



A. Permission Application Number and Name of Applicant

Mercury Bay Boating Club Inc 112555-OTH

B. Name of Proposed Activity and Location(s)

Application to establish and operate a community facility (boating club/sailing school) for a period of 30 years at Local Purpose Reserve (Lot 6 DP 426920) Dundas Street, Whitianga.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)

Contact person and role of organisation

Email

(Communication from DOC will be via email unless alternate contact requested)

Alternate contact for all DOC communication

Phone/Mobile

Postal Address and Post Code

Sec 9(2)(a)

I wish to keep my contact details confidential

Note: Your contact details will be not made public, but your name and organisation will be published. DOC will send you all submitter communications.

Sec 9(2)(a)



DOC-7636791

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Printed name of submitter or person authorised on behalf of submitter	Sec 9(2)(a)
Organisation	
Date	11/5/2024

D. Statement of Support, Neutrality or Opposition

- I **Support** this Application (I am making a submission)
- I am **Neutral** on this Application (I am making a submission).
- I **Oppose** this Application (I am making an objection).

E. Hearing Request

- I **Do Not** wish to be heard in support of this objection or submission at a hearing.
- I **Do** wish to be heard in support of this objection or submission at a hearing

Sec 9(2)(a)

Item 81

F. ~~Objection or~~ submission

The specific parts of the application that this ~~objection~~ or submission relates to are:

Full relocation of Club House
To proposed location Dundas St
Whitianga

DOC-7636791

My reasons for my ~~objection or~~ submission are:

The harbour location is ideal for Junior Training; it is similar to conditions experienced by North Tawanga clubs, where Dingy activities take place fortnightly on full tide tides. The location is appropriate for keeler owners due to many boats being moored in the adjacent mooring zone.

The outcomes that need to be addressed by this application are:

Give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought if the application is approved.

I agree with the entire relocation proposal and consider it a positive step for the club's future: -

Item 81

Sec 9(2)(a)

G. Attachments

If you are using attachments to support your objection or submission clearly complete the table below and send in your attachments with this 'objection or submission form'.

Document title	Document format (e.g. Word, PDF, Excel, jpg etc.)	Description of attachment

How do I submit my objection or submission?

Complete this form and email to permissionshokitika@doc.govt.nz. You may also mail your objection and submission to: Director-General, c/o Department of Conservation, Private Bag 701, Hokitika 7842.

From: Sec 9(2)(a)
Sent: Sunday, May 12, 2024 3:10 PM
To: Permissions Hokitika <permissionshokitika@doc.govt.nz>
Subject: Mercury Bay Boating Club

Some people who received this message don't often get email from Sec 9(2)(a) [Learn why this is important](#)

I support the boating club moving to its proposed location, it's a great spot that suits the boating club with ramp adjacent and will be a great community asset.

Sec 9(2)(a)



HOLLAND BECKETT

7 May 2024

Director-General
 C/- Department of Conservation
 Private Bag 701
HOKITIKA 7842

BY EMAIL
 permissionshokitika@doc.govt.nz

Attention: Ange Paget

Tēnā koe Ange

APPLICATION FOR LEASE OF RESERVE LAND - MERCURY BAY BOATING CLUB INCORPORATED

1. We act for **Sec 9(2)(a)** who owns the property at **Sec 9(2)(a)**. We make the following submission on behalf of our client in relation to the application for a long-term lease/concession that has been lodged with the Department of Conservation in relation to the Mercury Bay Boating Club Incorporated's (the **Club**) proposed relocation of its clubhouse to the reserve located on Dundas Street (the **Application**).
2. Our client opposes the Application and considers that it must be declined.
3. In considering any application for a concession, Section 17U of the Conservation Act 1987 states that the Minister may decline any application if the Minister is satisfied that there are no adequate or reasonable methods for remedying, avoiding, or mitigating the adverse effects of an activity, structure or facility.
4. In terms of effects, the Application refers to there being '*low potential for impact on neighbouring properties and viewshafts*'.¹ Our submission is that this is not a fair assessment of the effects of the Application. Our client considers the potential for adverse effects on his property arising from the Application to be high. The reasons for this position are as follows:
 - (a) The amenity effects on our client's property arising from the lease will be significant. The Application states that the site is '*well screened by established trees*'², but this is inaccurate. As is to be expected in the location of our client's property, a key aspect of its amenity is the outlook to the river to the North East. The Application will have a significant effect on this amenity, and will completely change the character of the outlook, which is currently a quiet grassy reserve. The bulk of the building will impede the viewshaft of **Sec 9(2)(a)** and is significant in terms of its impact on amenity. We note that the Club has not obtained an assessment and we reach our conclusion that the proposal is not likely to result in a significant improvement in amenity.
 - (b) The Club has assumed that the clubhouse will not generate significant noise. There is no expert report provided in relation to the noise generated by the Club's activity, and therefore it is impossible to determine the scale of noise generated by the Club. The Club hires out its clubhouse for events, in addition to the regular use of the Club, there is potential for there to be significant noise increases. These effects should have been addressed through an expert report.

¹ Pg 2 Concession Application of Mercury Bay Boating Club

² As above, pg. 16

(c) The Application further states that noise and traffic effects will in any event be less than what might be reasonably be anticipated by the existing marina and coast guard operations, public boat ramp users and the rugby club and sports activities.³ This misses the point that these additional effects are cumulative to those existing noise and traffic producers, and the cumulative effect on top of what is already occurring is of concern to our client.

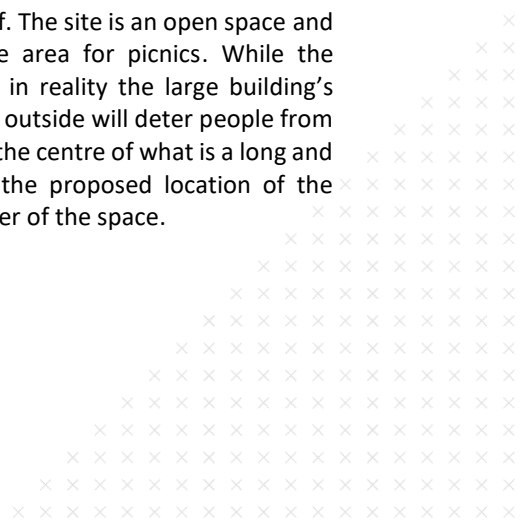
(d) Linked to the above, is our client’s concerns regarding the extent to which the site can accommodate all aspects of the activity without causing adverse effects. There is already limited parking space at the end of Dundas Street which causes congestion during the summer months, and the clubhouse will both reduce the area available for parking and bring with it increased traffic to the area. To illustrate this congestion we attach (at appendix one) recent photos our client has taken of the reserve and the parking capacity issues that are currently being faced. This will force cars, boat trailers and other large vehicles to park outside our client’s property (including on the grass verge between the road and our client’s fence as demonstrated in the images at appendix one) and is likely to create significant traffic congestion. The effect on **Sec 9(2)(a)** **Sec 9(2)(a)** associated with these traffic increases (cumulative to the effects already occurring as a result of the marina) and his ability to safely enter and exit his property will be significant. Again, there is no expert report in relation to traffic effects to refer to.

(e) The Application states that the Clubhouse will be used for private and community functions.⁴ This will bring with it a significant amount of people visiting the area, and as discussed bring with it adverse noise, traffic and parking effects. There is a further concern around anti-social behaviour that may be associated with functions, which is an unfortunate but inevitable consequence. While the Application states that the Club does not have a restaurant or bar or a liquor license⁵ this does not mean that such a license cannot be obtained for specific functions, or for general use in the future. The Clubhouse will be in an area that is not busy, well-lit or populated during the night, meaning there will be limited passive surveillance of activities occurring there. These effects cannot be discounted and are of significant concern to our client.

5. There are also questions regarding the appropriateness of the Application site for the activity. The Application implies that boating activities will occur in the harbour adjacent to the proposed site as the plans provide for the installation of an adjacent dinghy ramp (that is separate from the public boat ramp already located at the reserve). Thames Coromandel District Council staff have acknowledged that this area would be hazardous for learner sailors as there are several large submerged boulders and a sandbar in front of the marina wall near the boat ramp. We attach those emails for your reference. There have also been concerns raised within Council regarding the suitability of the harbour for sailing given the strong currents in this area.

6. The Application also dismisses the positive effects of the site itself. The site is an open space and our client often observes local families and visitors using the area for picnics. While the Application states that it is only taking up a footprint of 10%, in reality the large building’s presence along with the parking associated and boats, etc stored outside will deter people from using it in this way. The building is also proposed to be located in the centre of what is a long and narrow reserve. Given the characteristics of the reserve and the proposed location of the building, the public would be deterred from utilising the remainder of the space.

³ As above, pg 15
⁴ As above, pg 3
⁵ As above, pg 3



- 7. The Application also refers to abandoned vehicles and derelict boats and dinghies being a reoccurring problem at the site.⁶ Our client disagrees with this statement as in his seven years residing at 2 Dundas Street, he rarely observes any vehicles, boats or dinghies being abandoned on the reserve land.
- 8. Our client is concerned that the application attempts to downplay the adverse effects that he and his property will experience as a result of the granting of the lease and the relocation of the clubhouse. The Club has made assumptions to lead to the conclusion that there is low potential for impact on our client and his property, and have not provided evidence to support these assumptions. The effect on our client and our client’s property should not be discounted in the way that they are by the Application.
- 9. Section 17W of the Conservation Act 1987 states that a concession will not be granted where an application for a concession is not consistent with a conservation management plan. Our client’s view is that this provision prevents a concession from being granted in this situation, as the relocation is inconsistent with the Coromandel Peninsula Land Conservation Management Plan. The Coromandel Peninsula Conservation Land Management Plan provides that the role of concessions is to ensure activities on reserves do not have significant adverse effects on the environment or lessen the value of visitor enjoyment of public land.⁷ It also provides that DOC will take a precautionary approach when determining whether to grant a concession. The application is inconsistent with this plan as the relocation would lessen the value of the enjoyment of visitors given that the most desirable area of the reserve would be inaccessible due to the location of the clubhouse, and there are adverse effects on our client associated with the relocation.
- 10. Overall, our client’s view is that the adverse effects associated with the Application are such that a concession should not be granted. Our client does not wish to propose any amendments or conditions to the Application as he does not consider the lease should be granted in any event.
- 11. Our client wishes to be heard in respect of his objection at a hearing.
- 12. We trust that the Minister will consider that the Application should be declined.

Ngā mihi

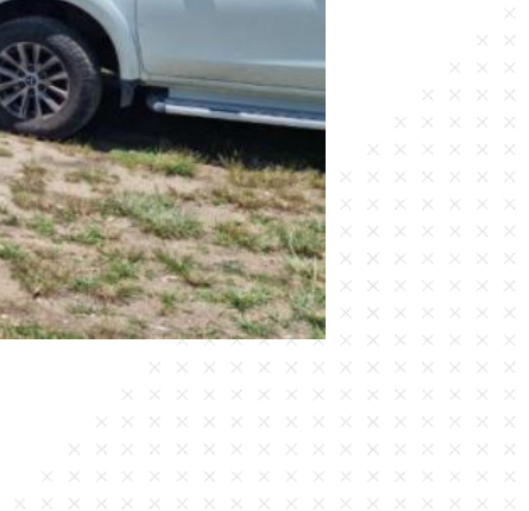


⁶ As above, pg 20

⁷ Section 3.9 Coromandel Peninsula Land Conservation Management Plan, February 2002



Appendix One – Recent photos of the Dundas Street Reserve





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C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	Sec 9(2)(a)	
Contact person and role of organisation		
Email (Communication from DOC will be via email unless alternate contact requested)		
Alternate contact for all DOC communication		
Phone/Mobile		
Postal Address and Post Code		

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Printed name of submitter or person authorised on behalf of submitter	Sec 9(2)(a)
Organisation	
Date	07.05.2024

D. Statement of Support, Neutrality or Opposition

- I **Support** this Application (I am making a submission)
- I am **Neutral** on this Application (I am making a submission).
- I **Oppose** this Application (I am making an objection).

E. Hearing Request

- I **Do Not** wish to be heard in support of this objection or submission at a hearing.
- I **Do** wish to be heard in support of this objection or submission at a hearing

F. Objection or submission

The specific parts of the application that this objection or submission relates to are:

Please see the attached letter

My reasons for my objection or submission are:

Please see the attached letter

The outcomes that need to be addressed by this application are:

Give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought if the application is approved.

Please see the attached letter

G. Attachments

If you are using attachments to support your objection or submission clearly label each attachment, complete the table below and send in your attachments with this 'objection or submission form'.

Document title	Document format (e.g. Word, PDF, Excel, jpg etc.)	Description of attachment
Submission to DOC – MBBC's application for concession	PDF	Submission
TCDC Email Correspondence	HTML	Internal TCDC emails regarding dangers of sailing in Whitianga Harbour

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OBJECTION OR SUBMISSION**A. Permission Application Number and Name of Applicant**

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Printed name of submitter or person authorised on behalf of submitter	Sec 9(2)(a)
Organisation	Private
Date	13/04/2024

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My reasons for my objection or submission are:

I support the Sailing Clubs application as presently the clubroom is out of commission due to storm damage over one year ago.

1. The existing site on Buffalo Beach is vulnerable to coastal erosion. I have worked on and around this site since 1991 on coastal restoration projects (Dune fencing and Waikato Regional Council coastal species trial which bounds the existing clubroom site).
2. The proposed Dundas Street site is designated as appropriate for the intended activity under the TCDC District Plan.
3. The proposed clubroom site and associated launching ramp are in a sheltered appropriate location on the southern margin of the Whitianga Marina reclamation. It is clear of hazards at the existing Dundas Street public boat ramp, the strong currents further eastward towards the edge of the channel and associated mooring hazards for small sailing craft. I base this assessment on working professionally from a small craft to gather water and shellfish sanitary monitoring samples within the harbour since 1991 (day and night). I am also a past PADI open water dive instructor, grew up in a commercial fishing family and have completed a Boastmasters Certificate.

The outcomes that need to be addressed by this application are:

Give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought if the application is approved.

I support the application as it stands, specifically the provision of a designated launch ramp to prevent hazardous interaction between young sailors and the general public whom utilise the nearby Dundas Street boat ramp.

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