

RESOURCE CONSENT APPLICATION

U151086

B J, G N and R R McKenzie

Moetapu Bay, Pelorus Sound

Submissions Close 5.00 pm Thursday 4 February 2016 Marlborough District Council 15 Seymour Street Blenheim 7201 PO Box 443 New Zealand Telephone 00 64 3 520 7400 Fascimile 00 64 3 520 7496 Email mdc@marlborough.govt.nz Website www.marlborough.govt.nz GST No. 50-430-960



Reference Number:

Submitted On:

O4/12/2015 15:11

Submitted By:

Davidson Group Ltd

Important Information

This application is made under Section 88 of the Resource Management Act 1991.

Please provide all details relevant to your proposal. Feel free to discuss any aspect of your proposal or the application process with Council's duty planner, who is here to help. Duty planner hours are 9.00 am to 3.00 pm Monday to Friday.

This application will be checked before formal acceptance. If the application is incomplete, we are unable to accept it for processing and it will be returned to you.

If this activity requires more than one consent type, (eg both land use and discharge) you may apply for all within this application.

Applicant Details

If a trust, list full names of all trustees First names Brian John Last name McKenzie First names Grant Neil Last name McKenzie First names Rosemary Rae Last name McKenzie Main applicant mailing address 110 Glandovey Road, Strowan, Christchurch 8052 Main applicant email address brianmck@netaccess.co.nz Main contact number 03 351 7125 Alternative contact number 021 063 5465 Is there an agent working on behalf of the applicant? Yes All communication regarding the application will be sent to the agent Business Company name Davidson Group Ltd	Please provide your full legal name	
Last name McKenzie First names Grant Neil Last name McKenzie First names Rosemary Rae Last name McKenzie Main applicant mailing address 110 Glandovey Road, Strowan, Christchurch 8052 Main applicant email address brianmck@netaccess.co.nz Main contact number 03 351 7125 Alternative contact number 021 063 5465 Is there an agent working on behalf of the applicant? Yes All communication regarding the application will be sent to the agent Are you a business or an individual? Business	If a trust, list full names of all trustees	
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Last name Rosemary Rae Last name McKenzie Main applicant mailing address Main applicant email address Main contact number Main contact number Main contact number Main agent working on behalf of the applicant? Alternative communication regarding the application will be sent to the agent Are you a business or an individual? MoKenzie Rosemary Rae Rosemary Rae 110 Glandovey Road, Strowan, Christchurch 8052 brianmck@netaccess.co.nz Main contact number 03 351 7125 Yes Business Business	Last name	McKenzie
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Is there an agent working on behalf of the applicant? All communication regarding the application will be sent to the agent Are you a business or an individual? Business	Main contact number	03 351 7125
All communication regarding the application will be sent to the agent Are you a business or an individual? Business	Alternative contact number	021 063 5465
Are you a business or an individual? Business	Is there an agent working on behalf of the applicant?	Yes
.,	All communication regarding the application will be sent to the agent	
Company name Davidson Group Ltd	Are you a business or an individual?	Business
	Company name	Davidson Group Ltd
Contact person Leigh McGlynn	Contact person	Leigh McGlynn
Mailing address PO Box 256, Blenheim 7240	Mailing address	PO Box 256, Blenheim 7240
Email address leigh@davidsongroup.co.nz	Email address	leigh@davidsongroup.co.nz
Main contact number 577 1922	Main contact number	577 1922
Alternative contact number 579 2099	Alternative contact number	579 2099

Agent reference 25876

Application Details

Types of resource consent applied for	Coastal Permit
Brief description of the activity	Construction of a boatshed and slipway in the Coastal Marine Zone in the MSRMP

Council has supplementary forms for some activities, such as moorings, water permits, domestic wastewater, discharge permits, to assist applicants with providing the required information.

Open supplementary forms page in a new tab

Supplementary information provided?

Property Details

The location to which the application relates is 280 Moetapu Bay Road Moetapu Bay, Mahau Sound

Please upload plans (e.g. site plan, elevation plans, scheme plan etc) of the locality and activity points. Describe the location in a manner that will allow it to be readily identified, e.g. house number and street address, grid reference, the name of any relevant stream, river, or other water body to which the application may relate, proximity to any well known landmark, DP number, valuation number, property number

Please upload plan/s • 25876 R1-R3 Issue B.pdf(466915 bytes)

Please upload a copy of the Certificate(s) of Title

No files uploaded

Please provide the names and addresses of the owner and occupier of the land (other than the applicant)

Not answered

Please attach any written approval(s) that may have been obtained from **No files uploaded** affected parties/adjoining property owners and occupiers

Note: As a matter of good practice and courtesy you should consult your neighbours about your proposal. If you have not consulted your neighbours, please give brief reasons why you have not below

Brief reason for not consulting with neighbours

Because of general requirement to consult Iwi and DOC as well, Limited Notification is requested and therefore the neighbours will be consulted in due course.

Assessment of Effects on the Environment (AEE)

I attach, in accordance with Schedule Four of the Resource Management Act 1991, an assessment of environmental effects in a level of detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment. (Applications now also have to include consideration of the provisions of the Resource Management Act 1991 and other relevant planning documents)

Please upload Assessment of Effects on the Environment •25876 Cover letter to MDC.pdf(153565 bytes)

•25876 RC supporting info.pdf(369946 bytes)

Other Details

Are additional resource consents required in relation to this proposal? No

Do you wish to upload any other information to be included in the application by the relevant Resource Management Plan, Act or No regulations?

The applicable lodgement (base) fee is to be paid at the time of lodging this application. If payment is made into Council's bank account 02-0600-0202861-02, please record applicant name and either property number or consent type as a reference.

The final cost of processing the application will be based on actual time and costs in accordance with Council's charging policy. If actual costs exceed the lodgement fee, an invoice will be issued (if actual costs are less, a refund will be made). Council may stop processing an application until an overdue invoice is paid in full. Council charges interest on overdue invoices at 15% per annum from the date of issue to the date of payment. In the event of non-payment, legal and other costs of recovery will also be charged.

Do you require a GST receipt for a bank payment? Yes

Please make invoice out to Applicant

I confirm that the information provided in this application and the attachments are accurate	Yes
Authorised by (your full name)	Leigh McGlynn (Davidson Group Ltd)
Drive av Information	

Privacy Information

The information you have provided on this form is required so that your application can be processed and so that statistics can be collected by Council. The information will be stored on a public register and held by Council. Details may be made available to the public about consents that have been applied for and issued by Council. If you would like access to or made corrections to your details, please contact Council.



RESOURCE MANAGERS CIVIL & STRUCTURAL ENGINEERS **BUILDING DESIGNERS ENVIRONMENTAL ENGINEERS**

Our Ref: 25876

4 December 2015

Marlborough District Council P O Box 443 **BLENHEIM 7240**

ATTENTION: Regulatory Control

re: **COASTAL PERMIT APPLICATION FOR B & R MCKENZIE**

We enclose a Coastal Permit Application for a new boatshed and slipway in Moetapu Bay, Mahau Sound.

We have not consulted with any third party and request that this be dealt with by way of a Limited Notification.

The application includes the following:

- The Resource Consent Application form
- **Our Supporting Information**

A direct credit of \$945 has been made on 3 December 2015, reference McKenzie / RC Fee / PN123326.

DAVIDSON GROUP LTD

W L McGlynn

WLM:LW

Encl

COPY TO: B & R McKenzie

110 Glandovey Road,

Strowan

CHRISTCHURCH 8052



Davidson Avson House, 4 Nelson St. P O Box 256, Blenheim 7240, NZ T: 03-579 2099 / F: 03-578 7028 E: service@DavidsonGroup.co.nz W: DavidsonGroup.co.nz

Ross Davis, CPEng, MIPENZ, BE Stephen Sheat, CPEng, MIPENZ, BE Leigh McGlynn, CPEng, MIPENZ, BE



RESOURCE CONSENT APPLICATION FOR B & R MCKENZIE MOETAPU BAY

Our Ref: 25876 Date: November2015



ENVIRONMENTAL ENGINEERS

Our Ref: 25876

16 November 2015

INFORMATION IN SUPPORT OF A RESOURCE CONSENT FOR B & R MCKENZIE MOETAPU BAY

1. BACKGROUND

The applicants are proposing to construct boatshed and slipway in front of their property in Moetapu Bay to store their 5 m runabout and other marine gear.

2. <u>SITE DESCRIPTION</u>

The property is located at 280 Moetapu Bay Road in the Mahau Sound, near the southern end of Moetapu Bay, (Lot 1 DP 4302).

The bush clad property faces to the north east and has road access.



View from the East

The foreshore consists of a rock and sand beach and rock outcrops. There is some erosion occurring at the high tide mark.

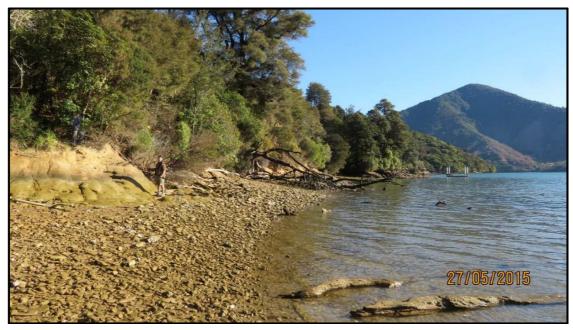
Our Ref 25869 2

3. PROPOSAL

There is currently no foreshore facility available to this property although there is a fixed and floating jetty just to the north (U090610) serving 290 Moetapu Bay Road, and a jetty and slipway (U031367) serving 306 Moetapu Bay Road.

There is a boat launching facility at Moetapu Bay but this facility has a gravel base and is not the easiest to use. In addition the applicants are retired and Mr McKenzie has artificial knees and reduced spinal movement and finds considerable difficulty manoeuvring a boat and trailer both for launching and retrieving and also on his own property.

It is therefore proposed to construct a 6 m x 6 m boatshed and a 27 m long x 1.5 m wide slipway to launch and retrieve a runabout at all tides to be located at a rock outcrop to avoid any erosion or land movement issues. The shed will have a 2.7 m stud height to accommodate the 2.4 m high door for the runabout. Refer to the drawings attached.



Rock outcrop at proposed Boatshed and Slipway location

The foundations will consist of driven rail iron piles and timber bearers and joists. The boatshed will be timber framed and clad in ply with a corrugated iron roof and skylights. The colour will blend in, rather than contrast with, the background natural bush environment.

Windows on the northern and southern walls will be covered by shutters when the shed is not in use.

Pedestrian access will still be available at low tides along the foreshore under the seaward end of the boatshed and landward end of the slipway.

The Applicant is therefore seeking a Coastal Permit to construct a boatshed and slipway in the Coastal Marine Area (Discretionary Activity) in the Marlborough Sounds Resource Management Plan (MSRMP).

4. STATUTORY ASSESSMENT

4.1 Part 2 of the Resource Management Act 1991 (the Act)

4.1.1 <u>Section 5</u>

Section 5 of the Act succinctly describes its purpose of promotion of sustainable management. The proposal described herein and in the attachments demonstrates a commitment to responsible and sustainable methods that work with the environment for the benefit of the Applicant while not causing any significant adverse effects.

4.1.2 Section 6

Section 6 of the Act lists matters of national importance as follows:

(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:

The foreshore along the western side of Moetapu Bay already has numerous foreshore structures, including jetties and seawalls, in the coastal marine area.

The proposed activity will not significantly change the character of this coastal environment.

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

There are no outstanding natural features which will be disturbed by the proposal.

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

No significant habitats exist in the subject area.

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

The activity will not inhibit existing public access along the coastal marine area.

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

We consider that the Maori relationship with this area will not be affected by this proposal.

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

There are no known recorded heritage features in the area of the proposed activity.

(g) The protection of protected customary rights.

Existing customary rights will not be compromised.

4.1.3 Section 7

Section 7 lists the following matters with regard to the management of natural and physical resources.

- (a) kaitiakitanga
- (aa) the ethic of stewardship
- (b) the efficient use and development of natural and physical resources
- (ba) the efficiency of the end use of energy
- (c) the maintenance and enhancement of amenity values
- (d) intrinsic values of ecosystems
- (e) [Repealed]
- (f) maintenance and enhancement of the quality of the environment
- (g) any finite characteristics of natural and physical resources
- (h) the protection of the habitat of trout and salmon
- (i) the effects of climate change

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

The proposal does not compromise any of these nor create any unreasonable demands on the environment.

4.1.4 Section 8

Section 8 requires regard to the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The proposal is not considered to offend the intent of the Treaty in any way.

4.2 NZ Coastal Policy Statement

Policy 6(2)(a): Recognise potential contributions to the social, economic and cultural wellbeing of people and communities from use and development of the coastal marine area.

The slipway and boatshed will enable the applicants to retrieve and store their runabout and associated marine gear and is therefore considered to be an appropriate development and enhancement of the coastal marine area.

Policy 6(2)(e)(i): Promote the efficient use of occupied space, including by requiring that structures be made available for public or multiple use wherever reasonable and practicable.

The public will not have reason to use the slipway and boatshed but will continue to have free and unrestricted access along the foreshore.

4.3 Marlborough Regional Policy Statement

Policy 7.1.10: To enable appropriate type, scale and location of activities by: clustering activities with similar effects and ensuring activities reflect the character and facilities available in the communities in which they are located.

It is not practical to cluster this proposed slipway and boatshed with nearby jetties and foreshore structures but the proposal will reflect the character of these existing facilities.

4.4 Marlborough Sounds Resource Management Plan (MSRMP)

4.4.1 RELEVANT OBJECTIVES AND POLICIES

Policy 2.2.1.2: Appropriate use and development will be encouraged in areas where the natural character of the coastal environment has already been compromised, and where the adverse effects of such activities can be avoided, or mitigated.

This proposed slipway and boatshed will be in a bay where the natural character has already been compromised by the construction of other foreshore structures.

The scale of the structure is considered appropriate for its intended use and any adverse effects will be mitigated by appropriate construction (colours, window shutters, public access).

Policy 6.1.2.1.1: Recognise and protect sites of significance to tangata whenua, including wahi tapu (sacred sites), taiapure (reserved fishing grounds), mataitai (seafood, shellfish), tauranga waka (canoe landings) and areas of taonga raranga (plants valued for weaving).

We are not aware that the structure will compromise the recognition and protection of any site considered significant to tangata whenua.

Policy 9.2.1.1.10: Avoid any adverse cumulative effects of foreshore structures by taking into account the existence of other suitable structures prior to erecting new ones.

Due to the nature of the proposed structures, it is not practical to cluster them with nearby jetties and foreshore structures. There is no access along the Sounds Foreshore Reserve from a structure located away from the applicant's property and also, the location of a slipway next to an existing jetty will compromise the use of that jetty. There will have to be a generous separation between the two to make full use of either facility.

Policy 9.2.1.1.11: Avoid foreshore structures in areas of recreational use where there is an adverse effect on the recreational values.

This area of the foreshore is rocky and at times difficult to pass but nevertheless is used for recreational purposes by the nearby residents and the public in general.

The proposed slipway and boatshed will be at an elevation to allow continued pedestrian access underneath at low tides.

Policy 6.1.2.1.4: Recognise and provide for continued tangata whenua access to and use of traditional coastal resources such as mataitai (seafood, shellfish), taiapure (reserved fishing grounds) and taonga raranga (plants valued for weaving).

The slipway and boatshed will not restrict the continued access to tangata whenua and use of traditional coastal resources.

Policy 19.3.1.1: Avoid, remedy or mitigate the adverse effects of activities and structures on navigation and safety, within the coastal marine area.

The structures are located near the head of Moetapu Bay and will not have any adverse effects on navigation and safety in the coastal marine area.

4.5 Rules (35.0)

4.5.1 PERMITTED ACTIVITIES (35.1)

Permitted activities associated with this proposal include:

- Maximum Permitted Height (35.1.1.1)
- Public Safety (35.1.1.2)
- Lighting and Glare (35.1.1.3)
- Noise (35.1.1.4)

4.5.2 NON-PERMITTED ACTIVITIES (35.4)

The proposed slipway and boatshed will contribute to the amenity and cultural values of the surrounding area.

The proposal will not adversely affect any indigenous habitats or marine ecosystems or diminish the natural character of the area nor will it adversely affect the relationship that Maori may have with this area.

The proposed slipway and boatshed will have no effects on the foreshore dynamics in the bay or unduly reduce the recreational access along the foreshore and enjoyment of the area by the public.

There are no subaqueous cables at the proposed location of the structures

The structures will not be a navigational hazard.

5. ASSESSMENT OF ENVIRONMENTAL EFFECTS

5.1 Resource Management Amendment Act 2013, Schedule 4

Clause 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:

The proposed slipway and boatshed will not result in any significant adverse effects on the environment.

The alternative is to continue to use the boat launching facility at Moetapu Bay, but this is not practical for the applicants due to its gravel base and the difficulty the applicants have to manoeuvre the trailer and boat. There is also no facility to store other ancillary marine equipment.

(b) An assessment of the actual or potential effect on the environment of the activity:

The proposed structures, if not adequately designed, could inhibit public access along the foreshore and also detract from the visual character of the area.

(c) If the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use:

The activity does not include use of hazardous substances.

- (d) If the activity includes the discharge of any contaminant, a description of;
 - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects, and
 - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment

The activity does not include the discharge of any contaminant.

(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:

The public will still be able to walk through this area by passing underneath the boatshed and slipway.

The boatshed will be painted in recessive colours with a matt finish to reduce any visual impact.

The windows will have shutters over them when the boatshed is not in use to eliminate any undue glare and reflection.

(f) Identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted (note that there is no obligation for the applicant to or expectation that the applicant will consult any person).

We understand that the Department of Conservation (DOC) will wish to be consulted and that some local lwi may have a customary interest in this area.

No consultations have been undertaken.

The Applicant requests that DOC and the relevant lwi be consulted on a Limited Notification basis.

(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:

The scale and significance of the existing and proposed activity is considered to be minor and not require monitoring.

(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).

We are not aware of the current or proposed activity having more than a minor effect on protected customary rights (if any) in this area. However, consultation with the relevant lwi triggered by the Limited Notification requested will identify any concerns.

Clause 7 (1):

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

The proposed structures will not affect the access along the foreshore for the local residents or general public. Access will be available underneath the structures.

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

The proposed slipway and boatshed will have a noticeable physical presence but nevertheless will sit comfortably within the marine landscape in terms of their functionality and visual appearance.

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

The proposed slipway and boatshed will not have any long term effect on the existing marine habitats.

(d) Assess 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:

We consider that there will be no adverse effects on the scientific, historical, spiritual or cultural values in this area but would anticipate these (if any) will be identified in the Limited Notification process.

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

There will be no discharge of contaminants associated with this activity.

(f) Assess any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.

There will be no natural hazards or use of hazardous substances or installations associated with this activity.

6. CONCLUSIONS

The proposal involves the construction of a slipway and boatshed to retrieve a runabout and store it and other small marine craft and associated equipment.

The structures will not inhibit public access along this area of the coastline at low tides and will be in keeping with structures normally associated and located within the Coastal Marine area.

The potential adverse environmental effects from the proposed activity are considered to be less than minor.

7. REFERENCES

Marlborough District Council, 'Marlborough Sounds Resource Management Plan'.

Davidson R J; Duffy C A J; Gaze P; Baxter A; DuFresne S; Courtney S; Hamill P (2011): *Ecologically Significant Marine Sites in Marlborough, New Zealand.* Co-ordinated by Davidson Environmental Limited for Marlborough District Council and Department of Conservation.

DAVIDSON GROUP LTD

Mrwoaln-

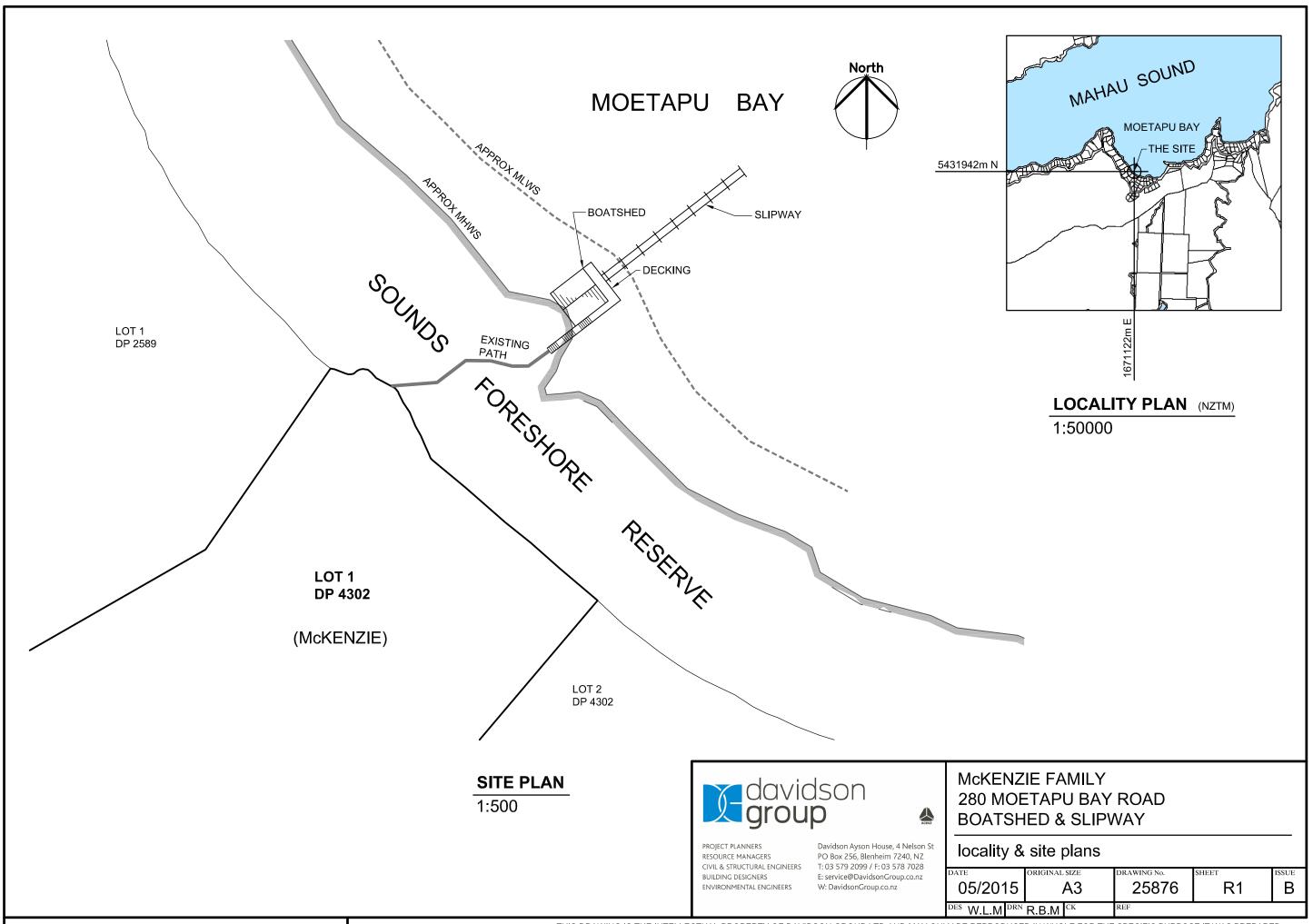
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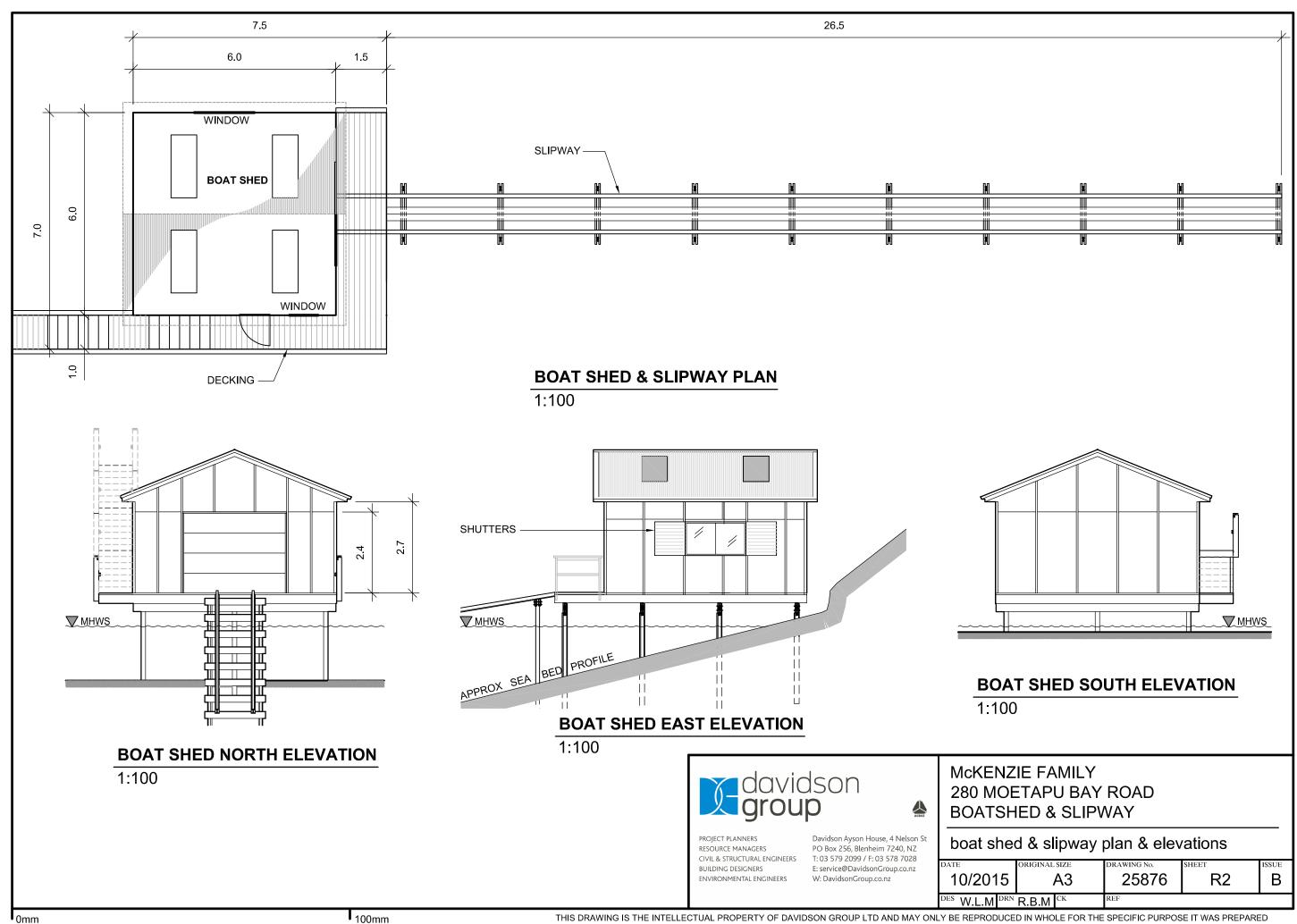
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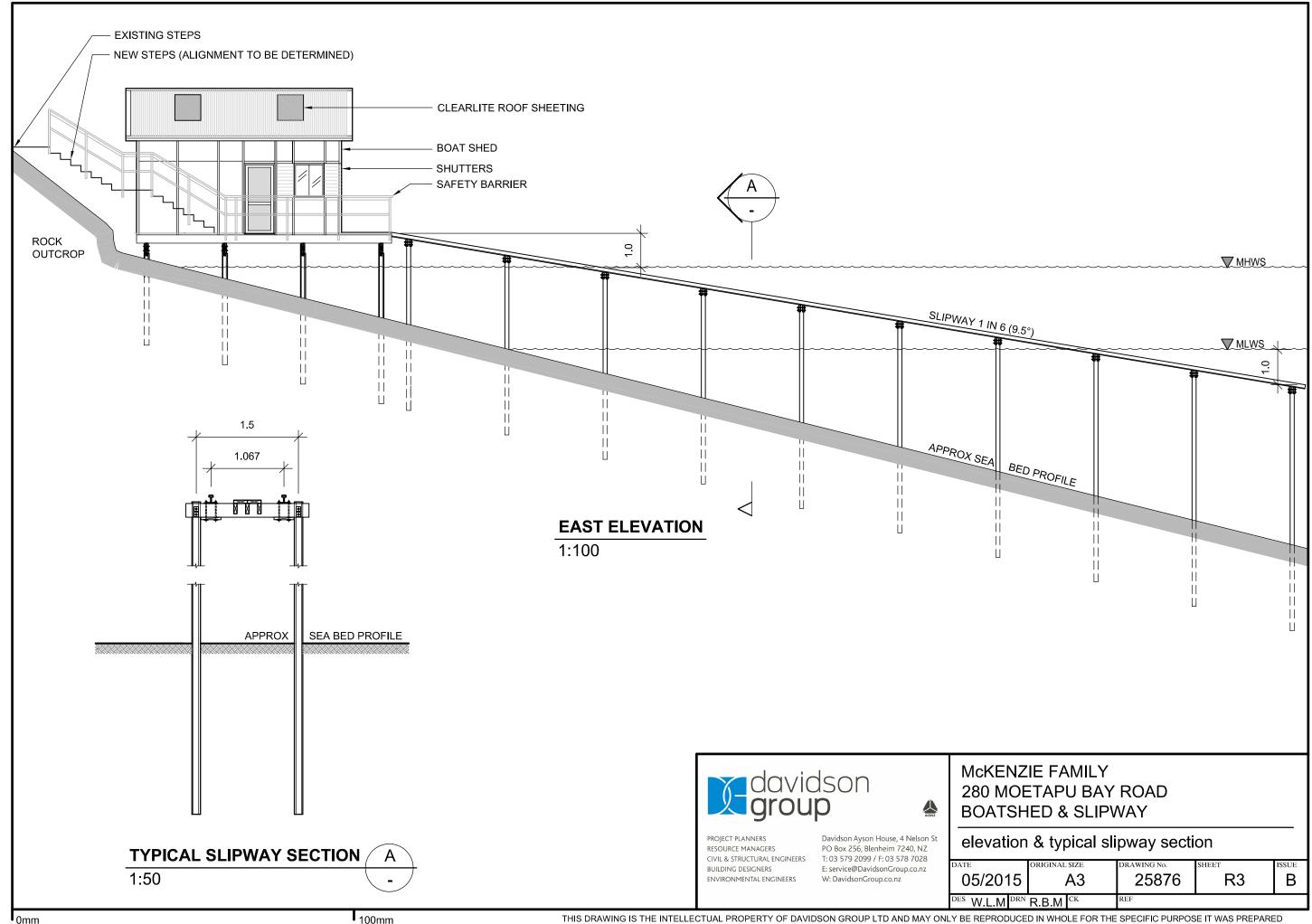
Encl.

APPENDICES

- Drawings 25876 sheets R1 - R3







To: Marlborough District Council PO Box 443 Blenheim 7240



ISO 9001:2008 Document Number: RAF0010-CI1220

SUBMISSION ON APPLICATION FOR A RESOURCE CONSENT

1.	Submitter Details		
Nam	ne of Submitter(s) in full		
Add	ress for Service (include post code)		
Ema	iil		
Tele	phone (day) Mobile	Facsimile	
Con	tact Person (name and designation, if applicable)		
_			
2.	Application Details		
Appl	lication Number	U	
Name of Applicant (state full name)			
Appl	lication Site Address		
Des	cription of Proposal		
3.	Submission Details (please tick one)		
l/we	support all or part of the application		
l/we	oppose all or part of the application		
I/we	we are neutral to all or part of the application		
	specific parts of the application that my/our sees if required)	ubmission relates to are (give details, using additional	



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.	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. (<i>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.</i>)				
5.	Signature			
C:		Data		
Signa		Date		
Signa	ature	Date		
6.	Important Information			
	Council must receive this completed submission before the closing date an completed submission may be emailed to mdc@marlborough.govt.nz	d time for submission for this application. The		
	 You must also send a copy of this submission to the applicant as soon as reasonably practicable, at the applicant's address for service. 			
	Only those submitters who indicate that they wish to speak at the hearing will be sent a copy of the hearing report.			
7.	Privacy Information			
Act 19	Information you have provided on this form is required so that your submission can be 1991. The information will be stored on a public file held by Council. The details may a te. If you wish to request access to, or correction of, your details, please contact Cou	also be available to the public on Council's		

 $O: Templates forms \\ Reg Quality Systems \\ I Resource Mgmt Control Chapter (R) \\ AF Application Forms \\ RAF0010-C11220-Submission on Application for Resource Consent-1. doc$