

Invitation for Comment on the Waitohi Picton Ferry Precinct Redevelopment

The Waitohi Picton Ferry Precinct Redevelopment is a Listed Project under the COVID-19 Recovery (Fast-track Consenting) Act 2020

Application Name:	Waitohi Picton Ferry Precinct Redevelopment.
EPA Reference:	FTC000014
Applicant:	KiwiRail Holdings Ltd, Port Marlborough, and Marlborough District Council
Comments due by:	Thursday, 25 February 2021
Accessing the application:	The full application and supporting documents can be viewed on the EPA website, which can be accessed here: https://www.epa.govt.nz/fast-track-consenting/listed-projects/waitohi-picton-ferry-redevelopment/the-application/ .

An application for insert resource consents has been made by KiwiRail Holdings Ltd, Port Marlborough, Marlborough District Council under the COVID-19 Recovery (Fast-track Consenting) Act 2020 for the Waitohi Picton Ferry Precinct Redevelopment.

To comment on the Waitohi Picton Ferry Precinct Redevelopment application using the form below, please fill in the details and:

- **Email** the form to waitohifasttrack@epa.govt.nz Please mark in the subject line: "Comments on Waitohi Picton Ferry Precinct Redevelopment" (Your name/organisation) by **Thursday, 25 February 2021**; or
- **Post** the form to Waitohi Picton Ferry Precinct Redevelopment, Environmental Protection Authority, Private Bag 63002, Waterloo Quay, Wellington 6140 in time for the form to be received by **Thursday, 25 February 2021**; or
- **Deliver in person** to Environmental Protection Authority, Grant Thornton House, Level 10, 215 Lambton Quay, Wellington by **Thursday, 25 February 2021**.
Please note that due to potential changes in COVID-19 Alert Levels our reception may not be open to the public. We suggest phoning ahead to check.

Comments must be received by the EPA, on behalf of the Waitohi Picton Ferry Precinct Redevelopment Expert Consenting Panel, no later than Thursday, 25 February 2021.

If your comment is not received by the EPA by Thursday, 25 February 2021 the Panel is not required to consider your comment (although it may decide to). Under the COVID-19 Recovery (Fast-track Consenting) Act 2020 there is no right to seek a waiver of the time limit.

If you are an iwi authority you may share the consent application with hapū whose rohe is in the project area in the application, and choose to include comments from the hapū with any comments you may wish to provide.

Important information

Your personal information will be held by the EPA and used in relation to the Waitohi Picton Ferry Precinct Redevelopment application. You have the right to access and correct personal information held by the EPA.

A copy of your comments, including all personal information, will be provided to the Expert Consenting Panel and the applicant.

All comments received on the application will be available on the EPA website.

If you are a corporate entity making comments on this application, your full contact details will be publicly available. For individuals, your name will be publicly available but your contact details (phone number, address, and email) will not be publicly available.

Please do not use copyright material without the permission of the copyright holder.

All information held by the EPA is subject to the Official Information Act 1982.

More information on the fast-track consenting process can be found at <https://www.epa.govt.nz/fast-track-consenting/about/>.

Comment on the Waitohi Picton Ferry Precinct Redevelopment Fast Track Application

All sections of this form with an asterisk (*) are mandatory.

1. Contact Details

Please ensure that you have authority to comment on the application on behalf of those named on this form.

Organisation name (if relevant)	Guardians of the Sounds Incorporated		
*First name	Clare		
*Last name	Pinder		
Postal address	[REDACTED]		
*Home phone / Mobile phone	[REDACTED]	*Work phone	[REDACTED]
*Email (a valid email address enables us to communicate efficiently with you)	[REDACTED]		

2. *We will email you draft conditions of consent for your comment about this application

<input checked="" type="checkbox"/>	I can receive emails and my email address is correct	<input type="checkbox"/>	I cannot receive emails and my postal address is correct
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3. Please provide your comments on the Waitohi Picton Ferry Precinct Redevelopment Application

If you need more space, please attach additional pages. Please include your name, page numbers and [insert project name] Application on the additional pages

Thank you for your comments

Guardians of the Sounds Inc. comment on Waitohi Picton Ferry Precinct Redevelopment Fast Track Application

Waitohi Picton Precinct submission Guardians of the Sounds Inc.

Who are Guardians of the Sounds?

Guardians of the Sounds began with a large group of Queen Charlotte Sound residents concerned about the devastating effects fast ferry wash was having on the foreshore and people's safety. Many other issues that needed community input were identified throughout the Marlborough Sounds and, to give the community a voice, Guardians of the Sounds became an incorporated society in August, 2000.

Guardians have become an officially recognized community and environmental group through which residents can unite and be heard by local and national government.

The Guardians Charter covers all the Sounds within the jurisdiction of the Marlborough District Council.

The first object of the Society is "to ensure that the natural environment, water quality, ecological biodiversity, safety of people and wildlife of the Marlborough Sounds and surrounds are managed wisely both now and in the future."

The primary role of Guardians is that of environmental 'watch-dog' to ensure the Sounds are managed in a sustainable way for the benefit of the present and future generations of New Zealanders.

Our Mission.....

"To Save the Sounds for Future Generations"

Who belongs to Guardians?

Members include people from all walks of life and varied backgrounds. Permanent and part-time residents. Boat owners, bach owners and fishermen. People who are passionate about our unique Marlborough Sounds environment and want to play a part in its preservation.

In which Sounds issues have Guardians played an active role?

Resource Management Act

Guardians actively participate in RMA matters affecting the Sounds. We make submissions on resource consent applications and Council plans; attend hearings and public meetings and provide feedback to the Sounds Community on these matters.

We have laid the groundwork for networking between Sounds residents by facilitating meetings of Residents' Associations in order to foster greater communication and provide a forum for discussing issues and airing concerns.

Shipping and Navigation

As a result of intense lobbying, MDC Bylaws were passed to limit the speed of fast ferries. The Sounds foreshore is already showing signs of recovery

Moratorium on Aquaculture

As a result of our involvement in this law reform and our input into the Oceans Policy, Guardians have been nominated as "key stake holders" in the Ministry of Fisheries Aquaculture Working Group

Logging and Forestry

We have lobbied Marlborough District Council and Marlborough Roads to ban the large number of

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trucks hauling logs overland from Port Underwood and instead grant a subsidy to bring logs from Onapua Bay to Shakespeare Bay by barge.

Fisheries

Guardians members have been taking part in the Blue Cod Working Group. We continue to support and encourage new measures needed to remedy the deterioration of some of our fisheries.

Guardians are collaborating with other organizations to initiate multi-party research projects where they can.

Underwater video work was undertaken by the Guardians to film the seabed below mussel farms. Plague-like populations of eleven - armed starfish were discovered. As a result, the Ministry of Fisheries has made this issue a research priority.

Port Company Management

Guardians have helped procure an agreement for free overnight berthage for those residents with 'boat access only'.

Picton Precinct comments and observations

The Guardians of the Sounds (Guardians), is very concerned about the length, tonnage and sheer size of the proposed new ferries being affected by extreme weather we are experiencing possibly due to climate change. Guardians have read various papers on the safety management of the new ferries and this throws up many other questions around the operation of these new vessels. The community needs answers and certainty of how the obvious issues will be dealt with.

The Picton Precinct is just one part of a complex jigsaw that cannot be assessed separately from other issues such as the size of the proposed new ferries, air quality in Picton, navigational risks in entering and leaving Tory Channel entrance, safety of the new ferries and cruise ships and other users of Picton harbour, the environmental effects of cruise ships, traffic in the precinct area and beyond the designated precinct area, vibration noises in town from ship engines, and the lack of consultation with the community.

Let's take a couple of scenarios:

1. It is deemed unsafe for 50,000 tonne ships to use Tory Channel entrance. The ships have to use the longer route through Queen Charlotte Entrance and cannot meet the proposed shipping schedule making the new ferries uneconomical.
2. Closing off the harbour to other users when large ships are berthing is unworkable in a tiny harbour. There are hundreds of ship movements a day in Picton Harbour.
3. The proposed cruise ship wharf cannot be used because of air quality regulations.
4. Picton is bottlenecked because the Precinct Project has only considered getting the cars and trucks off the ferries, not what happens when a much larger stream of trucks and cars converge on the small town of Picton and beyond.

Guardians assessment is that the decision made to build 2 huge ships instead of 3 smaller ferries carrying tonnages that meet the needs of the local population, navigational safety, roading infrastructure, traffic flow, air quality, marine mammals, benthic environment, water quality at Waitoia Stream, and engine vibration affecting town residents is a flawed management decision that needs to be strategically peer reviewed and reassessed. Picton harbour is too small for these very large vessels. The ferry size should be restricted to 30,000 tonnes and three ferries built to maintain a viable schedule for freight and passengers.

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New Wharf, Cruise Ships and air quality

A major issue in Picton Harbour is that the new wharf called (long arm no1) is “proposed” to be used to be a cruise ship wharf when the ferry wharves are completed. The location of the cruise ship wharf is to the east of the existing wharves.

There has been no assessment of the impact of cruise ships using Picton harbour. There is no shore power available and the cost of provision is huge. The majority of cruise ships do not have the facilities to use shore power or have batteries to keep their engines running.

A scientific air quality assessment has recently been completed by the Marlborough District Council (MDC) and is currently being assessed by NIWA. This report is due at the end of March 2021. From there the Picton Air Quality group will convene to work on priorities, outcomes, resources, further investigations, and future funding for air quality work. The documentation provided 2A Port Marlborough 5.4.2 NES Air Quality 2004. States that resource consent is not required as the Air Quality Act is in place. Picton has a serious air quality problem because of an inversion layer. Pollution from one cruise ship is equivalent to the emission from 200,000 cars.

There must be a consent condition that all ships including cruise ships must meet NES Air Quality standards and that the provisions of the MDC report are considered and implemented. The heavy fuel oil that these existing ships burn in the confines of the Sounds and Picton harbour are perceived by the Picton Community to be a serious health risk.

While it is documented that the new ferries will use battery power in port there is no such provision for cruise ships to use battery power. Shore power must be part of the Picton Precinct development.

All ships must also meet MARPOL standards on clean fuel which is a provision the NZ Govt. has signed but it is not being implemented in Picton Harbour.

Harbour traffic and large ships

The size of the proposed new ferries at 50,000 tonnes, and cruise ships, means that large ships will be manoeuvring in the area used by the public and small commercial vessels, resulting in the closure of the harbour during these times.

This would give ferries and cruise ships the exclusive right to the harbour. This is public water space and New Zealanders have a right to free public access to our towns and essential services. Ferry companies and cruise ship operators are just one user group, they cannot expect exclusivity at the expense of commercial boat traffic that have schedules or water taxis that work on demand, fishing boats who time their departure to suit the tides, or the hundreds of recreational craft that traverse the harbour all hours of the day. The proposal would also prevent the Picton Yacht Club hosting its small craft sailing regattas.

Closing off the harbour is not acceptable - A plan needs to be in place for access at all times not only for emergencies but other recreational and commercial users.

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Dredging

Huge amounts of dredging is required. Probably a fatal blow to the harbour ecology now that Kaiana lagoon is filled in and the marina lagoon is a boating parking lot. The documentation merely states that the effects are minor. A comprehensive dredging assessment needs to be done.

The fill is expected to be used for reclamation even though it does not meet clean fill standards. There is no provision that says the fill should be tested and approved for reclamation. Just that it's Ok to use it as it has been deemed safe. Without testing!

Consultation

An impressive 117 page report (Appendix Q) has been written on the superb consultation undertaken. This report is full of errors. The Guardians has NOT been consulted. The only areas that the Guardians has been consulted on is air quality and navigation. The organisation has not had any meetings or consultation on the Precinct Project.

Leaflet drops described in the report did not reach some effected streets such as Kent Street. Guardians has been told that the leaflets ran out.

The website was not working for a period of time and there is still no information on the project in the Picton Library or at the MDC on their website or offices. Facebook is not public consultation.

There have been no public meetings. (Individual meetings are not public meetings). COVID obviously had an impact during March and April 2020 but instead of rescheduling public consultation the time was spend writing a lengthy report that tries to justify a poorly executed process dressed up as public consultation.

GOS is an active group of residents focusing on community issues for the past 20 years and is the only community organisation that has been invited by the Government to put forward a submission for the FAST TRACK process in place for Picton Harbour.

While Guardians is pleased to be asked to comment on the proposal as a representative of the community we are not the voice of Picton. Guardians of the Sounds (GOS) are proposing to host a public meeting to hear the communities feeling on the impacts of the redevelopment on the Picton community and harbour users.

Conclusion

Guardians support the overdue renovations to the Picton Precinct and if all issues are carefully considered then the precinct will be good for everyone. However, it must be planned with community input. This has not happened.

The replacement of New Zealand's aging ferry fleet is a complicated integrated issue not just related to the Picton Precinct. Despite the thousands of pages written to justify the project, and flawed consultation with the public, there are some basic issues to be addressed.

1. The proposed ships are too big for the harbour and to safely navigate Tory Channel Entrance.

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2. The impact of the ferry wash, wave energy and height has not yet been modelled and may not meet current regulations.
3. It takes 6 – 12 months for a new ship to undergo tests for “teething issues” and it may not be safe for them to operate using current routes.
4. Safety cases have not yet been completed by the various operators with responsibilities for the new ferry operation.
5. Air quality in Picton has not been addressed. A scientific report due at the end of March must be considered in the planning process.
6. Traffic issues have not been considered beyond the limited area of the Precinct and even then new routes pass by a school which has not been consulted.
7. The use of the harbour by other users has not been addressed.
8. Dredging and reclamation has not been properly researched and assessed.
9. Marine mammal assessments have not been adequately addressed.
10. Is there really no alternative to putting a huge new wharf right smack in the middle of the harbour? It is often quoted that 1.2 million passengers travel on our ferries. It’s time to rethink the rebuild and place the new wharves to the west of the existing wharves (or at the very least in their existing position).

[Request to be heard by the Waitohi Picton Ferry Precinct Redevelopment Expert Consenting Panel](#)

The Guardians respectfully request that the outcome of the public meeting to be held in March 2021 be presented to the panel in person.

Clare Pinder

For and on behalf of Guardians of the Sounds Inc.