



Hon David Benson-Pope

Member of Parliament for Dunedin South
Minister for Social Development and Employment
Minister for the Environment

29 JAN 2007

Michael Gunson
17 Jasmine Grove
Maungaraki
LOWER HUTT

Dear Mr Gunson

Thank you for your letter that was received on 22 December 2006.

Your letter raises concerns that the proposed Whangamata Marina will impact negatively on surfing. I note that the surfing community had the opportunity to submit to the Environment Court opposing the granting of a restricted coastal activity permit for the marina. I specifically asked the Environment Court about the surfing issue and a copy of the Court's response is attached.

In response to your questions, condition 10 of the coastal permit granted to Whangamata Marina Society Incorporated includes that the consent holder shall retain appropriately qualified and experienced persons to develop a plan to monitor the sand bar at the harbour entrance to ascertain if the dredging and construction has any long term effects. This plan shall be to the satisfaction of the Waikato Regional Council and completed at least one month prior to the commencement of construction. The costs of meeting this condition will fall on the Society.

A further condition of the consent is that public access shall not be restricted in the coastal marine area subject to safety requirements during construction and boat security after construction.

I have seen no evidence that the sand bar will disintegrate following the construction of the marina. If erosion of the sandbar does become a problem in the future, it will be addressed in the circumstances of the time.

Yours sincerely

Hon David Benson-Pope
MINISTER FOR THE ENVIRONMENT

Appendixes

Appendix (A). Bollard, J. Judge. (9 November 2006). *Correspondence to Hon. Benson-Pope, Minister for the Environment*. New Zealand Environment Court. Auckland.

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[5] Question 1.

At [22] in discussing the surfing issue:

- 1.1 Was the Court satisfied that there would be no effect on Whangamata as a surfing venue as a result of the dredging and construction of the marina?
- 1.2 As surfing is not discussed in the final report was any further evidence provided on this matter?
- 1.3 If so, what was it and did it differ in any way from the Court's conclusion at [22]?

Answer:

- 1.1 The Court was satisfied on hearing expert hydrological engineering evidence called for the Marina Society in response to assertions of potential adverse effect upon recreational surfing raised in evidence by a person with a lengthy surfing background on behalf of the iwi appellants, that Whangamata would not be affected adversely as a surfing venue as a result of dredging work and construction of the marina. The expert evidence adduced on the Society's behalf was to the effect that alteration to the volume of the harbour's tidal prism through the marina will be inconsequential (calculated at 1.2%), and that such a volume change will not be significant relative to the sand bar at the harbour entrance. Rather, any potential effect upon the bar will relate to the major influence of flood conditions or storm surge irrespective of the marina. If such an effect should occur the bar would be expected to 'adjust back' naturally to a reasonably stable condition in keeping with its longstanding existence.
- 1.2 No further evidence about surfing was presented to the Court beyond that adduced prior to the interim decision A25/2001.
- 1.3 No answer is required given the answer to 1.2.

[6] Question 2.



SUPPLEMENTARY STATEMENT OF EVIDENCE OF KEITH JOHN CALDWELL

1.0 INTRODUCTION

I would like to take the opportunity to respond to statements made in the evidence of Paul Shanks. I could not include these comments in my original evidence as I had not seen Mr Shank's evidence at that time.

2.0 COMMENTS ON PAUL SHANKS EVIDENCE

2.1 Paragraph 3 – Mr Shanks states 'the AEE has given no consideration to the effects ... upstream of the Moanaanuanu estuary'. My evidence states the engineering effects of the marina will be minimal and in this case 'the dominant feature of the flow is clearly the bridge that blocks off the southern half of the Wentworth River.' The investigations and results of the computer modelling upstream of the proposed marina are reported in the AEE and the conclusion was that the effects will be minimal.

Talks of Hydrology NOT Sediment Transport

2.2 Paragraph 8 – Mr Shanks asks '...what will happen to The Bar area if sediment is removed from the tidal inlet of the Whangamata Harbour...and how will the tidal inlet will respond with a large mass of sediment being removed from it.' My evidence states 'The increase however is only 0.6% of the volume of the tidal prism and thus the effects in terms of flows at the harbour entrance is minimal..' The 0.6% is minimal in comparison to the difference in volumes between the spring and neap tides. Also the long term increase would compensate for the acknowledged infilling of the harbour albeit for less than one year. *Excavation from marina -> temporary effect < 1 yr.*

impact to the bar

2.3 Paragraph 9 – Mr Shanks states 'that control structure D on Appendix 1 in the AEE will have most effect on The Bar in the latter part of the tide.' I refer again to my comments on paragraph 8. Also control structure D is submerged at low tide and it's purpose is to control upstream bed erosion. Therefore in my opinion the effects will be minimal.

2.4 Paragraph 13 – Mr Shanks states '...a hard stand for washing down boats. No consideration has been given to the adverse effects this will have on an already overloaded sewage system...'. Mr Mataga addressed wastewater disposal in his evidence. Whangamata's highest wastewater loadings result from a combination of the summer population explosion and wet weather. However, the wastewater loadings from the marina washdown will be highest during dry, not wet weather. Therefore, marina peak loadings will not coincide with critical periods.

save this as max use of marina.

now dumped in basin

the bridge. In fact the proposed channel may actually improve the existing capacity adjacent to the marina after taking into account some reduction of the flanking flow. The computer model predicts a slight rise in levels at the bridge of 0.15m in annual floods and 0.3m in 10 year floods (Fig. 14). This increase in levels is not expected to create significant problems as the increased levels taper off in an upstream direction.

what about 100 yr flood we seem to have several in

becoming significant for 10 yr flood