

**BEFORE THE WHANGAREI DISTRICT COUNCIL AND NORTHLAND REGIONAL
COUNCIL**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a resource consent application by Northport
Limited under section 88 of the Resource
Management 1991 for a port expansion project
at Marsden Point

APPLICATION NO. APP.040976.01.01

LU 2200107

STATEMENT OF EVIDENCE OF ROBERT JAMES GREENAWAY

RECREATION

24 AUGUST 2023

Counsel instructed:
Kitt Littlejohn
Quay Chambers
Level 7
2 Commerce Street
Auckland 1010

Solicitors acting:
CH Simmons / SJ Mutch
ChanceryGreen
223 Ponsonby Road
Auckland 1011



EXECUTIVE SUMMARY

1. My intercept and observation surveys indicate a diversity of recreational activities occurring at Marsden Bay Beach, with a focus on fishing at the pontoon and the western end, and swimming at the pontoon and along the beach. Socialising, sightseeing, dog walking and picnicking were commonly observed. Users included a significant proportion from Whangarei and beyond. With the exception of the Marsden Point to One Tree Point area, the southern Whangārei Harbour shores contain large areas of tidal flats and mangroves that are generally unsuited to swimming. I find that the study area is of regional significance for recreation.
2. The proposed reclamation will have adverse effects on Marsden Bay Beach as a recreation destination, but the proposed development will retain many elements of existing recreation amenity. Residual adverse effects (including cumulative effects of the already consented Berth 4 development) on recreation, particularly the reduced sense of scale, are likely to be significant for recreational users of the beach and more than minor at the regional level. My assessment is supported by Council's s42A report.
3. The proposed dredge activities will have no effects on recreation beyond which currently occur as a result of existing consented dredge activity.
4. I am in general accord with the findings of the s42A report, and agree that there are options for off-site local mitigations for the residual adverse effects of the proposal. I understand that Northport is intending to propose a condition, on an *Augier* basis, which would require Northport (in consultation with Council and others as appropriate) to identify and promote opportunities for these mitigations. I understand the wording of such condition will be the subject of discussion at expert conferencing.

INTRODUCTION

Qualifications and experience

5. My name is Robert James Greenaway.
6. I am a Director of Rob Greenaway & Associates (R&R Consulting (NZ) Ltd) and have been since 1997. Prior to this, I was a Recreation and Tourism Consultant for Boffa Miskell Limited, from 1995 until 1997, and before that I held the same position at Tourism Resource Consultants, from 1990 until 1995.
7. I graduated from Lincoln University in 1987 with a three-year Diploma in Parks and Recreation Management with Distinction, and completed 18 months of postgraduate study in conservation management. I hold the status of an Accredited Recreation Professional with Recreation Aotearoa (the NZ Recreation Association), and I am a member of the Recreation Aotearoa Board of Accreditation for member accreditation to professional status. I am also a member of the New Zealand Association for Impact Assessment. In 2011 I was appointed as an inaugural Board member of the Sir Edmund Hillary Outdoor Recreation Council, to assist Sport New Zealand with the implementation of the National Outdoor Recreation Strategy, amongst other things.
8. I was awarded the Ian Galloway Memorial Cup in 2004 by Recreation Aotearoa (of which I am a past Executive Member) to recognise “excellence and outstanding personal contribution to the wider parks industry”. In 2013 I was awarded the status of Fellow with Recreation Aotearoa. I am current Chair of the Nelson Marina Advisory Group for the Nelson City Council and have been a recreational boater all my life, currently refitting a 12.2m keeler in Nelson.
9. I have comprehensive experience in undertaking recreation and tourism impact assessments and recreation and reserve management planning. I have presented evidence at more than 120 hearings, including for multiple marine settings, such as port development works for the Lyttelton Port Company and Refining NZ (as it was), as well as assessment work for CentrePort and Wellington International Airport. I have worked on marina development and management projects in Auckland, Waiheke, Nelson, Marlborough, Whakatane and Lyttelton, multiple marine farm proposals as far north as Kaipara and as far south as Canterbury, many marine discharge applications, as well as consenting the wreck of the Rena, and assessments for the Trans-Tasman Resources seabed mining application off Taranaki.
10. I was engaged by Northport on this project in 2020 and am familiar with the application site and the surrounding locality. I have read the relevant parts of: the application;

submissions; and the Section 42A Report, particularly its Appendix C8 authored by Craig Jones.

Code of Conduct

11. I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note (2023) and I agree to comply with it. In that regard, I confirm that this evidence is written within my expertise, except where I state that I am relying on the evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE OF EVIDENCE

12. My evidence reviews the potential effects on recreation values of Northport's proposal to undertake dredging and reclamation adjacent to the existing Port facilities. This report assesses the effects on recreation of the construction, maintenance and operation of the proposed reclamation and dredged area. The full proposal is detailed in the evidence of others, in particular Messrs Blomfield and Pettersson.
13. My assessment also considers the cumulative effects of the proposed reclamation with an already-consented 'Berth 4' proposal which will be contiguous with the proposed reclamation and existing wharf structure and will not itself increase occupation of the Marsden Bay Beach.
14. My assessment is based on site visits, literature review, the review of other available specialist reports prepared for Northport, and the findings of intercept and observational surveys of visitors to the Marsden Bay Beach area that I conducted. My review includes reference to findings from previous research and consultation that I carried out for the Refining NZ (now Channel Infrastructure) channel deepening and realignment project in 2017 in the same general area.
15. My study area is defined by the recreation settings potentially affected by the proposal, and includes, particularly, the beach area to the east of the existing Northport wharf (called 'Marsden Bay Beach' for the purposes of this report) (note: this is distinguished from 'Marsden Bay', which refers to the bay between Northport and One Tree Point), the marine areas to be reclaimed, and the public facilities provided by Northport to the east (the ferry pontoon) (refer Figure 2).
16. In my evidence, I:
 - (a) provide an executive summary of my key conclusions;

- (b) describe the existing environment for recreation based on surveys carried out on-site, literature and site visits;
- (c) review the effects of the proposal on recreation opportunities;
- (d) respond to the s42A Report;
- (e) respond to submissions raised;
- (f) comment on draft proposed conditions advanced by Northport; and
- (g) set out my conclusions.

EXISTING ENVIRONMENT

17. The visual amenity and physical characteristics of the Marsden Bay Beach area is described in the landscape evidence of Mr Stephen Brown, and I do not repeat here what would be a very similar description for general recreation. My description of the existing environment is based on the findings of my surveys, literature review and site visits. Full results of this research, and the methods applied, are presented in my AEE report attached to the resource consent application.¹

Survey results

18. The results of my intercept survey of 85 visitors to Marsden Bay Beach between December 2020 and June 2021 showed the ferry pontoon and the far eastern side of the Beach to be the main activity areas for fishing (which is the main recreational use of Marsden Bay Beach), but walking, sightseeing, dog walking, picnicking, swimming, having lunch or “smoko” and other casual activities occur along the length of the Beach, with a concentration near the car park. The majority of visitors were from Whangarei (64%), but a large number were from Auckland or further afield (31%).
19. The intercept survey was interrupted by Covid-19 restrictions and was augmented by an observational analysis of use of the Beach from 17 November 2021 to 30 January 2022, with records of 2,395 individuals visiting the survey area over 35 part or full survey days. This confirmed the ferry pontoon to be a primary recreation setting used mostly for fishing and swimming, but also showed the western end of the beach to be popular for swimming, walking, dog walking and general beach activities, such as picnics and just enjoying the sand. The majority of fishing was recorded at the ferry pontoon and the eastern end of the Beach near the Channel Infrastructure wharf. Swimming was focused at the ferry pontoon and the western end of the Beach (the observational analysis

¹ Appendix 19 to the AEE, Greenaway, 2022 Northport Ltd Proposed Reclamation Recreation Effects Assessment.

included more of the summer period than did the intercept survey and so had stronger results for swimming). An average of nine visitors per hour was recorded during the study period. Figure 1 in my Attachment 1 summarises the findings of the observational analysis for location in the survey area and activity.

20. Walking and dog walking activities are over-represented in the data in Figure 1, if the level of activity in each section of the study area is totalled. Walkers generally used multiple sections of the study area and were therefore recorded in multiple areas – whereas fishers and swimmers were almost always only counted once in one section. Figure 1 therefore only shows the activities which occurred in each separate section of the study area (as if each was a study area in itself), and cannot be summed to show the total level of activity in the study area.
21. Some walking activity is also under-reported in Figure 1, which relies on main activities undertaken. For example, the ferry associated with the Te Araroa Trail was recorded visiting the pontoon three times during the survey period, and the seven individuals delivered were recorded as 'using the ferry'. However, two walked east along the beach, and the remainder walked south on Papich Road. As stated, anglers and swimmers obviously walked to their activity locations and this walking activity is not shown in Figure 1. Those carrying out activities at sites 4 and 5 at the eastern end of the Beach split their access options via the esplanade and the beach, often taking a different option for the return trip.
22. Secondary activities were also recorded – such as one member of a group walking while others fished – but these were relatively few, and it is taken that the main activity recorded the key motivation for the visit.

Public access

23. The Walking Access Commission's online Walking Access Mapping System (WAMS) describes the public access opportunities in the study area (Figure 3 in Attachment 1). Access to both sides of the Port area is provided by legal road, with esplanade reserve (administered by the Whangarei District Council) extending east from Northport and bounding Marsden Point. The legal boundary of the Marsden Spit Government Purpose Wildlife Management Reserve no longer directly overlies the physical footprint of the spit to the west of Northport.
24. There are public carparking facilities to the east of Ralph Trimmer Drive at Marsden Bay Beach. Public facilities at the Beach – including the toilets and ferry pontoon – are maintained by the Whangarei District Council.

25. The ferry pontoon is used by a private water taxi for transporting walkers on the Te Araroa Trail across Whangarei Harbour from Reotahi Bay. The official Te Araroa Trail route (if heading south) runs from Reotahi Bay on the northern side of the harbour entrance to the ferry pontoon at Marsden Bay Beach, and south via the beach and Marsden Point.
26. Strava, a social media platform where users record their GPS activity via their smartphones and other devices while recreating, gives a good indication of the relative levels of pedestrian and cycle activity in the study area. Strava is increasingly becoming a useful tool for identifying the relative levels of interest in various recreation activities by setting. The data are uploaded to a central database, allowing speed and time comparisons with other cyclists, runners, kayakers and swimmers (for example), and the monitoring of individual activity or training targets. While the service is popular with professional athletes, its membership is dominated by casual recreation participants. Strava is now popular amongst regular cyclists and runners, and is also used by the likes of rowers, kayakers, waka ama and swimmers.
27. International comparisons between different forms of data gathering show a degree of reliability for Strava data with a range of 1% to 12% of users recorded on-site that are connected to the service; and this is growing. Strava is therefore a little like a 'tag and release' programme. Strava essentially 'tags' several thousand active people in an area and monitors where and how they recreate. Its greatest strength is in showing the relative value of settings for different forms of recreation. However, it must be noted that Strava data are biased to a sector of the population which is more likely to be physically active and reasonably tech-savvy.
28. Figure 3 in Attachment 1 shows, on an aerial image, Strava data for 'all activities' (pedestrian, cycling and water-based) in the Marsden Point area. This shows – via a 'heat map' – the relative popularity of the fishing platform, pontoon and local beach areas, and access from the Marsden Bay Beach for some harbour crossings to Reotahi Bay (potentially Channel Infrastructure staff and Te Araroa Trail users). There is relatively more beach pedestrian activity leading south from the end of Mair Road compared with between Mair Road and Ralph Trimmer Drive via Marsden Point. The Marsden Cove marina development is a popular base for water-based activities, which will include, for example kayaks (sea and sit-on-top) and stand-up-paddle boards (SUP).

Other activities from literature and site visits

Swimming

29. Northland Regional Council monitors five sites near Marsden Point for bathing water quality: Ocean Beach, Taurikura, McLeod Bay, Tamaterau, and One Tree Point. All have consistently 'good' swimming water quality grades. The nearest Surf Lifesaving clubs are located at Ocean Beach and Ruakaka. Swimming near the "Oil Refinery berths at Marsden Point" is prohibited by the Northland Regional Council Navigational Safety Bylaw 2017.
30. With the exception of the Marsden Point to One Tree Point area, the southern Whangārei Harbour shores contain large areas of tidal flats and mangroves that are generally unsuited to swimming. Beaches between Northport and One Tree Point have narrow beaches at high tide and relatively poor water access at low. Marsden Bay Beach is the only sheltered beach on the southern side of Whangarei Harbour with a suitably extensive area of high-tide dry sand for swimming off the shore, as well as the benefit of the ferry pontoon, and associated beach activities, such as picnicking and sunbathing.

Fishing

31. The National Aquatic Biodiversity Information System (NABIS) provided by the Ministry for Primary Industry provides results from aerial surveys of recreational fishing effort undertaken over 2011 and 2012 (**Error! Reference source not found.**)² Boats recorded include those scuba diving and so show 'fishing' effort within marine reserves. The data show the Whangārei Harbour area to be a relatively heavily fished setting, with similar vessel densities to the Bay of Islands and the inner Hauraki Gulf – although the latter has several areas with two to three times the density of vessels. Figure 4 shows the vessel density data for the study area, with a peak of 100 to 150 vessels per km² immediately south of Peach Cove and a heavy concentration of activity in the main part of Whangārei Harbour and around Bream Head.
32. The pontoon at Marsden Bay Beach is a recommended shore-based fishing location in guidebooks.³
33. The eastern end of the Marsden Bay Beach is popular for fishing due to immediate shore access to deep water, with anglers accessing the site via the grassed track near the

²<https://maps.mpi.govt.nz/templates/MPIViewer/?appid=96f54e1918554ebbf17f965f0d961e1>, based on, for example: Hartill, B.; Bian, R.; Armiger, H.; Vaughan, M.; Rush, N. (2007). *Recreational marine harvest estimates of snapper, kahawai and kingfish in QMA 1 in 2004-05*. New Zealand Fisheries Assessment Report 2007/26. 44 p

³ For example Airey, M. 2012. *Spot X Boat Fishing New Zealand*. Spot X Publications, Auckland and Duncan, B. 2005. *Spot X Cape to Cape*. Spot X Publications, Auckland

Channel Infrastructure fence line or via the beach. Informal fishing rod holders have been installed on the ferry pontoon, which also provides access to deep water.

Shellfishing

34. Marsden Bay Beach and the proposed dredge area are not recommended shellfishing sites, although there are several nearby, including pipi and scallops around Snake Bank to the west of the Port, pipi at Marsden Point and at Mair Bank, and scallops to the north of Urquharts Bay. The Northland Regional Council carries out an annual faecal coliform testing regime for recreational shellfish gathering at 15 'permanent' sites in Northland.⁴ Two sites are near the study area: One Tree Point 'at intertidal beach' and at Urquharts Bay. Both had 'pass' grades for faecal coliform counts in the water.
35. Kelly & Sim-Smith (2022) reported finding no harvestable pipi within the proposed reclamation footprint and very small numbers of harvestable cockles. Both are intertidal species and are not located in the proposed dredge area. While no scallops were observed within the reclamation footprint, it was assumed that small numbers may be present, as well as within the proposed dredge area.

Diving

36. The closest recommended scuba or snorkelling dive site to the study area is at Motukaroro Island in the Whangarei Harbour Marine Reserve.⁵ The Northland Regional Council Navigational Safety Bylaw 2017 prohibits any diving within 50 metres of any commercial jetty or wharf which "is in regular use for the berthing and un-berthing of vessels". Diving near the "Oil Refinery berths at Marsden Point" is prohibited.

Boating

37. There are no public boating facilities, anchoring or mooring sites at Marsden Bay Beach. Three consented recreational moorings are located within or immediately adjacent to the consented and proposed dredge area to the west of Northport. The ramp immediately to the west of the Channel Infrastructure jetties provides sea access for Channel Infrastructure and is not a public facility and has no public road access. The Northland Regional Council Navigational Safety Bylaw 2017 prohibits any boat navigation and anchoring near the "Oil Refinery berths at Marsden Point".

⁴ Northland Regional Council, 2020. *Recreational Swimming Water Quality in Northland Summer 2019-20*. NRC, Whangārei

⁵ Enderby, T. Enderby J. 2007. *Spot X Diving New Zealand*. Spot X Publications, Auckland.

EFFECTS ASSESSMENT

38. In this section of my evidence I identify the likely adverse effects on recreation potentially caused by the proposal, and a review of proposed “mitigations” / management responses. This is based on:
- (a) An identification of all potential adverse effects on recreation amenity,
 - (b) A review of the technical reports which assess those effects, and the identification of the scale and relevance of each effect,
 - (c) A summary of the effects which have the potential to change recreation amenity, and
 - (d) A discussion of the scale of those effects and their potential for mitigation/management.
39. Effects on ‘amenity’ from a landscape perspective are assessed by Brown NZ Ltd. That report, and the evidence of Mr Brown, considers effects on landscape values, from, for example, the northern bays of Whangārei Harbour which includes the recreation settings of Urquharts Bay and Home Point (and others). This recreation assessment does not reconsider those assessments.
40. Effects on recreation values are assessed according to the matrix in Table. This considers the magnitude of the effect and the value of the setting for recreation.⁶

⁶ There is no recreation industry standard for this type of assessment, and it has been developed by the author of this report based on, for example the ‘Criteria for describing level of effects’ (Table 10) in Roper-Lindsay, J., Fuller S.A., Hooson, S., Sanders, M.D., Ussher, G.T. 2018. Ecological impact assessment. *EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems*. 2nd edition.

Table 1: Scale of impact on recreation values considering magnitude of effect					
		Recreation value			
		Very High	High	Moderate	Low
Magnitude of effect	High or severe	Significant	Significant	Moderate	Minor
	Moderate or medium	Significant	Moderate	Minor	Minor
	Low or minor	Moderate	Moderate	Minor	Minor
	Negligible	Negligible	Negligible	Negligible	Negligible

41. A 'significant' adverse effect is likely to displace⁷ many or most users from a setting for prolonged periods, but not necessarily for all activities which occur there; although it is likely that amenity for all activities will be degraded. A 'moderate' adverse effect will periodically displace some activities and users, but amenity will not be degraded for all activities. A 'minor' adverse effect will displace a small number of users for short periods, but amenity will almost always be preserved for the majority of activities and users. The scale of effect may be reduced if the area affected is confined and there are ample suitable alternative opportunities for relevant activities.

42. I consider each effect below, with subheadings for construction and operation, and in italics the effect or effects under consideration. I also consider the cumulative effects of the proposal.

Construction

Occupation of marine settings by dredges

43. The proposed dredge area is defined in the evidence of Mr Blomfield. Dredge activity will occur for between 100 and 140 days adjacent to the existing Northport wharf within an area already subject to navigation restrictions under the Northland Regional Council Navigation Safety Bylaw 2017, including when ships are fumigating, discharging or loading dangerous cargo or bunkering. The area is subject to existing maintenance dredging activities, and recreational boaters should not be surprised by heavy ship activity near the Northport wharf. Effects of dredging activity on recreational boating will therefore be minor.

⁷ Force people to recreate in other settings, at different times, or not at all.

Turbidity and mobilisation of contaminants

44. Cussioli et al (2022) report on modelled dispersion of dredge sediment plumes for the three dredge options (trailing suction hopper dredger (TSHD), a cutter suction dredger (CSD) and a backhoe dredger (BHD)). For all three options, sediment plumes are confined to the tidal channel aligned with the dredged area and do not disperse to diving and swimming sites. The TSHD generates the largest sediment plume and the BHD the least. While all three dredge options are likely to have minimal effects on water clarity for contact recreation, the BHD will clearly have the least effect, and likely no effect.
45. Kelly & Sim-Smith (2022) report that water quality parameters, including sediment and metals such as lead, copper and zinc, are very good at the harbour entrance.

Effects on marine ecology

46. Kelly & Sim-Smith (2022) find that the scale, magnitude, and duration of effect of dredging on marine ecosystems will depend on the type of dredging, length of time taken, and interactions between dredge operations and plume generation, tides, and the vagaries of winds and waves; and find that effects are likely to be high at the outer harbour and entrance zones and Harbour scales if a TSHD is used; and moderate at those scales for CSD and BHD operations. However, ecological recovery is expected to occur over a period of five or more years.
47. Kelly & Sim-Smith (2022) report that while dredging will affect important habitat for fish (particularly juveniles), impacts on fish are expected to be lower and temporary, because, amongst other things, fish populations are unlikely to be limited by habitat or resource availability because fishing has reduced the populations of targeted species to well below historic levels.
48. Overall, the effect of disturbing or losing fish habitat during construction is assessed as minor or less.

Access closures

49. It is expected that there will be periods – of at least six to 12 months – where access to Marsden Bay Beach is limited while the revetment is constructed and public facilities are built. Alternative access to the Beach will be available via Marsden Point Beach at Mair Road south of the Channel Infrastructure terminal – a distance of 2km. There are many alternative fishing and swimming sites in the Harbour and around the Harbour entrance area, including the local fishing platform on the western side of Northport, and effects from temporary closures at the regional level will be minor, but locals who regularly visit

the beach are likely to be more inconvenienced. Effects will, however, be temporary. Alternative boat access to Marsden Cove will be available for the Te Araroa Trail ferry.

Operation

Changes to tides and currents

50. Berthot & Watson (2022) assess the effect of the proposal – both reclamation and dredging – on hydrodynamics near the harbour entrance. Existing peak current speeds of just over 1 m/s (approximately 2 knots) are indicated in the channel opposite the existing wharf. Berthot & Watson’s assessment indicates the potential for minor changes in peak current speeds (up to 0.2 m/s or just under 0.4 knots) near the existing and proposed wharf structures (both increases and decreases), with a minor increase in current speed in Marsden Bay (peak incoming tide only at 0.1 m/s) and a minor decrease in current speed on the northern side of the harbour entrance opposite the wharf (up to 0.2 m/s on peak incoming tide also). Higher current speed changes are modelled for directly adjacent to the existing wharf, but no recreational craft would enter this zone. The residual water area within Marsden Bay Beach would experience reductions in peak currents of up to 0.5 m/s, which would be beneficial for a swimming setting.
51. The harbour entrance is a naturally high-current speed setting, with depth changes and coastal rocks directing flows and creating natural variations in flow speed and direction. The modelled speed changes in current are unlikely to be recognised by recreational boaters and swimmers in such a dynamic setting, and where a reasonable level of competence is expected of skippers.

Loss of beach area

52. The proposed reclamation will remove slightly more than half of the Marsden Bay Beach, and there is no potential to fully mitigate the loss of recreation amenity provided by the existing scale of the setting. This includes the ability of beach users to disperse themselves along the beach and to reduce the potential for conflict between users (such as between swimmers and fishers), and a reduced sense of scale.
53. However, the development proposal will sustain many of the key elements of the existing recreation opportunities at Marsden Bay Beach. Figure in my Attachment 1 shows the key elements of proposed public facilities on the eastern face of the proposed reclamation. More details are provided in the *Northport Eastern Reclamation Pocket Park Concept Plan*. This includes:
- (a) A relocated carpark and toilets to allow easy access to the beach,

- (b) A new pontoon for fishing, swimming, and socialising, and to operate as a terminal for the Te Araroa Trail ferry, and
 - (c) Beach and water access points suited to socialising and swimming, developed to attract such users to the western end of the beach away from one of the preferred fishing areas near the Channel Infrastructure wharf, and to reduce disturbance of roosting birds along the beach.
54. It is proposed that the concept plan is finalised via consultation with local hapū and other residents.
55. Even so, acknowledging the retention of access and those new facilities, adverse recreation effects on Marsden Bay Beach will remain due to the loss of beach area and diminution of the scale of the setting. Those effects are likely to be significant for recreational beach users and more than minor at the regional level.

Marine ecology

56. Kelly & Sim-Smith (2022) report on the effects of the reclamation and dredging footprints on marine species (including fish and shellfish), as well as the effects of stormwater discharge from operation of the new reclamation area. The latter is projected to have 'less than minor' effects considering the water quality and scale of effect of existing discharges.
57. At the harbour-wide and harbour entrance area scales, the reclamation and dredge footprint are projected to have effects generally of a minor scale, but temporary and more than minor scale effects for the loss of existing artificial reef habitat on wharf structures. That effect would endure for five to ten years as new habitat develops on new wharf structures. More than minor but temporary effects are identified for all reclamation and dredging activities. Within the reclamation footprint, adverse effects are identified where habitat for shellfish, seagrass and subtidal benthic macrofauna are lost.
58. Kelly & Sim-Smith (2022) noted a 'very high' number of cockles within the proposed reclamation footprint, albeit mostly below harvestable size. No pipi of harvestable size were located in the reclamation footprint. Little shell-fishing was observed as a recreational activity on Marsden Bay Beach during the two user surveys (one person looking for pipi – see section **Error! Reference source not found.**). At the regional level, effects on recreational shell fishing are likely to be minor considering the scale of alternatives and low level of activity at Marsden Bay Beach.

59. Fishing was the dominant activity recorded at Marsden Bay Beach. Kelly & Sim-Smith (2022) note that effects on fish are likely to be negligible because of their mobility, the relatively small scale of habitat permanently lost, and likely recovery of habitats of importance to fish in existing wharf areas. Overall, the effect of losing fish habitat within the proposed reclamation footprint is expected by Kelly & Sim-Smith to be low at both local and harbour-wide scales. They note that existing rock revetment at the wharf (a length of 155m) which provides marine reef habitat will be smothered and replaced with 483m of revetment, which, once recolonised, presents a net benefit to local reef habitat.

Changes to navigability

60. The proposed reclamation will occupy an area between two existing wharf structures where boat traffic is naturally limited. Commercial and small recreational craft (such as kayaks, trawlers and a Te Araroa Trail ferry) were the only vessels recorded in the affected marine area during the two surveys (see section **Error! Reference source not found.**). Existing recreational users of the harbour entrance are accustomed to avoiding the Channel Infrastructure and Northport facilities, and the additional reclamation will pose no additional burden.

Cumulative effects

61. In addition to considering each of the construction and operation effects described above, I have also considered cumulative effects: that is, effects which arise over time or in combination with other effects. While my understanding is that they form part of the 'existing environment' (on the basis that resource consents have been granted), I have for completeness considered the effects of the proposal cumulative with Northport's Berth 4 development and Channel Infrastructure's consented but not actioned channel dredging consents. The proposed additional (Berth 5) development and associated reclamation, cumulative with those two already-consented proposals, has minimal effects on wider recreation in the area due to its separation from on-shore recreation settings and, as reported by Kelly & Sim-Smith (2022), the minor and/or temporary cumulative adverse effects on aspects of marine ecology.
62. However, cumulatively, the proposal and the consented Berth 4 development will diminish recreation value at Marsden Bay Beach. This would be a significant adverse effect on recreation at the local level and more than minor at the regional level. The loss of access to Marsden Bay Beach is the primary cause of adverse effects, due to the range of beach activities currently possible there. The loss of beach scale at Marsden Bay Beach would remain a significant adverse effect at the local level, despite the

developments for recreation – such as the pocket park and replacement pontoon - proposed.

63. Navigation by recreation craft around the new port facilities is likely to continue as it does now, but with more caution required by skippers as they navigate a busier port setting. Considering the continued large-scale recreational boating in areas such as Auckland and Tauranga Harbours, with their substantial port services and large recreational fleets, there is no indication that recreation navigation will be disrupted.

Summary

64. Considered cumulatively, the proposal and the consented Berth 4 development will result in diminished recreation value at Marsden Bay Beach. The reduction in the scale of Marsden Bay Beach is the primary cause and would represent a significant adverse effect on local recreational beach users, despite the developments for recreation proposed, and a more than minor adverse effect at the regional level.

RESPONSE TO THE SECTION 42A REPORT

65. Appendix C8 to the s42A report provides a useful review of the application, and specifically my original assessment of effects. The author – Craig Jones – and I appear to be in broad agreement about the scale and type of the project's effects, and the scale of residual effect on regional and local recreation, despite the proposed pocket park.
66. Mr Jones suggests a range of off-site mitigations⁸ to help address these residual effects, and, in my opinion, they all have merit. However, their implementation will require further community consultation and the agreement of other landowners (especially WDC and DOC, and possibly Marsden Cove Canal Management Limited) to ensure that they are suitable. Some of the concepts might require additional resource consents, such as those associated with alternative wharf facilities, and walk and cycle access.
67. As stated in the s42A report,⁹ Northport indicated in its AEE that it was open to “alternative scenarios to improve public access and recreation facilities in the vicinity of the port and in the surrounding area.” This took into consideration that consultation with the WDC Parks Division was ongoing,¹⁰ and that broader engagement will be required to finalise the preferred options.

⁸ As summarised at paragraph 378 of the s42A report, to include, “a permanent water taxi facility at the Marsden Cove Marina, a realigned Te Araroa Trail walkway, swimming opportunities to the west of the Port, and picnicking opportunities within the wider Marsden Bay area.”

⁹ Paragraph 378

¹⁰ AEE page 42, sec 3.9

68. I note, in terms of Mr Jones assessment, that Marsden Bay Beach is a relatively low use setting (approximately seven visitors per hour based on my observational analysis, but with occasional peaks and some large groups), and the scale of potential conflict between users may be overstated in his review. For example, angling activities are already concentrated at the eastern end of the beach, adjacent to Channel Infrastructure facilities where there is suitable depth near the beach for casting. The proposal will not diminish the scale of this component of the beach and have little influence on this particular activity. However, my conclusion – with which Mr Jones agrees – is that without mitigation beyond that already proposed within the project area, there will be more than minor effects on recreation.
69. Mr Jones, and Mr Keane in his review of navigation safety, both raise concerns about public safety near the proposed tug facility. This is addressed in the evidence of Messrs Blomfield and Goodchild.

RESPONSE TO SUBMISSIONS RAISED

70. Mr Jones in his review has completed an analysis of submissions and, in my opinion, has responded appropriately to the most general concerns regarding the effects on Marsden Bay Beach, as I have stated above. I have therefore chosen to not repeat his review for those matters, and in particular the submission of the Whangarei District Council (159), which Mr Jones addresses in full and mirrors its recommendations. However, there are several specific other concerns which require a response.
71. Captain P. Hinds in his submission (32) is concerned that the proposed additional roosting habitat for variable oystercatcher and NZ dotterel will impede observed waterskiing in the location. The proposed roosting site has no waterski lane nearby and is well-within 200m of the shore, where the NRC Navigation Safety Bylaw 2017 limits vessel speed to less than 5 knots. Any waterskiing in this location would be illegal. The roosting habitat, at high tide, may push the 200m shoreline exclusion zone a further 60m seawards. This is a very minor effect.
72. Mr S Tyson in his submission (174) identifies the need to assess the effects of underwater noise on snorkellers at Motukararo Marine Reserve. I have sought the advice of Dr Pine who advises me that divers and snorkellers will likely hear piling work when under water, but it won't be through their ears, but rather from bone conduction of their skull that goes straight to the inner ear. This is why dive hoods will make no difference to divers hearing underwater. However, the low frequency sound energy at dive sites

across the harbour will be less than that of small vessels passing nearby. I take from this advice that noise effects on snorkellers will be no more than minor.

73. The Mountains to Sea Conservation Trust in its submission (183) notes concerns regarding “increasing water movement” affecting people while snorkelling in the Motukaroro Marine Reserve. As I indicate in my paragraph 50, the northern side of the Harbour is modelled to experience a minor reduction in current speed, which will be a minor positive effect, although I doubt it will be recognised by anyone in or on the water.
74. Mr M Gowing in his submission (231) states, “It is an important safe swimming beach with normally good clear water. I believe it is important to maintain public access close to industry to help ensure industry aren’t adversely affecting the environment.” The application will retain access to the beach and it will remain a safe swimming site. However, its reduced scale for swimming and all other beach activities is the main influence on my assessment.
75. Other submitters’ concerns focus on issues which form the core of my assessment, such as the reduction of beach scale (P Ferguson, 222) and general effects on recreation amenity (S Brick, 131. RS Emery & LA Washer, 160).

COMMENT ON DRAFT PROPOSED CONDITIONS ADVANCED BY NORTHPORT

76. I have reviewed the draft conditions proposed by Northport as they relate to recreation issues, and broadly support those conditions.
77. In light of the recommendations in the Council s42A report, which I generally endorse, I understand that Northport is intending to propose a condition, on an *Augier* basis, which would require Northport (in consultation with Council and others as appropriate) to identify and promote opportunities for offsite recreation in the local area. I understand the wording of such condition will be the subject of discussion at expert conferencing.

Rob Greenaway
24 August 2023

Attachment 1: Figures

Figure 1: Activity by location – pie chart size proportional to scale of activity

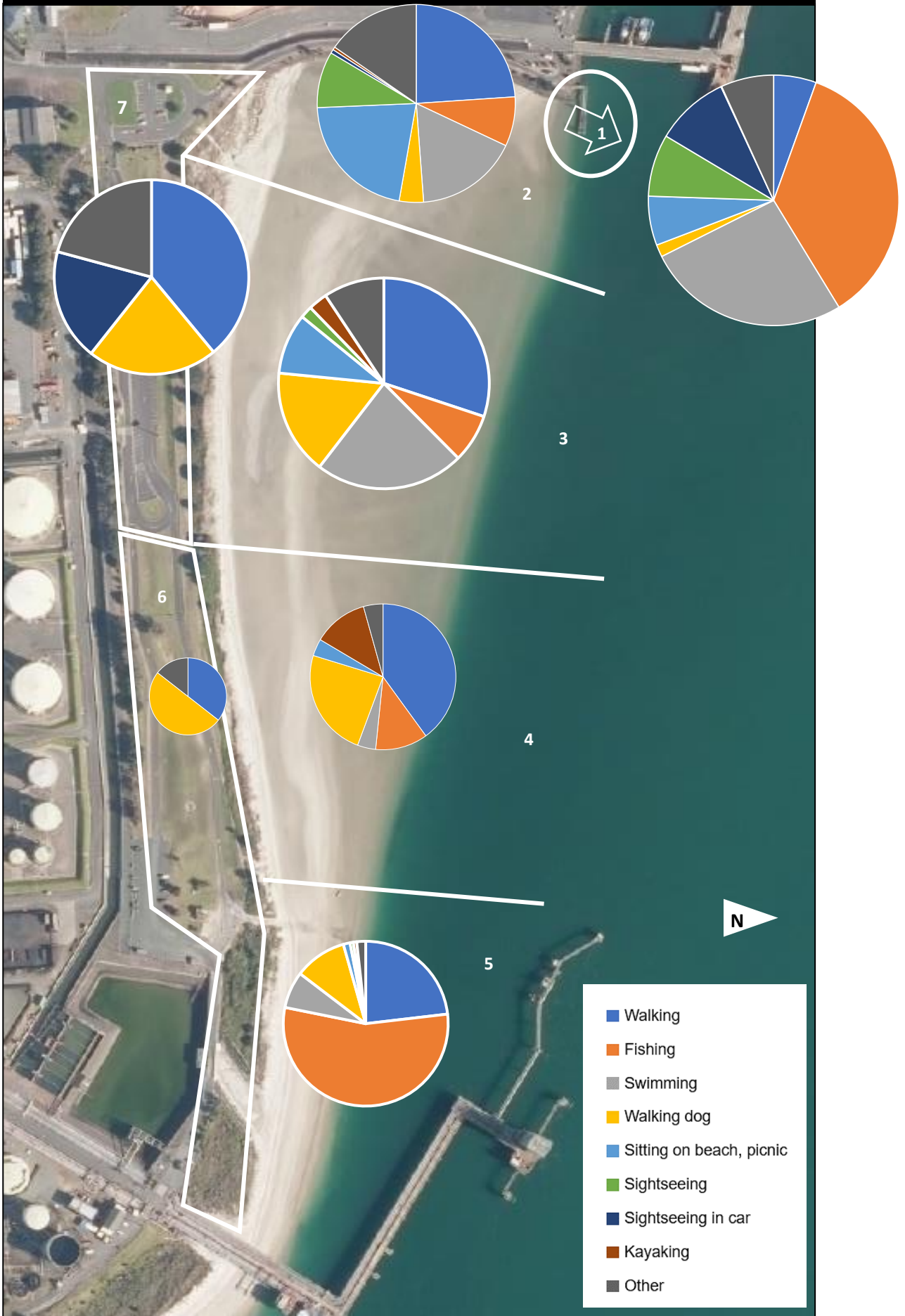


Figure 2: Public access areas. Source: WAMS



Figure 2: Primary study area. LINZ Chart NZ5214 detail.

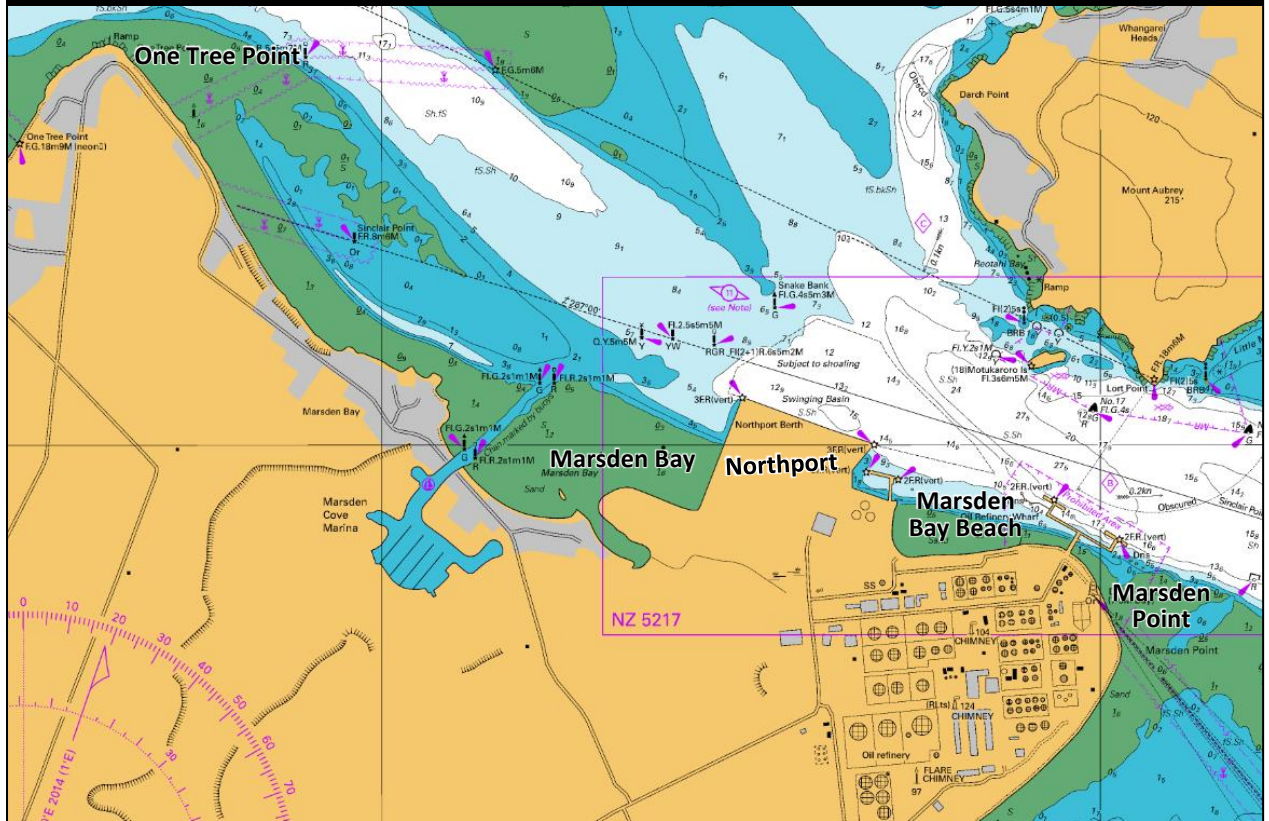


Figure 3: Strava data for 'all activities', wider Marsden area, 12 months to November 2022

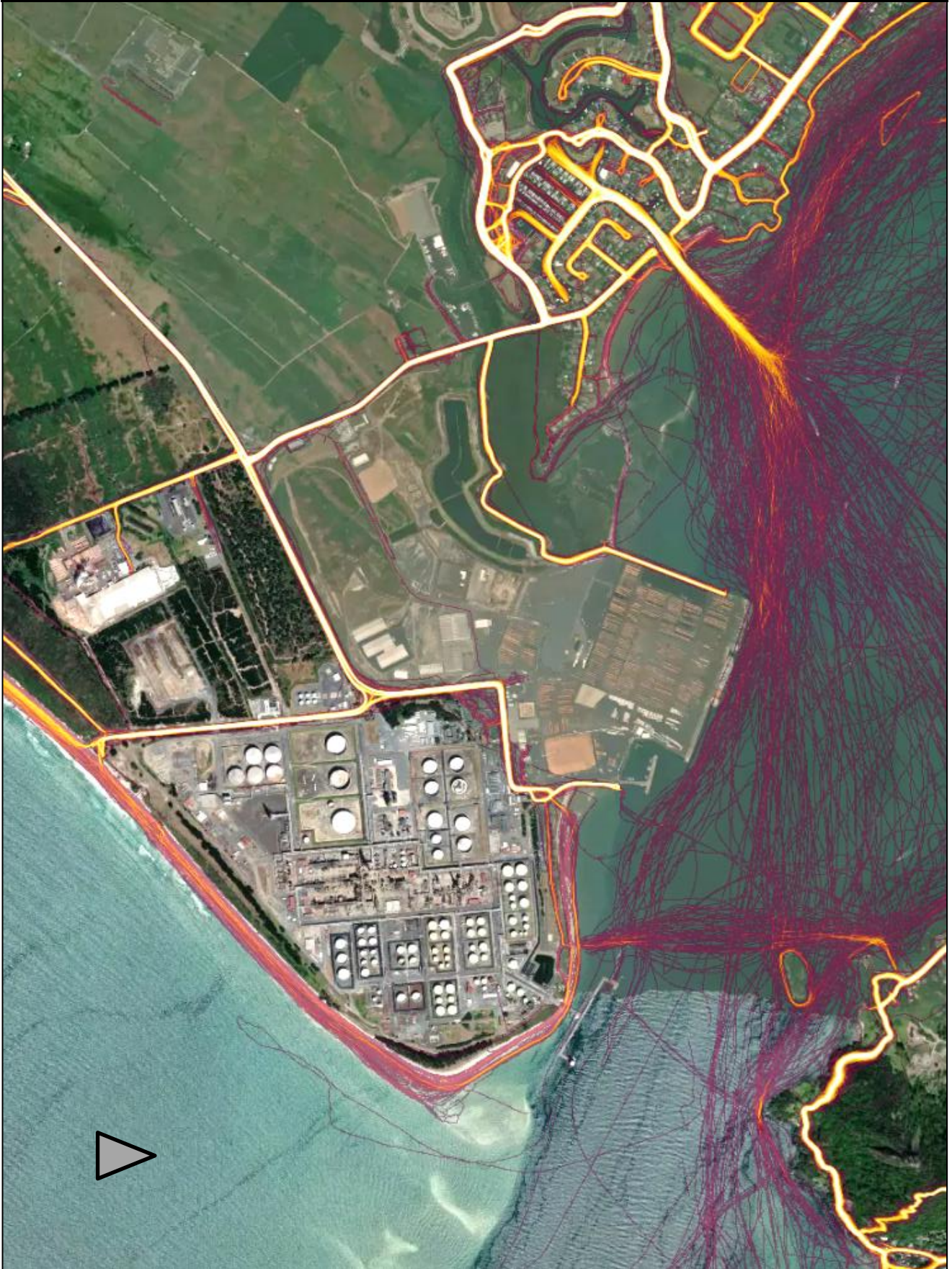


Figure 4: Recreational fishing effort in the study area. MPI NABIS data

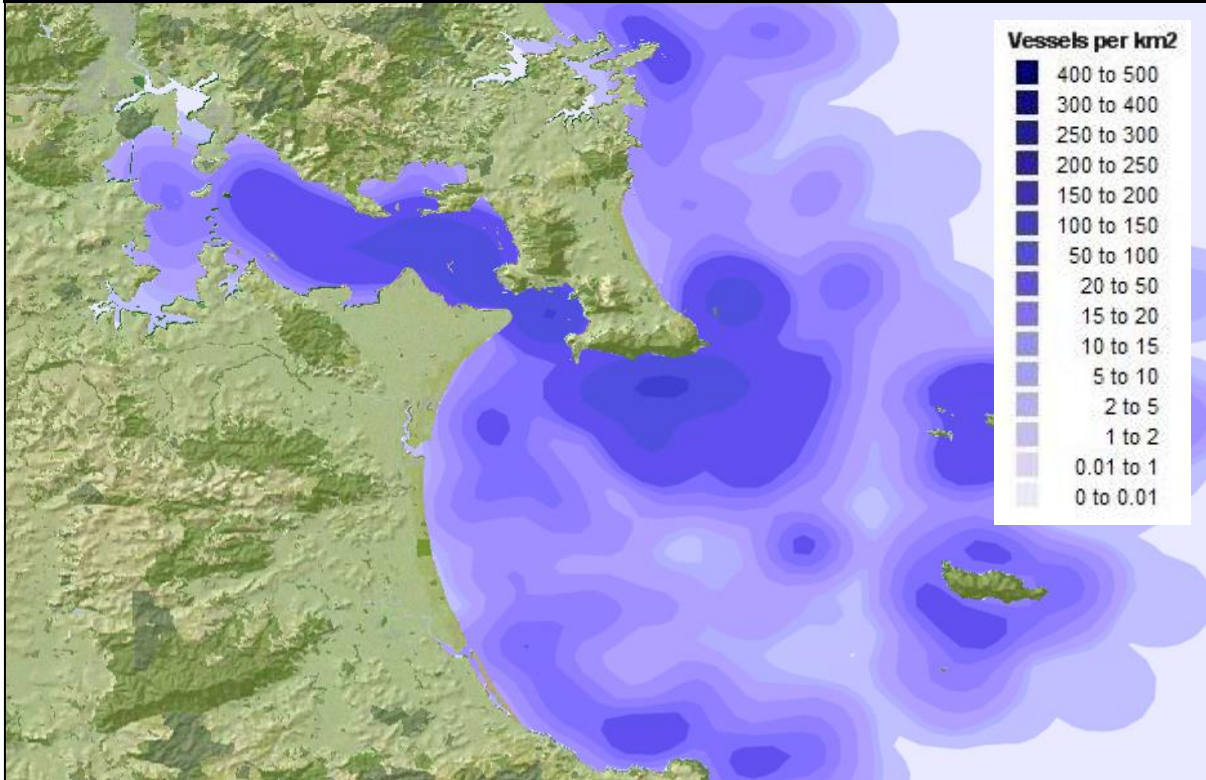


Figure 5: Proposed basic components of public access facilities at the eastern side of the reclamation



References

- Berthot A. and Watson H. 2022. *Hydrodynamic Modelling Update - Effects of Proposed Reclamation and Dredging Layout on Hydrodynamics*. MetOcean report prepared for Northport
- Cussioli M., Weppe S., and Berthot A. 2022. *Dredge Plume Modelling. Dredging sediment plume dispersion over existing and proposed port configurations*. MetOcean report prepared for Northport
- Kelly, S. & Sim-Smith, C. 2022. *Northport Expansion Project Assessment of Ecological Effects*. Coast and Catchment Ltd report for Northport Ltd.