL
Material -- Has the potential to bioaccumulate, however metabolism or physical properties may reduce the bioconcentration or limit bioavailability.

ECOLOGICAL DATA

Ecotoxicity

Test	Duration	Organism Type	Test Results
Aquatic - Acute Toxicity	48 hour(s)	Daphnia magna	EL50 1 - 1000 mg/l: data for similar materials
Aquatic - Acute Toxicity	96 hour(s)	Fish	LL50 1 - 100 mg/l: data for similar materials
Aquatic - Acute Toxicity	72 hour(s)	Pseudokirchneriella subcapitata	EL50 1 - 100 mg/l: data for similar materials

Aquatic - Chronic Toxicity	72 hour(s)	Pseudokirchneriella subcapitata	NOELR 1 - 10 mg/l: data for similar materials

Persistence, Degradability and Bioaccumulation Potential

Media	Test Type	Duration	Test Results
Water	Ready Biodegradability	28 day(s)	Percent Degraded < 60 : similar material

SECTION 13 DISPOSAL CONSIDERATIONS

Disposal recommendations based on material as supplied. Disposal must be in accordance with current applicable laws and regulations, and material characteristics at time of disposal.

DISPOSAL RECOMMENDATIONS

Product is suitable for burning in an enclosed controlled burner for fuel value or disposal by supervised incineration at very high temperatures to prevent formation of undesirable combustion products.

Empty Container Warning Empty Container Warning (where applicable): Empty containers may contain residue and can be dangerous. Do not attempt to refill or clean containers without proper instructions. Empty drums should be completely drained and safely stored until appropriately reconditioned or disposed. Empty containers should be taken for recycling, recovery, or disposal through suitably qualified or licensed contractor and in accordance with governmental regulations. DO NOT PRESSURISE, CUT, WELD, BRAZE, SOLDER, DRILL, GRIND, OR EXPOSE SUCH CONTAINERS TO HEAT, FLAME, SPARKS, STATIC ELECTRICITY, OR OTHER SOURCES OF IGNITION. THEY MAY EXPLODE AND CAUSE INJURY OR DEATH.

SECTION 14 TRANSPORT INFORMATION

LAND

Proper Shipping Name: ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. (Fuels, diesel)
Hazard Class: 9
Hazchem Code: 3Z
UN Number: 3082
Packing Group: III
Label(s) / Mark(s): 9, EHS

SEA (IMDG)

Proper Shipping Name: ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. (Fuels, diesel)
Hazard Class & Division: 9
EMS Number: F-A, S-F
UN Number: 3082
Packing Group: III
Marine Pollutant: Yes
Label(s): 9
Transport Document Name: UN3082, ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. (Fuels, diesel), 9, PG III, MARINE POLLUTANT

Footnote: Not subject to the provisions of UN3082 Environmentally hazardous substances liquid, n.o.s., if shipped in quantities of 5 liters or less per single or inner combination packaging as per IMDG code 2.10.2.7.

AIR (IATA)

Proper Shipping Name: ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. (Fuels, diesel)
Hazard Class & Division: 9
UN Number: 3082
Packing Group: III
Label(s) / Mark(s): 9, EHS
Transport Document Name: UN3082, ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. (Fuels, diesel), 9, PG III

[Footnote: Not subject to the provisions of UN3082 Environmentally hazardous substances liquid, n.o.s., if shipped in quantities of 5 liters or less per single or inner combination packaging as per Special Provision A197.]

SECTION 15 REGULATORY INFORMATION

This material has been classified according to the Environmental Risk Management Authority (ERMA) under HSNO Approval Number: HSR001441

Product is regulated according to New Zealand Land Transport Rule.

REGULATORY STATUS AND APPLICABLE LAWS AND REGULATIONS

Listed or exempt from listing/notification on the following chemical inventories (May contain substance(s) subject to notification to the EPA Active TSCA inventory prior to import to USA):
PICCS, TSCA

SECTION 16 OTHER INFORMATION

N/D = Not determined, N/A = Not applicable
KEY TO THE H-CODES CONTAINED IN SECTION 3 OF THIS DOCUMENT (for information only):
H227: Combustible liquid; Flammable Liquid, Cat 4
H304: May be fatal if swallowed and enters airways; Aspiration, Cat 1
H315: Causes skin irritation; Skin Corr/Irritation, Cat 2
H332: Harmful if inhaled; Acute Tox Inh, Cat 4
H351: Suspected of causing cancer; GHS Carcinogenicity, Cat 2
H373: May cause damage to organs through prolonged or repeated exposure; Target Organ, Repeated, Cat 2
H401: Toxic to aquatic life; Acute Env Tox, Cat 2
H411: Toxic to aquatic life with long lasting effects; Chronic Env Tox, Cat 2

THIS SAFETY DATA SHEET CONTAINS THE FOLLOWING REVISIONS:
Section 01: Alternate Product Names Table information was modified.
Section 08: Exposure Limits Table information was modified.
Section 09: Vapour Pressure information was modified.
Section 12: information was modified.
Section 14: IATA Footnote information was added.
Section 14: IMDG Footnote information was added.

Section 15: National Chemical Inventory Listing information was modified.
Section 15: New Zealand ERMA Approval Code information was modified.

DGN: 7097442XNZ (1017113)

End of (M)SDS

MARLBOROUGH DISTRICT COUNCIL
15 SEYMOUR STREET
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NEW ZEALAND

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www.marlborough.govt.nz

18 Jun 2024

Mitchell Daysh Ltd
55 Collingwood Street
Nelson 7010

Dear Sir/Madam,

Request for further information - U240528 - Port Marlborough New Zealand Limited - Marina Drive, Picton

Under section 92 of the Resource Management Act 1991, the Marlborough District Council requests further information about your application.

Requested information

- Navigational Safety Plan (NSP)
- Draft Oil Transfer Site (OTS) Plan

Reasons for the requested information

The above information is requested to further address any potential navigational effects of the proposal and so it can be reviewed, commented on and agreed to by the Harbourmaster.

Responding to this request

Within 15 working days (10 Jul 2024), you must take one of the following options:

a. Provide me with the requested information; or
b. Tell me in writing that you agree to provide the requested information (please advise a reasonable time within which you can provide the information); or
c. Tell me in writing that you refuse to provide the requested information.

If I do not receive any response from you, Council is obligated to publicly notify your application.

If you have any questions regarding this letter, please get in touch.

Yours sincerely,

Joanna Pitts

Environmental Planner

joanna.pitts@marlborough.govt.nz

Beth Bovey-8156

From: Grant Beattie <Grant.Beattie@pmnz.co.nz>
Sent: Tuesday, 10 December 2024 12:46 pm
To: Jake Oliver-8301; Joanna Pitts
Cc: 'Andrew Brown'; Rebekah Anderson
Subject: Waikawa vessel movement monitoring - U240528
Attachments: Vessel Movemernt Monitoring 15-11-25 & 16-11-25.pdf; Vessel Movemernt Monitoring 26-10-25 to 28-10-25.pdf; Request-Letter_U240528-2024-06-18.pdf; DRAFT Navigational Safety Plan - Rev1 Combined.pdf; Waikawa Marina Fuel facility Oil Transfer pla_Final Draft 12.08.2024.pdf

Hi Jake,

I've been meaning to pass on this information for a few weeks now, but we completed the Initial vessel movement monitoring over Labour Weekend. We recorded 341 vessel movements over that weekend.

General observations from the vessel movement monitoring:

- All boats generally travelled along the breakwater with sufficient separation to avoid any conflicts at the entrance of the NW.
- Only boats entering or exiting the NW were recorded travelling close to the breakwater.
- Nearly 93% of vessel speeds recorded were less than 5knots, the worst recorded speed was 1.5knots over. The average speed was only 3.5knots.
- There were no conflicts recorded of vessels trying to navigate in or out of the NW over the period.

We also completed a further monitoring session over the Canterbury Show weekend and noted similar findings, we completed this monitoring with camera only and we had technical issues which meant we only captured data on the 15/11 and 16/11. We recorded a further 192 vessel movements over this period.

See attached the records of the monitoring undertaken, we also have video footage from the monitoring periods if you are interested to view the data.

From these observations, with the current controls in place, it appears vessels are generally navigating safely around the entrance of the NW/13W area, and we do not see the benefit of implementing any additional controls at this time.

This data forms a good baseline for future monitoring programmes.

Joanna,

We have now worked through and provided the further information as requested in the attached s92.

See copies attached of the Navigational Safety Plan and Oil Transfer Plan as worked through with Jake for your information.

Can you please acknowledge the receipt of this further information and continue to be process this application.

Regards,

Grant Beattie

+64 21 239 2440

Projects
Kaipūhanga Kaupapa

14 Auckland Street,
PO Box 111, Picton 7250
New Zealand

portmarlborough.co.nz

Port Marlborough

From: Grant Beattie
Sent: Friday, 23 August 2024 11:46 am
To: Rebekah Anderson <Rebekah.Anderson@pmnz.co.nz>; Jake Oliver-8301 <Jake.Oliver@marlborough.govt.nz>
Cc: Joanna Pitts <Joanna.Pitts@marlborough.govt.nz>; Andrew Brown <andrew.brown@mitchelldaysh.co.nz>
Subject: RE: Oil Spill Contingency Plans

Hi Jake,

See attached our updated Navigation Safety Plan which includes our proposed monitoring procedure.

We will be able to talk this through when we meet this afternoon.

Regards,

Grant Beattie

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Projects

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Port Marlborough

From: Rebekah Anderson <Rebekah.Anderson@pmnz.co.nz>
Sent: Wednesday, August 14, 2024 9:53 AM

To: Jake Oliver-8301 <Jake.Oliver@marlborough.govt.nz>; Grant Beattie <Grant.Beattie@pmnz.co.nz>
Cc: Joanna Pitts <Joanna.Pitts@marlborough.govt.nz>; Andrew Brown <andrew.brown@mitchelldaysh.co.nz>
Subject: RE: Oil Spill Contingency Plans

Good morning Jake,

Hope you are well!

Please find attached an updated draft version of the Oil Transfer Plan. I have made the recommended changes and updated the plan into the template you sent through

Please let me know if there is anything more you need from our side regarding the Oil plan

Cheers
Rebekah

Rebekah Anderson Environment Manager

+64 22 652 3699

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PO Box 111, Picton 7250
New Zealand

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Port Marlborough

From: Jake Oliver-8301 <Jake.Oliver@marlborough.govt.nz>
Sent: Monday, July 29, 2024 2:11 PM
To: Rebekah Anderson <Rebekah.Anderson@pmnz.co.nz>; Grant Beattie <Grant.Beattie@pmnz.co.nz>
Cc: Joanna Pitts <Joanna.Pitts@marlborough.govt.nz>
Subject: Oil Spill Contingency Plans

Good Afternoon,

Please find attached:

- Template plan.
- Checklist used for assessing plans.
- The draft plan provided with MPRS comments.

If you have any comments, please let me know.

Kind Regards,

Jake Oliver
Harbourmaster

MARLBOROUGH DISTRICT COUNCIL

Phone: 03 520 7400

15 Seymour Street, PO Box 443
Blenheim 7240, New Zealand
Jake.Oliver@marlborough.govt.nz
www.marlborough.govt.nz

Waikawa Vessel Movement Monitoring - 15/11/2024 - 16/11/2024

Date	Time	Vessel Speed (Kn)	Direction of Travel	Offset from Breakwater	Vessel Conflict	Vessel Size	Vessel type	Other Info
15-Nov	7:09		S	30m	N	8m	Runabout	
15-Nov	7:19		S	25m	N	7.5m	Runabout	
15-Nov	7:20		N	65m	N	6.5m	Runabout	
15-Nov	7:46		N	70m	N	9m	Runabout	
15-Nov	7:47		N	65m	N	7.5m	Runabout	
15-Nov	8:00		S	45m	N	25m	Launch	
15-Nov	8:03		N	80m	N	7.5m	Runabout	
15-Nov	8:05		N	100m	N	6m	Runabout	
15-Nov	8:07		N	65m	N	6.5m	Runabout	
15-Nov	8:07		N	65m	N	2.5m	Jet-Ski	
15-Nov	8:10		N	20m	N	6.5m	Runabout	
15-Nov	8:10		N	60m	N	6.5m	Runabout	
15-Nov	8:25		N	60m	N	6.5m	Runabout	
15-Nov	8:32		N	70m	N	6m	Runabout	
15-Nov	8:38		N	65m	N	6m	Runabout	
15-Nov	8:46		N	60m	N	6.5m	Runabout	
15-Nov	8:51		S	35m	N	6m	Runabout	
15-Nov	8:52		N	15m	N	15m	Yacht	
15-Nov	8:53		S	80m	N	6m	Runabout	
15-Nov	8:55		N	45m	N	15m	Launch	
15-Nov	8:56		S	35m	N	8m	Launch	
15-Nov	9:02		S	60m	N	7.5m	Runabout	
15-Nov	9:03		S	<10m	N	13m	Launch	

15-Nov	9:04		N	70m	N	6.5m	Runabout	
15-Nov	9:20		N	65m	N	6m	Runabout	
15-Nov	9:32		S	35m	N	5.5m	Runabout	
15-Nov	9:35		N	75m	N	13m	Launch	
15-Nov	9:36		S	20m	N	5.5m	Runabout	
15-Nov	9:39		N	85m	N	8m	Launch	
15-Nov	9:40		N	60m	N	12m	Yacht	
15-Nov	9:42		S	30m	N	7.5m	Runabout	
15-Nov	9:42		N	65m	N	10m	Yacht	
15-Nov	9:45		N	20m	N	11m	Yacht	
15-Nov	9:45		S	10m	N	6m	Runabout	
15-Nov	9:51		N	65m	N	7.5m	Runabout	
15-Nov	9:52		S	35m	N	11m	Yacht	
15-Nov	9:52		S	15m	N	7m	Runabout	
15-Nov	9:54		N	110m	N	10m	Yacht	
15-Nov	10:02		N	60m	N	12m	Launch	
15-Nov	10:09		S	15m	N	7m	Runabout	
15-Nov	10:11		S	<10m	N	18m	Launch	
15-Nov	10:12		S	35m	N	12m	Launch	
15-Nov	10:16		S	15m	N	6m	Runabout	
15-Nov	10:20		S	30m	N	6.5m	Runabout	
15-Nov	10:22		S	25m	N	6m	Runabout	
15-Nov	10:26		N	80m	N	6.5m	Runabout	
15-Nov	10:28		N	65m	N	6m	Runabout	
15-Nov	10:32		N	<10m	N	18m	Launch	
15-Nov	10:35		N	85m	N	6m	Runabout	

15-Nov	10:37		N	60m	N	11m	Yacht	
15-Nov	10:43		S	20m	N	7.5m	Runabout	
15-Nov	10:43		N	65m	N	7m	Runabout	
15-Nov	10:47		S	90m	N	6.5m	Runabout	
15-Nov	10:48		S	20m	N	6.5m	Runabout	
15-Nov	10:50		N	65m	N	6m	Runabout	
15-Nov	10:50		S	25m	N	11m	Launch	
15-Nov	10:53		N	55m	N	9m	Large Runabout	
15-Nov	10:54		N	<10m	N	6m	Runabout	
15-Nov	10:58		N	40m	N	12m	Launch	
15-Nov	11:37		N	65m	N	7m	Runabout	
15-Nov	11:48		N	60m	N	15m	Yacht	
15-Nov	11:50		N	80m	N	6.5m	Runabout	
15-Nov	11:51		N	25m	N	7.5m	Runabout	
15-Nov	11:52		S	10m	N	10m	Yacht	
15-Nov	11:53		N	45m	N	6.5m	Runabout	
15-Nov	11:54		N	85m	N	11m	Yacht	
15-Nov	12:00		N	40m	N	11m	Yacht	
15-Nov	12:03		S	35m	N	6m	Runabout	
15-Nov	12:05		N	15m	N	15m	Yacht	
15-Nov	12:10		N	40m	N	11m	Yacht	
15-Nov	12:13		N	90m	N	6.5m	Runabout	
15-Nov	12:28		N	70m	N	7m	Runabout	
15-Nov	12:34		N	70m	N	6.5m	Runabout	
15-Nov	12:35		S	20m	N	6.5m	Runabout	
15-Nov	12:54		N	45m	N	7m	Runabout	

15-Nov	13:00		N	85m	N	6.5m	Runabout	
15-Nov	13:01		N	65m	N	6.5m	Runabout	
15-Nov	13:04		N	70m	N	7.5m	Runabout	
15-Nov	13:15		N	<10m	N	15m	Yacht	
15-Nov	13:30		S	20m	N	7.5m	Runabout	
15-Nov	13:32		N	80m	N	15m	Launch	
15-Nov	13:32		N	100m	N	7m	Runabout	
15-Nov	13:37		S	45m	N	11m	launch	
15-Nov	13:38		N	85m	N	7m	Runabout	
15-Nov	13:42		N	80m	N	6m	Runabout	
15-Nov	13:43		N	80m	N	7.5m	Runabout	
15-Nov	13:48		S	65m	N	8.5m	Launch	
15-Nov	13:57		N	80m	N	6m	Runabout	
15-Nov	13:59		S	60m	N	6.5m	Runabout	
15-Nov	14:01		S	50m	N	7.5m	Runabout	
15-Nov	14:01		N	90m	N	6.5m	Runabout	
15-Nov	14:06		S	85m	N	6.5m	Runabout	
15-Nov	14:07		S	30m	N	6m	Runabout	
15-Nov	14:08		N	40m	N	8m	Runabout	
15-Nov	14:14		N	80m	N	6.5m	Runabout	
15-Nov	14:14		S	25m	N	6.5m	Runabout	
15-Nov	14:17		N	100m	N	6.5m	Runabout	
15-Nov	14:23		N	65m	N	11m	Yacht	
15-Nov	14:33		N	85m	N	10m	Yacht	
15-Nov	14:35		S	60m	N	7m	Runabout	
15-Nov	14:39		S	55m	N	8m	Runabout	

15-Nov	14:39		N	95m	N	6.5m	Runabout	
15-Nov	14:40		N	95m	N	7.5m	Runabout	
15-Nov	14:46		S	80m	N	11m	Yacht	
15-Nov	14:47		N	100m	N	6.5m	Runabout	
15-Nov	14:52		N	75m	N	7.5m	Runabout	
15-Nov	14:52		S	30m	N	7m	Runabout	
15-Nov	14:52		S	60m	N	6.5m	Runabout	
15-Nov	15:05		S	100m	N	11m	Yacht	
15-Nov	15:06		N	85m	N	7m	Runabout	
15-Nov	15:11		N	<10m	N	6.5m	Runabout	
15-Nov	15:14		N	110m	N	6.5m	Runabout	
15-Nov	15:18		N	90m	N	7.5m	Runabout	
15-Nov	15:18		N	90m	N	7m	Runabout	
15-Nov	15:19		S	30m	N	6.5m	Runabout	
15-Nov	15:19		S	70m	N	6.5m	Runabout	
15-Nov	15:24		S	60m	N	13m	Launch	
15-Nov	15:25		N	85m	N	7.5m	Runabout	
15-Nov	15:26		N	90m	N	8m	Runabout	
15-Nov	15:30		N	75m	N	11m	Launch	
15-Nov	15:35		N	45m	N	7m	Runabout	
15-Nov	15:38		S	55m	N	7.5m	Runabout	
15-Nov	15:39		N	100m	N	11m	Yacht	
15-Nov	15:46		S	30m	N	6.5m	Runabout	
15-Nov	15:52		S	85m	N	6m	Runabout	
15-Nov	15:52		S	80m	N	7.5m	Runabout	
15-Nov	15:55		S	40m	N	12m	Yacht	

15-Nov	15:56		N	95m	N	11m	Yacht	
15-Nov	15:59		N	60m	N	13m	Launch	
15-Nov	16:01		N	65m	N	9m	Launch	
15-Nov	16:05		N	70m	N	7.5m	Runabout	
15-Nov	16:06		N	70m	N	11m	Launch	
15-Nov	16:15		S	45m	N	8m	Runabout	
15-Nov	16:18		S	80m	N	8.5m	Runabout	
15-Nov	16:23		S	85m	N	6.5m	Runabout	
15-Nov	16:23		S	50m	N	7m	Runabout	
15-Nov	16:35		S	45m	N	6.5m	Runabout	
15-Nov	16:40		S	70m	N	7.5m	Runabout	
15-Nov	16:50		N	90m	N	10m	Launch	
15-Nov	16:50		S	50m	N	7m	Runabout	
15-Nov	17:04		S	65m	N	7m	Runabout	
15-Nov	17:07		N	65m	N	7m	Runabout	
15-Nov	17:14		N	20m	N	8.5m	Launch	
15-Nov	17:18		N	80m	N	7m	Runabout	
15-Nov	17:22		S	35m	N	8.5m	Launch	
15-Nov	17:29		N	90m	N	6.5m	Runabout	
15-Nov	17:30		N	50m	N	7m	Runabout	
15-Nov	17:33		N	70m	N	6.5m	Runabout	
15-Nov	17:34		S	50m	N	7m	Runabout	
15-Nov	17:51		N	65m	N	7.5m	Runabout	
15-Nov	17:56		N	70m	N	5m	Runabout	
15-Nov	17:57		N	55m	N	7m	Runabout	
15-Nov	17:59		S	60m	N	5.5m	Runabout	

15-Nov	18:03		N	70m	N	5.5m	Runabout	
15-Nov	18:20		S	40m	N	6.5m	Runabout	
15-Nov	18:24		N	35m	N	9.5m	Launch	
15-Nov	18:47		N	55m	N	10m	Yacht	
15-Nov	18:51		S	40m	N	17.5m	Launch	
15-Nov	18:52		S	45m	N	7m	Runabout	
15-Nov	18:59		S	20m	N	7m	Runabout	
16-Nov	7:42		S	30m	N	7.5m	Runabout	
16-Nov	7:57		N	55m	N	4.5m	Runabout	
16-Nov	8:18		N	35m	N	6.5m	Runabout	
16-Nov	8:22		S	40m	N	7.5m	Runabout	
16-Nov	8:23		S	20m	N	6.5m	Runabout	
16-Nov	8:35		S	75m	N	7.5m	Runabout	
16-Nov	8:39		S	<10m	N	6.5m	Runabout	
16-Nov	8:52		N	55m	N	6.5m	Runabout	
16-Nov	8:57		N	45m	N	7.5m	Runabout	
16-Nov	8:58		N	50m	N	7.5m	Runabout	
16-Nov	9:04		N	25m	N	7m	Runabout	
16-Nov	9:21		N	40m	N	7.5m	Runabout	
16-Nov	9:37		N	<10m	N	5m	Kayak	
16-Nov	9:42		S	45m	N	6.5m	Runabout	
16-Nov	9:54		N	75m	N	11m	Launch	
16-Nov	10:03		S	40m	N	10m	Yacht	
16-Nov	10:07		S	40m	N	5.5m	Runabout	
16-Nov	10:21		N	70m	N	5.5m	Runabout	
16-Nov	10:57		S	65m	N	6.5m	Runabout	

16-Nov	11:53		S	60m	N	11m	Yacht	
16-Nov	12:10		S	50m	N	9m	Launch	
16-Nov	12:15		N	85m	N	6m	Runabout	
16-Nov	12:21		N	15m	N	12m	Yacht	
16-Nov	12:23		S	30m	N	7m	Runabout	
16-Nov	12:27		N	15m	N	15m	Launch	
16-Nov	12:53		S	80m	N	6.5m	Runabout	
16-Nov	12:55		S	45m	N	6.5m	Runabout	
16-Nov	13:12		N	75m	N	6.5m	Runabout	
16-Nov	13:12		N	75m	N	6.5m	Runabout	
16-Nov	13:32		N	100m	N	8m	Runabout	
16-Nov	13:37		N	75m	N	7m	Runabout	
16-Nov	13:42		N	80m	N	8.5m	Runabout	

Waikawa Vessel Movement Monitoring - Labour Weekend 26/10/25 to 28/10/25

Date	Time	Vessle Speed (Kn)	Direction of Travel	Offset from Breakwater	Vessel Conflict	Vessel Size	Vessel type	Other Info
26-Oct	7:35		N	65m	No	6m	Runabout	
26-Oct	7:35		S	70m	No	6m	Runabout	
26-Oct	7:40		N	60m	No	6m	Runabout	
26-Oct	8:11		S	45m	No	7.5m	Runabout	
26-Oct	8:28		S	50m	No	6m	Runabout	
26-Oct	9:04		N	55m	No	7m	Runabout	
26-Oct	9:26		S	50m	No	8.5m	Large Runabout	
26-Oct	9:39		N	50m	No	8.5m	Large Runabout	
26-Oct	9:53		N	35m	No	8m	Runabout	
26-Oct	10:09		N	25m	No	8.5m	Large Runabout	
26-Oct	10:19		N	40m	No	7m	Runabout	
26-Oct	10:19		N	40m	No	2m	Dinghy	
26-Oct	10:38		N	65m	No	8m	Runabout	
26-Oct	10:50		N	20m	No	12m	Yacht	
26-Oct	11:14		S	60m	No	8.5m	Large Runabout	
26-Oct	11:24		S	70m	No	5.5m	Runabout	
26-Oct	11:24		N	75m	No	2.5m	Jet-Ski	
26-Oct	11:34		N	50m	No	8.5m	Large Runabout	
26-Oct	11:44		N	70m	No	5.5m	Runabout	
26-Oct	11:57		S	10m	No	15m	Catamaran	
26-Oct	11:58		N	50m	No	9m	Large Runabout	
26-Oct	12:00		S	20m	No	8.5m	Large Runabout	
26-Oct	12:02		S	45m	No	6.5m	Runabout	
26-Oct	12:03		N	75m	No	6.5m	Runabout	

26-Oct	12:06		N	55m	No	7.5m	Runabout	
26-Oct	12:19		N	65m	No	8.5	Large Runabout	
26-Oct	12:20		S	50m	No	6.5	Runabout	
26-Oct	12:22		N	50m	No	5.5m	Runabout	
26-Oct	12:35		N	60m	No	6.5m	Runabout	
26-Oct	12:41		N	50m	No	6m	Runabout	
26-Oct	13:17		S	20m	No	8.5m	Large Runabout	Entering NW
26-Oct	13:28		N	50m	No	8m	Large Runabout	
26-Oct	13:30		S	15m	No	2m	Dinghy	Existing NW
26-Oct	14:50		S	35m	No	6.5m	Runabout	
26-Oct	15:03		N	50m	No	7.5m	Runabout	
26-Oct	15:03		N	50m	No	6.5m	Runabout	
26-Oct	15:15		N	65m	No	6.5m	Runabout	
26-Oct	15:58		N	70m	No	13m	Launch	
26-Oct	16:26		N	65m	No	11m	Yacht	
26-Oct	16:26		N	65m	No	7.5m	Runabout	
26-Oct	18:57		N	60m	No	7m	Runabout	
27-Oct	7:16		N	65m	No	6m	Runabout	
27-Oct	7:45		N	60m	No	6m	Runabout	
27-Oct	7:51		S	15m	No	3m	Kayak	
27-Oct	8:02		N	50m	No	13m	Yacht	
27-Oct	8:02		N	60m	No	5.5m	Runabout	
27-Oct	8:05		S	55m	No	6m	Runabout	
27-Oct	8:06		N	70m	No	7.5m	Runabout	
27-Oct	8:14		N	50m	No	6m	Runabout	
27-Oct	8:17		N	55m	No	14m	Launch	

27-Oct	8:44		S	60m	No	7m	Runabout	
27-Oct	8:49		N	35m	No	5.5m	Runabout	
27-Oct	8:49		N	45m	No	7m	Runabout	
27-Oct	8:49	2.6	N	55m	No	12m	Launch	
27-Oct	8:53		N	35m	No	6.5m	Runabout	
27-Oct	8:51	1.4	N	85m	No	2m	Dinghy	
27-Oct	9:07		N	55m	No	9.5m	Large Runabout	
27-Oct	9:13		S	15m	No	12m	Yacht	Existing NW
27-Oct	9:19		N	65m	No	7.5m	Runabout	
27-Oct	9:22		S	70m	No	9.5m	Large Runabout	
27-Oct	9:24		N	65m	No	9m	Large Runabout	
27-Oct	9:24		N	60m	No	13m	Launch	
27-Oct	9:31		S	10m	No	6m	Runabout	
27-Oct	9:34		N	10m	No	9m	Large Runabout	
27-Oct	9:34		N	55m	No	12m	Yacht	
27-Oct	9:36		S	20m	No	8.5m	Runabout	
27-Oct	9:38		S	25m	No	6m	Runabout	
27-Oct	9:41		N	60m	No	9.5m	Launch	
27-Oct	9:42		N	55m	No	7.5m	Runabout	
27-Oct	9:48		N	60m	No	6.5m	Runabout	
27-Oct	9:53		S	30m	No	6.5m	Runabout	
27-Oct	9:55		S	40m	No	12m	Launch	
27-Oct	9:57		N	70m	No	5.5m	Runabout	
27-Oct	10:00		N	55m	No	7m	Runabout	
27-Oct	10:00		N	55m	No	7.5m	Runabout	
27-Oct	10:01		N	55m	No	11m	Yacht	

27-Oct	10:07		N	20m	No	8.5m	Large Runabout	
27-Oct	10:07		N	75m	No	6m	Runabout	
27-Oct	10:08		N	60m	No	6m	Runabout	
27-Oct	10:10		N	65m	No	12m	Yacht	
27-Oct	10:16		N	10m	No	12m	Launch	
27-Oct	10:18		N	55m	No	6m	Runabout	
27-Oct	10:24		N	75m	No	7m	Runabout	
27-Oct	10:26		N	60m	No	13m	Yacht	
27-Oct	10:29		N	70m	No	7.5m	Runabout	
27-Oct	10:31		N	<10m	No	2.5m	Dinghy	Entering NW
27-Oct	10:31		N	60m	No	15m	Launch	
27-Oct	10:34		N	50m	No	10m	Launch	
27-Oct	10:39		N	50m	No	9m	Launch	
27-Oct	10:40		N	65m	No	10m	Large Runabout	
27-Oct	10:40		S	85m	No	8m	Runabout	
27-Oct	10:42		N	35m	No	18m	Launch	
27-Oct	10:43		N	45m	No	8m	Runabout	
27-Oct	10:43		S	15m	No	8.5m	Large Runabout	
27-Oct	10:46		N	60m	No	17m	Launch	
27-Oct	10:46		S	30m	No	8m	Runabout	
27-Oct	10:50		N	55m	No	2.5	Jet-Ski	
27-Oct	10:51		N	65m	No	6m	Runabout	
27-Oct	10:52		N	60m	No	12m	Yacht	
27-Oct	10:57		N	60m	No	11m	Yacht	
27-Oct	10:59		N	60m	No	8.5m	Large Runabout	
27-Oct	11:01		N	70m	No	7.5m	Runabout	

27-Oct	11:02		S	30m	No	15m	Launch	
27-Oct	11:08		S	25m	No	6m	Runabout	
27-Oct	11:34		S	70m	No	2m	Dinghy	
27-Oct	11:35		S	15m	No	9.5m	Launch	Existing NW
27-Oct	11:36		N	<10m	No	3.5m	Dinghy	Entering NW
27-Oct	11:41		S	<10m	No	3.5m	Dinghy	Existing NW
27-Oct	11:44		S	15m	No	8.5m	Launch	
27-Oct	11:46		N	55m	No	2.5m	Dinghy	
27-Oct	11:51		N	70m	No	8m	Launch	
27-Oct	11:52		S	60m	No	9m	Launch	
27-Oct	11:55		N	45m	No	6.5m	Runabout	
27-Oct	11:57		S	10m	No	10m	Yacht	
27-Oct	11:58		N	15m	No	15m	Launch	
27-Oct	11:59		N	45m	No	6m	Runabout	
27-Oct	11:59		N	70m	No	9m	Launch	
27-Oct	12:03		N	70m	No	9m	Launch	
27-Oct	12:04		S	10m	No	10m	Launch	
27-Oct	12;08		S	50m	No	6.5m	Runabout	
27-Oct	12:10		S	25m	No	6.5m	Runabout	
27-Oct	12:10		N	50m	No	8m	Barge	
27-Oct	12:11		N	60m	No	7m	Runabout	
27-Oct	12:16		N	55m	No	7.5m	Runabout	
27-Oct	12:23		S	60m	No	11m	Yacht	
27-Oct	12:26		N	60m	No	6m	Runabout	
27-Oct	12:30		S	35m	No	11m	Yacht	Entering NW
27-Oct	12:32		S	50m	No	6.5m	Runabout	

27-Oct	12:32		S	50m	No	4.5m	Runabout	
27-Oct	12:33		S	<10m	No	8m	Runabout	Existing NW
27-Oct	12:40		N	45m	No	10m	Launch	
27-Oct	12:42		N	50m	No	6m	Runabout	
27-Oct	12:52		S	70m	No	7m	Runabout	
27-Oct	12:58		N	65m	No	7.5m	Runabout	
27-Oct	13:05		N	10m	No	10m	Launch	
27-Oct	13:13		S	50m	No	8.5m	Large Runabout	
27-Oct	13:14		S	50m	No	9m	Yacht	
27-Oct	13:16		N	65m	No	7m	Runabout	
27-Oct	13:17		S	10m	No	8m	Runabout	
27-Oct	13:24		S	10m	No	8.5	Large Runabout	
27-Oct	13:24		S	35m	No	6m	Runabout	
27-Oct	13:25		S	15m	No	7m	Runabout	Existing NW
27-Oct	13:33		S	15m	No	13m	Launch	Existing NW
27-Oct	13:35		S	20m	No	5m	Runabout	
27-Oct	13:39		S	55m	No	7m	Runabout	
27-Oct	13:47		N	85m	No	11m	Yacht	
27-Oct	14:04		S	75m	No	10m	Yacht	
27-Oct	14:09	4.9	N	15m	No	14m	Launch	Entering NW
27-Oct	14:18	5.4	S	30m	No	12m	Yacht	
27-Oct	14:32	3.8	N	70m	No	6m	Runabout	
27-Oct	14:38	4.3	N	55m	No	9m	Yacht	
27-Oct	14:42	3.8	S	15m	No	11m	Yacht	
27-Oct	14:49	3.8	N	10m	No	12m	Yacht	
27-Oct	14:52	4.9	N	55m	No	11m	Yacht	

27-Oct	14:57	3.8	S	20m	No	4m	Dinghy	
27-Oct	14:57	6.5	S	10m	No	5.5m	Runabout	
27-Oct	14:57	5.9	N	60m	No	7m	Runabout	
27-Oct	15:06	4.9	S	25m	No	10m	Yacht	
27-Oct	15:12	5.4	S	30m	No	8.5m	Runabout	
27-Oct	15:21	2.7	N	35m	No	6m	Runabout	
27-Oct	15:27		S	55m	No	9.5m	Launch	
27-Oct	15:31		S	30m	No	8m	Runabout	
27-Oct	15:31		N	40m	No	10m	Yacht	
27-Oct	15:33		N	55m	No	6m	Runabout	
27-Oct	15:41		N	90m	No	11m	Launch	
27-Oct	15:46		S	50m	No	7.5m	Runabout	
27-Oct	15:49		N	75m	No	10m	Yacht	
27-Oct	15:50		S	45m	No	13m	Launch	
27-Oct	15:54		S	20m	No	7m	Runabout	
27-Oct	15:55		S	30m	No	8.5m	Large Runabout	
27-Oct	15:57		S	55m	No	9m	Launch	
27-Oct	15:57		S	55m	No	2.5m	Jet-Ski	
27-Oct	16:01		S	15m	No	9.5m	Launch	Entering NW
27-Oct	16:12		S	30m	No	6.5m	Runabout	
27-Oct	16:15		S	10m	No	8.5m	Large Runabout	
27-Oct	16:49		S	45m	No	18m	Launch	Entering NW
27-Oct	16:55		S	35m	No	6.5m	Runabout	
27-Oct	16:59		S	65m	No	7.5m	Runabout	
27-Oct	16:59		S	15m	No	6.5m	Runabout	Existing NW
27-Oct	17:08		S	50m	No	7m	Runabout	

27-Oct	17:09		S	50m	No	7m	Runabout	
27-Oct	17:09		S	50m	No	8.5m	Launch	
27-Oct	17:17		S	25m	No	9.5m	Launch	
27-Oct	17:34		N	65m	No	8.5m	Launch	
27-Oct	17:58		S	20m	No	9.5m	Launch	
27-Oct	17:58		N	60m	No	7.5m	Runabout	
27-Oct	18:04		S	10m	No	7.5m	Runabout	
27-Oct	18:09		N	75m	No	9m	Large Runabout	Existing NW
27-Oct	18:37		S	10m	No	8.5m	Large Runabout	
27-Oct	18:54		S	15m	No	9m	Launch	
27-Oct	18:59		S	25m	No	10m	Yacht	
28-Oct	7:07		S	15m	No	6m	Runabout	
28-Oct	7:32		S	15m	No	2m	Dinghy	Existing NW
28-Oct	8:04		N	45m	No	6m	Runabout	
28-Oct	8:07		N	55m	No	7.5m	Barge	
28-Oct	8:11		N	60m	No	6.5m	Runabout	
28-Oct	8:21		N	70m	No	2.5m	Dinghy	
28-Oct	8:22		S	15m	No	8.5m	Barge	
28-Oct	8:28		N	45m	No	7m	Runabout	
28-Oct	8:30		N	60m	No	6.5m	Runabout	
28-Oct	8:33		N	85m	No	8.5m	Barge	
28-Oct	8:50		S	15m	No	7.5m	Runabout	
28-Oct	9:02		S	25m	No	8m	Launch	
28-Oct	9:08		S	15m	No	6.5m	Runabout	
28-Oct	9:10		S	65m	No	10m	Yacht	
28-Oct	9:18		N	50m	No	6.5m	Runabout	

28-Oct	9:20		S	20m	No	8.5m	Launch	
28-Oct	9:24		S	5m	No	7.5m	Barge	
28-Oct	9:31		S	15m	No	6.5m	Runabout	
28-Oct	9:41	2.2	N	60m	No	7.5m	Runabout	
28-Oct	9:42	2.7	S	15m	No	7.5m	Runabout	
28-Oct	9:46	3.2	S	35m	No	7.5m	Runabout	
28-Oct	9:53	3.2	S	15m	No	9m	Yacht	
28-Oct	9:59	4.9	N	15m	No	8.5m	Barge	Existing NW
28-Oct	10:02	2.7	S	10m	No	7m	Runabout	
28-Oct	10:07	2.2	S	20m	No	10m	Yacht	
28-Oct	10:08	1.6	S	5m	No	8.5m	Launch	
28-Oct	10:11	1.6	N	60m	No	7m	Launch	
28-Oct	10:13	3.2	S	50m	No	7.5m	Runabout	
28-Oct	10:16	2.7	S	20m	No	8.5m	Large Runabout	
28-Oct	10:22	3.2	S	45m	No	6.5m	Runabout	
28-Oct	10:26	3.8	S	35m	No	7m	Runabout	
28-Oct	10:34	4.3	S	55m	No	5.5m	Runabout	
28-Oct	10:37	3.2	N	60m	No	6.5m	Runabout	
28-Oct	10:46	3.8	S	45m	No	6.5m	Runabout	
28-Oct	10:47	4.3	N	<10m	No	8.5m	Launch	Entering NW
28-Oct	10:55	3.2	S	25m	No	6m	Runabout	
28-Oct	10:56	3.8	N	45m	No	8.5m	Large Runabout	
28-Oct	11:03		S	30m	No	9m	Launch	
28-Oct	11:05		S	25m	No	10m	Launch	
28-Oct	11:10		S	45m	No	2m	Dinghy	Entering NW
28-Oct	11:10		N	<10m	No	7.5m	Runabout	Entering NW

28-Oct	11:18		S	65m	No	7.5m	Runabout	
28-Oct	11:19		S	15m	No	9m	Yacht	
28-Oct	11:20		S	20m	No	7m	Runabout	
28-Oct	11:21		S	50m	No	7m	Runabout	
28-Oct	11:21		S	15m	No	6m	Runabout	Entering NW
28-Oct	11:25		N	65m	No	6.5m	Runabout	
28-Oct	11:26		S	<10m	No	7.5m	Runabout	Existing NW
28-Oct	11:27		N	60m	No	7.5m	Runabout	
28-Oct	11:28		S	35m	No	6m	Runabout	
28-Oct	11:31		N	65m	No	7m	Runabout	
28-Oct	11:32		N	65m	No	10m	Launch	
28-Oct	11:35		N	65m	No	7.5m	Runabout	
28-Oct	11:39		S	60m	No	8.5m	Launch	
28-Oct	11:41		S	15m	No	6.5m	Runabout	
28-Oct	11:42		N	65m	No	5.5m	Runabout	
28-Oct	11:43		S	20m	No	6m	Runabout	
28-Oct	11:45		N	<10m	No	7m	Runabout	Existing NW
28-Oct	11:49		N	<10m	No	2m	Dinghy	Entering NW
28-Oct	11:59		N	45m	No	9m	Yacht	
28-Oct	12:01		S	35m	No	5.5m	Runabout	
28-Oct	12:04		S	60m	No	6m	Runabout	
28-Oct	12:04		N	65m	No	7m	Runabout	
28-Oct	12:07		S	50m	No	9m	Yacht	
28-Oct	12:12		S	40m	No	7.5m	Runabout	
28-Oct	12:13		N	50m	No	12m	Launch	
28-Oct	12:22		S	40m	No	7m	Runabout	

28-Oct	12:23		S	10m	No	13m	Launch	Entering NW
28-Oct	12:26		S	20m	No	12m	Launch	
28-Oct	12:31		S	30m	No	6.5m	Runabout	
28-Oct	12:32		N	75m	No	5.5m	Runabout	
28-Oct	12:33		S	20m	No	9m	Yacht	
28-Oct	12:38		S	15m	No	7m	Runabout	
28-Oct	12:40		S	40m	No	7.5m	Runabout	
28-Oct	12:43		N	75m	No	4.5m	Runabout	
28-Oct	12:44		S	35m	No	8m	Launch	
28-Oct	12:56		S	40m	No	10m	Yacht	
28-Oct	12:56		S	60m	No	5m	Runabout	
28-Oct	13:00		S	50m	No	8.5m	Launch	
28-Oct	13:05		S	50m	No	6.5m	Runabout	
28-Oct	13:06		N	70m	No	6.5m	Runabout	
28-Oct	13:07		S	20m	No	7.5m	Runabout	
28-Oct	13:08		S	55m	No	6m	Runabout	
28-Oct	13:14		S	30m	No	11m	Launch	
28-Oct	13:14		S	70m	No	5m	Runabout	
28-Oct	13:17		N	50m	No	6.5m	Runabout	
28-Oct	13:22		S	40m	No	7.5m	Runabout	
28-Oct	13:23		N	65m	No	7.5m	Runabout	
28-Oct	13:23		S	45m	No	9m	Launch	
28-Oct	13:26		N	70m	No	10m	Yacht	
28-Oct	13:28		S	45m	No	10m	Yacht	
28-Oct	13:30		S	15m	No	8.5m	Large Runabout	
28-Oct	13:32		S	25m	No	8m	Launch	

28-Oct	13:36		S	10m	No	14m	Yacht	
28-Oct	13:36		S	65m	No	6.5m	Runabout	
28-Oct	13:39		S	50m	No	10m	Launch	
28-Oct	13:39		S	50m	No	6.5m	Runabout	
28-Oct	13:50	3.2	N	65m	No	6.5m	Runabout	
28-Oct	13:56	2.7	S	45m	No	8.5m	Launch	
28-Oct	14:00	1.6	S	70m	No	13m	Launch	
28-Oct	14:03	2.7	N	<10m	No	10m	Launch	Entering NW
28-Oct	14:07	4.3	N	45m	No	6m	Runabout	
28-Oct	14:19	3.8	S	60m	No	6m	Runabout	
28-Oct	14:29	2.7	N	<10m	No	14m	Launch	Entering NW
28-Oct	14:30	4.3	S	15m	No	5.5m	Runabout	
28-Oct	12:34	2.7	N	10m	No	9m	Launch	
28-Oct	12:35	3.2	S	40m	No	6.5m	Runabout	
28-Oct	12:35	4.9	S	45m	No	6m	Runabout	
28-Oct	14:39	4.9	S	15m	No	6m	Runabout	
28-Oct	14:40	4.3	N	60m	No	7m	Runabout	
28-Oct	14:48	3.8	S	55m	No	7.5m	Runabout	
28-Oct	14:57	2.7	S	10m	No	6m	Runabout	
28-Oct	15:03	3.8	N	60m	No	7m	Runabout	
28-Oct	15:04	1.6	N	75m	No	2m	Dinghy	
28-Oct	15:12	3.8	S	10m	No	8m	Runabout	
28-Oct	15:15	3.2	S	30m	No	12m	Launch	
28-Oct	15:17	2.7	N	65m	No	6m	Runabout	
28-Oct	15:17	4.3	S	35m	No	7m	Runabout	
28-Oct	15:19	3.2	S	35m	No	20m	Launch	

28-Oct	15:27	3.8	S	<10m	No	6.5m	Runabout	Entering NW
28-Oct	15:31	4.3	N	<10m	No	7.5m	Runabout	Entering NW
28-Oct	15:35	3.2	S	40m	No	7m	Runabout	
28-Oct	15:43	4.9	N	80m	No	7m	Runabout	
28-Oct	15:47	3.8	N	70m	No	10m	Launch	
28-Oct	16:01	3.2	S	40m	No	7m	Runabout	
28-Oct	16:06	1.6	S	45m	No	7m	Runabout	
28-Oct	16:09	3.8	S	10m	No	2m	Dinghy	
28-Oct	16:09	2.7	S	55m	No	8m	Launch	
28-Oct	16:12	4.3	N	85m	No	5.5m	Runabout	
28-Oct	16:14	3.8	S	10m	No	7m	Runabout	
28-Oct	16:14	2.7	S	65m	No	6.5m	Runabout	
28-Oct	16:14	2.2	S	15m	No	12m	Yacht	
28-Oct	16:16	5.4	N	75m	No	9m	Yacht	
28-Oct	16:23		S	10m	No	8.5m	Large Runabout	
28-Oct	16:28		S	20m	No	11m	Yacht	
28-Oct	16:32		S	65m	No	15m	Yacht	
28-Oct	16:37		S	70m	No	6m	Runabout	
28-Oct	17:11		S	10m	No	2m	Kayak	
28-Oct	17:19		S	75m	No	6.5m	Runabout	
28-Oct	17:22		S	35m	No	7m	Runabout	
28-Oct	17:26		S	<10m	No	10m	Launch	Entering NW
28-Oct	17:43		S	35m	No	8.5m	Barge	
28-Oct	18:02		N	90m	No	6m	Runabout	
28-Oct	18:19		S	40m	No	6.5m	Runabout	
28-Oct	18:28		S	65m	No	7.5m	Runabout	

28-Oct	18:30		N	85m	No	6.5m	Runabout	
28-Oct	18:36		S	25m	No	10m	Yacht	
28-Oct	18:43		S	25m	No	10m	Yacht	
28-Oct	18:49		N	65m	No	8.5m	Launch	
28-Oct	18:54		N	50m	No	9.5m	Launch	

To: Marlborough District Council
PO Box 443
Blenheim 7240

MARLBOROUGH DISTRICT COUNCIL

ISO 9001:2008
Document Number:
RAF0010-CI1921

SUBMISSION ON APPLICATION FOR A RESOURCE CONSENT

1. Submitter Details

Name of Submitter(s) in full .....

Electronic Address for Service *(email address)* .....

Postal Address for Service *(or alternative method of service under section 352 of the Act)* .....

.....

.....

Primary Address for Service *(must tick one)*

Electronic Address *(email, as above)* ☐ or, Postal Address *(as above)* ☐

Telephone *(day)* ..... Mobile ..... Facsimile .....

Contact Person *(name and designation, if applicable)* .....

.....

2. Application Details

Application Number U.....

Name of Applicant *(state full name)* .....

Application Site Address .....

Description of Proposal .....

.....

.....

3. Submission Details *(please tick one)*

I/we support all or part of the application ☐

I/we oppose all or part of the application ☐

I/we are neutral to all or part of the application ☐

☐ I am a trade competitor for the purposes of section 308B of the Resource Management Act 1991

☐ I am directly affected by an effect of the subject matter of the submission that:

a) adversely affects the environment; and

b) does not to relate to trade competition or the effects of trade competition

☐ I am NOT directly affected by an effect of the subject matter of the submission that:

a) adversely affects the environment; and

b) does not to relate to trade competition or the effects of trade competition

☐ I am NOT a trade competitor for the purposes of section 308B of the Resource Management Act 1991

The specific parts of the application that my/our submission relates to are *(give details, using additional pages if required)*

The reasons for my/our submission are *(use additional pages if required)*

The decision I/we would like the Council to make is *(give details including, if relevant, the parts of the application you wish to have amended and the general nature of any conditions sought. Use additional pages if required)*

4. Heard in Support of Submission at the Hearing

I/we wish to speak in support of my/our submission ☐

I/we do not wish to speak in support of my/our submission ☐

OPTIONAL: Pursuant to section 100A of the Resource Management Act 1991 I/we request that the Council delegate its functions, powers, and duties required to hear and decide the application to one or more hearings commissioners who are not members of the Council. *(Please note that if you make such a request you may be liable to meet or contribute to the costs of commissioner(s). Requests can also be made separately in writing no later than 5 working days after the close of submissions.)* ☐

5. Signature

Signature ..... Date .....

Signature ..... Date .....

6. Important Information

- Council must receive this completed submission before the closing date and time for receiving submissions for this application. The completed submission may be emailed to mdc@marlborough.govt.nz.
- The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.
- You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.
- Only those submitters who indicate that they wish to speak at the hearing will be sent a copy of the section 42A hearing report.
- If you are making a submission to the Environmental Protection Authority, you should use form 16B.
- If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.
- If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commissioner or commissioners. You may not make a request under section 100A of the Resource Management Act 1991 in relation to an application for a coastal permit to carry out on activity that a regional coastal plan describes as a restricted coastal activity.
- Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
  - it is frivolous or vexatious;
  - it discloses no reasonable or relevant case;
  - it would be an abuse of the hearing process to allow the submission (or the part) to be taken further;
  - it contains offensive language;
  - it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

7. Privacy Information

The information you have provided on this form is required so that your submission can be processed under the Resource Management Act 1991. The information will be stored on a public file held by Council. The details may also be available to the public on Council's website. If you wish to request access to, or correction of, your details, please contact Council.