

Notes of the Sounds Advisory Group Public Meeting held at Waitaria Bay Hall on 25 June 2018 at 1.00 pm

Present

Clr Hook (Chair), Clr Oddie, Clr Taylor, Constable Spencer Kingi, Ross Withell, Rob Schuckard, Jonathan Large, Debbie Stone, Tim Greenhough, Linda Booth, Lynley Perkins, Ken Roush, Rachel Drake, Rick Osbourne, Vic Koller, Shelly Sidley, Eric Jorgensen, Judy Hellstrom, Steve Murrin, Breaden Lobb, Hans Neilson, Jim Campbell, Helen Campbell, Dave Aitken, Brenda Aitken, Alex lang, Lyn Godsiff, Emma Hopkinson-Young, Gary Orchard, Ellen Orchard, Ally Dowle, Helen Dowle, Mary Powlesland, Ralph Powlesland, Sandra King, Andrew King, Sandra Jones, Kim Jones, Joop Jansen, Hanneke Kroon, Ron Mann, Val Mann, Helen Godsiff, Richard Michna-Konigstorfer, Ron Rolston, Jonathan Holl, Michael Rosson, Rebecca Crocker, Sylvia Withell, John Dixon, Dianne Dixon, Kerstin Mueller, Sam Brown, Joy Redwood, Dave McFarlane, Dorothy Lewis, Helen Williams, Judy Hefford-Jones, Lyn Spencer, Graeme Spencer, Tim Healey, Pat Williams, Alice Angeloni, Terry Sowman, Gary Wells, Peter Beach and Mike Russell

MDC Staff

Alan Johnson. Steve Ulrich, Rebecca Waldron (Secretary)

Apologies

Monyeen Wedge

1. Welcome

- Clr Hook introduced himself, Clr Taylor, Clr Oddie, Steve Murrin and Alan Johnson. The rest of the SAG members stood and introduced themselves.
- Clr Hook spoke on the role of the group which meets four times a year and has representatives from throughout the Sounds, DOC, Marine Farming Association, Forestry and Marlborough Roads and feeds into the Planning, Finance and Community Committee and Council.

2. Marina Berthage Fees

- Tim Healey noted that Monyeen Wedge (Queen Charlotte Residents Association) was disappointed that due to circumstances beyond her control, she was unable to attend the meeting to talk about the Port Marlborough increase in public berthage fees.
- Alex Lang began the discussion on the increase of charges which Sounds Residents had been notified of in a letter from Port Marlborough (Appendix 1). He noted that he had written to Port Marlborough about the issue and received a reply by telephone.
- Tim Healey read a statement to the meeting (Appendix 2).
- Pat Williams noted that the fee increase proposed is an approx 300% increase and that there had been no consultation and that concessions aren't about profit and loss but are about acts of goodwill to a supportive community. The community is expecting the Councillors to support and back them in this issue.

- Brenda Aitken asked Cllr Hook about a matter that he had forwarded to the Marlborough District Council (Council) CE on her behalf. Cllr Hook pointed out that he has been waiting for information from the CE on the matter.
 - The Councillors emphasised that they deal with a large volume of different issues from the public and they often forward information to staff. If they haven't been back in contact about a matter it may be because they are still waiting for information and it is a good idea to send a reminder to the Councillor involved to remind them to follow up.
- Cllr Hook has spent time on the issue with Port Marlborough but has been unable to resolve the problem. If the community wants the three Sounds Councillors to follow up on the issue, they would go and meet with Port Marlborough to put their case to them.
- Discussion on the ownership of Port Marlborough and how it is run followed.
- Cllr Hook agreed to look at whether Council is legally obliged to provide communities with public wharves. (Action Point 1).
- It was noted from the floor that there are no other options available in Picton as it is not possible to anchor in the Harbour. Cllr Hook agreed to ask Port Marlborough how the original agreement has been disregarded. (Action Point 2).
- It was suggested that a petition be raised to give to Port Marlborough but Cllr Hook suggested that a meeting with the CE of Port Marlborough would be a better starting point.
- It was decided that the Sounds Councillors would arrange a meeting with Port Marlborough and report back to the residents of the Sounds via the Residents Associations within a month (Action Point 3).

Alice Angeloni who is a journalist from the Marlborough Express introduced herself and declared that she was recording the meeting and that if anyone didn't want her to record them to let her know after the meeting.

A resolution from the community was made to:

- 1) Sounds Councillors to investigate whether the original transfer from Marlborough Harbour Board to Port Marlborough was legal regarding the public access components of the wharves.

Moved: Mike Russell

Seconded: Joop Jopsen

Carried

A resolution from the community was made to:

- 2) Sounds Councillors to request Port Marlborough to freeze the fees at as at the original agreement regarding fees and conditions.

Moved: Tim Healey

Seconded: Gary Wells

Carried

3. Mussel Floats

- The issue of large bunches of mussel floats being tied to the ends of mussel farms was brought to the attention of Jonathan Large (President of the Marlborough Marine Farming Association). (Action Point 4). Alan Johnson agreed to discuss with the Compliance Group whether in general resource consent conditions of mussel farms allowed bundling of floats to the ends of these structures.. (Action Point 5)
 - It was noted that the bunches of floats are an eyesore, cause pollution in the sea and are also a possible navigation hazard.

4. Barging Site

- Brenda Aitken brought up the issue of the Kenepuru Barge Site and asked if she could receive information on the progress of the project. Alan Johnson agreed to provide an update to Brenda and Rick Osbourne (Action Point 6).

5. Councillors Responsibilities

- Cllr Hook clarified that the three Sounds Ward Councillors attend Council meetings united and supportive of each other. The Ward extends from Te Whanganui/Port Underwood to D'Urville, Rai Valley, Havelock, Picton and north of the Wairau River. Cllrs Taylor and Oddie concentrate more on the Picton side and Cllr Hook takes the Havelock area day to day but each helps the other and all Residents Associations AGM's are attended by a Councillor.

6. Roothing

- Steve Murrin clarified that the Kenepuru Road Sealing Rate is used only for 40 mm preparation and seal coating.
- Drop outs and slips are funding out of the emergency works budget.
- Culverts, corner work, water table clearing is funded from the maintenance budget.
- Steve Murrin gave an update on what is happening on the roads in the area.
 - Steve apologised for the time it has taken to carry out the repairs on the road, this is due to lack of resources because of work on State Highway 1 to repair earthquake damage and to keep State Highway 63 open.
 - Seal repairs are being carried out and works are undergoing prior to the seal extension. It has been necessary to backload gravel in via the Manaroa barge site.
 - All the roads in the Kenepuru area that are maintained by Marlborough Roads are going to be metalled.
 - The seal extension to Waitaria Bay will go ahead this summer as long as a resource consent to get gravel can be obtained.
- The issue at St Omer where there is a dangerous corner was brought to Steve's attention. Steve is going to look into it. (Action Point 7).
- Steve clarified that the road to Hopai Bay has never been formally maintained by Marlborough Roads. Discussion followed on this issue.
- Steve was thanked for the work being done to maintain the roads by several members of the public present.
- All culverts are going to be numbered with the numbers corresponding to the rapid numbering system.

- Steve clarified that due to resourcing issues the timing of the grading and metalling this year was off, but that going forward, all grading and metalling will be completed in conjunction by April. The grading this year has been more severe than usual to remove areas where water sits and the water tables have also been cleaned.

7. Nopera Bay Jetty

- Terry Sowman put forward a proposal being worked on by the Nopera Community to build a floating jetty to provide access by sea for Nopera Bay. The Golf Club, croquet facility and Community Hub have over 60 members with the only access via the Kenepuru Road. An engineer has recommended a 120 m floating jetty. The cost estimate is \$250,000. The community would like the support of Council, Roads and other Government Associations in helping to move the proposal forward. The Golf Club may be able to administer the jetty.
- It was suggested that the community put the proposal to next year's Annual Plan.

8. Portage Jetty/Walkway

- The issue of the disrepair of Portage jetty, and the walkway between the carpark and the wharf was discussed. The Councillors agreed to look at the coastal permit for this structure (Action Point 8). Steve Murrin is going to inspect the walkway when he inspects the jetty. (Action Point 9).

9. Manaroa

- Judy Hefford-Jones brought the issue of the jetty at Manaroa to the attention of the meeting. She considers that the jetty that was erected after the wharf was demolished is dangerous. Alan Johnson agreed to discuss with the compliance group consenting conditions of the Manaroa site. (Action Point 10).

10. Elasticated Mooring Systems

- The issue of the consent condition that moorings move to an elasticated system within 10 years by Te Ātiawa was discussed. This matter has been discussed at the SAG meeting earlier in the day.
- Cllr Hook noted that the only way to look at this issue is through the resource consent process and that the present Marlborough Sounds Resource Management Plan is silent on the issue.
- It was noted that there is some inconsistency between different areas on whether the elasticated moorings become part of the consent and that there is also some doubt on whether the new mooring is better for the sea floor environment.

11. Jetties

- Vic Koller noted that instead of having lots of small private jetties the focus should be on key infrastructure and having one good public jetty such as the proposed Nopera Jetty. Moetapu Bay is in the process of having one major jetty installed which is suitable for all ages to access.
- Cllr Hook clarified that if a Councillor has a declared conflict of interest, legally they must opt out of the decision making process.

12. Havelock Police Update

- Cllr Hook introduced Constable Spencer Kingi to the meeting.
- Constable Kingi is one of two constables at the Havelock Police Station and they cover a large area from the Nelson/ Marlborough divide to the Rai Saddle and then east to D'Urville Island, south-east around the Chetwode Islands, down to Anakoha Bay and Kenepuru Head along the Te Araroa Trail which runs along the ridge that separates the Queen Charlotte Sound/Tōtaranui from the Kenepuru Sound then back towards Anakiwa/Linkwater. The southernmost boundary being the Wairau River Bridge on State Highway 6.

- He noted that crime happens in the Sounds but is not always reported. If you have any issues please let the Police Station at Havelock know.
- The Commissioner of Police requires 90% confidence by the public in the Police but unfortunately it tracks at 75-80% at present.
- Constable Kingi was asked about the newsletter that was received by residents sent out by Mary at the Picton Police Station. Rebecca is going to send the updated Residents Association email list to Mary. (Action Point 11).

The Chair thanked the members of public for attending the meeting and invited them to have afternoon tea with the Councillors and SAG members after the meeting.

13. Actions from the Meeting

| Actions | Responsibility |
|--|----------------|
| 1. Look at whether Council is legally obliged to provide communities with public wharves. (Resolution 1) | Councillors |
| 2. Ask Port Marlborough why the original agreement has been disregarded | Councillors |
| 3. Councillors arrange a meeting with Port Marlborough and report back via Residents Associations and emails provided within a month of SAG meeting (Resolution 2) | Councillors |
| 4. Bring the issue of bunches of floats tied to the ends of mussel farms to the attention of the appropriate parties and bring the result back to the next SAG meeting | Jonathan Large |
| 5. Provide feedback on resource consents of mussel farms to see if it is part of the consent allow large bundling of floats tied to the structures. | Alan Johnson |
| 6. Forward information to Brenda Aitken and Rick Osbourne on the Kenepuru Barge Site | Alan Johnson |
| 7. Investigate corner at St Omer with a dangerous drop on either side | Steve Murrin |
| 8. Include the walkway at Portage in the inspection schedule for the Portage jetty | Steve Murrin |
| 9. Look into the coastal permit of the Portage jetty | Councillors |
| 10. Provide feedback on the Manaroa jetty consent | Alan Johnson |
| 11. Send Residents Association email list to Mary at the Picton Police Station | Rebecca |

File Ref: C230-001-M02

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4 September 2017

SOUNDS RESIDENTS BERTHAGE CONCESSION 2017 / 2018

Berthage concessions are available for purchase by permanent residents of the Marlborough Sounds who have limited or no road access. The purpose of the concession is to assist in meeting permanent residents' requirements for boat access access at Picton, Waikawa and Havelock Marinas.

Sounds Residents Berthage Concessions are available annually and are valid from October 1 to September 30 of the following year. The concession entitles holders to the following berthage at Marlborough Sounds Marinas facilities:

- One short stay (up to 8 hours) per week
- Two overnight stays in each calendar month (no carry-over of unused entitlement from month to month)
- Any requirement for berthage over and above these entitlements is charged at standard casual berthage rates (refer www.msmarinas.co.nz)

Price Review: The price of this concession has been reviewed relative to our casual and visitor berthage rates. This review will be phased in over a three-year period:

- 1st October 2017 to 30th September 2018: \$250
- 1st October 2018 to 30th September 2019: \$350
- 1st October 2019 to 30th September 2020: \$450

Bookings: Sounds Residents Concession holders should ideally contact the relevant Marina Services Manager in advance of arrival at the marina so that a berth can be allocated for their visit. This is particularly important during the busier summer months when temporary berthage at the marinas is in very high demand, and availability cannot be guaranteed. While the Marina Services Manager will endeavour to allocate a berth when required during this time, it is advisable to book early to ensure that your needs can be met.

Sound Residents Concessions for 2017-2018 are now available at the marina offices.

- Picton Marina: Brian Carver on 021 704 920
- Havelock Marina: Steve McKeown on 021 242 9165
- Waikawa Marina: Peter Broad on 021 222 9512

Appendix 2

Good afternoon. I'm Tim Healey and I live in Tory Channel. Back in the late 90s I had a disagreement with a port worker who was asking me to pay berthage fees at the wharf in Picton - something I had never been asked before. The next week the Port Company CEO invited me in to discuss the issue. It was a bit like being summoned by the headmaster. So I asked Peter Beech, who had just started the Community and Environmental Organization known as The Guardians of the Sounds to come along and give support. We were met by Mrs Janine Paul, the marina manager, who said that she represented the company. She explained that under the Act that the ports in New Zealand were now required to operate as a commercial business and there was no ability to continue to give Sounds residents free berthage. So we could go back to the Council and Parliament to get changes made, or accept this deal they were offering us.

It was a fee of \$100 + CPI per year - no increases. The right to enter the ports of Picton and Havelock and berth for however long it took us to carry out our everyday lives. If we needed to stay for an extended period of a few weeks, say for hospital treatment, they would find us a berth at no charge. Longer stays, eg going away for holidays, we agreed to find a mooring or leave boats at home or rent a berth.

After going back to our community most agreed it was a good deal and the easiest way out of a situation that should never have occurred. Except for one old Vietnam vet who strongly disagreed saying it was our right to free access and to not trust them, they'll break it later - and they have! The deal was sealed with a handshake and no papers were signed. Now the residents ticket has skyrocketed in price but worse, all the conditions have changed and we now get 1 x 12 hour visit per week and 2 overnight stays per month, then casual rates apply. A few of us have refused to buy the sticker and I have been charged \$30 for an overnight stay and \$15 for the following day. This will be what happens to everyone if the company gets away with this betrayal, and you can bet the residents sticker will be scrapped as soon as they think they can get away with it.

The Port Company has not complied with what was written in its statement of corporate intent. It says, that the Company's activities are undertaken with due regard to its environmental and social responsibilities and also to engage openly and constructively with stakeholder communities.

So - we must decide whether to continue to deal with these people who use their highly paid positions to threaten and bully us. The tactic of using threats to trespass us from the wharves has been one method that they have used. Trespassed from our towns - that's offensive and not on! So I don't think we should have anything more to do with them.

They are a monopoly provider required to operate a commercial business. And they do it very well - they operate one of the most expensive marinas and launching ramps in the country - look at how your boatyard bills skyrocketed when the yards were hit with rent increases. Ask the commercial fishermen, mussel farmers, water taxis what they think. You all know what they are like, and in the end we all pay.

So I believe the Marlborough District Council needs to get involved here. The Marlborough Harbour Board previously operated the Picton and Havelock wharves and belonged to the ratepayers of the Picton Ward which included the Sounds Admin area. When the local government reforms took place in the 90s the Port Company was formed and took over the running of the ports. The ratepayers of the Marlborough District Council became the owners of the MDC Holding Limited which are now the owners of the PMNZ Limited who in turn own Picton and Havelock Marinas Limited and Waikawa Marina Trust. Now that includes us who are inherent non-commercial shareholders.

The Councils that allows the towns of Picton and Havelock to have their public wharves and launching ramps transferred to a commercial company or removed them completely were either incompetent or complicit in removing their ratepayers' rights and probably went against the laws of this country. For the Council to say as they do in the proposed Marlborough Environment Plan, Chapter 9.1.7, that the marinas in these towns gives effect to the matters of national importance in section 6 of the Resource Management Act 1991 and Part 2, Chapter 6(d) of the same Act is wrong. If the facilities are no longer free and are in fact so expensive that a large portion of the community can no longer afford to use them. The Resource Management Act 1991, Part 2, Chapter 6(d) says the Council must recognize and provide the maintenance and enhancement of public access to and along the coastal marine area. That's why we have to make half our jetties available to the public for free. It must work both ways, not just for the public coming out to the Sounds - but for our community going in from the Sounds. The current Marlborough Resource Management Plan 2003, Chapter 8, Public Access, reinforces this as does the proposed MEP (chapter 9).

The Marine and Coastal Area Act 2011 (we used to call it the Seabed and Foreshore Act) says in Chapter 26, 1A, every individual has without charge the following rights: to enter, stay in or on, and leave the common marine and coastal area.

I was a forest worker, fisherman, labourer, and a few other things, but never a lawyer. So no doubt the Port Company and Council have plenty of our money to throw at lawyers to come up with an argument to prove me wrong. But I sincerely believe the Parliament and people of this country hold to the principle that the public - us - should be able to travel freely in this country without our rights being negated by whether or not you are wealthy enough to enjoy those rights.

I would like the Sounds Advisory Group to study this matter, take it up with the Council, and get this issue resolved as soon as possible. We want to get on with our traditional boating way of life instead of having to drive miles on a narrow winding road full of campervans and tourists who won't pull over and let you pass, or having to row ashore in the often rough waters of Picton Harbour.