

**Eastland Port Ltd**

**Gisborne Port – Wharves 6 & 7 Redevelopment Project**

**Summary Response to Council Pre-lodge Meeting Minutes of 13 July 2017**

Coastal Engineering & Ecology

Key Matters

1. Additional Information on Juvenile Crayfish Habitat

*Further information on the juvenile crayfish habitat in the Wharf 6 and 7 area and wider port is provided in Section 2.3 of the 4Sight Ecology & Water Quality Report and summarised in Section 4.3 of the 4Sight AEE.*

2. Additional Information on Rip Rap and other Similar Structures in the Port and Potential Mitigation for Loss of Juvenile Crayfish Habitat at Wharf 6

*The information requested is in Sections 3.2-3.4 of the 4Sight Ecology & Water Quality Report and summarised in Section 4.3 of the 4Sight AEE.*

3. Additional Information on Engineering Options for Wharf 6 and Potential for Creation of Additional Juvenile Crayfish Habitat

*The information requested is in Sections 3.2-3.4 of the 4Sight Ecology & Water Quality Report and summarised in Section 4.3 of the 4Sight AEE.*

4. Additional Information on the May 2017 Storm Event Recorded in 4Sight Ecology & Water Quality Report.

*Further information is provided in Section 2.2 of the 4Sight Ecology & Water Quality Report and summarised in Section 4.3 of the 4Sight AEE.*

5. Additional Information on the Wharf 6 Stormwater Collection & Treatment System Beyond the Proposed Bunded Refuelling Area.

*The information requested is in Sections 2.3 and 4 of the WorleyParsons Engineering Report.*

6. Additional Information on the Methodology Used for the Slipway Benthic Ecology and Sediment Chemistry Investigations

*Not relevant to Wharves 6 and 7 redevelopment project.*

7. Additional Information on Subtidal Habitats and Species Affected by the Slipway Redevelopment.

*Not relevant to Wharves 6 and 7 redevelopment project.*

8. Explanation of the Slightly Elevated Nickel Concentrations Recorded in the Surficial Sediments in the Port.

*The explanation is provided in Section 2.3 of the 4Sight Ecology & Water Quality Report*

9. More Details on Trigger for Use of Silt Curtains During Construction

*Further information is provided in Section 6.1.6 of the WorleyParsons Engineering Report and Section 3.7 of the 4Sight Ecology & Water Quality Report.*

10. More Details on the Organic Content of Dredged Material.

*This information is provided in Section 2.1 of the 4Sight Ecology & Water Quality Report.*

Noise

1. Quantitative information on Existing Port Operations

*This information is provided in the Malcolm Hunt & Associates Gisborne Port Compliance Monitoring Report appended to the Malcolm Hunt & Associates Wharf 6 and 7 Noise and Vibration Effects Assessment Report.*

2. Quantitative information on Increased Sound Levels from the Wharf 6 Redevelopment Project

*The information requested is provided in Sections 6 and 8 of the Hunt Wharf 6 and 7 Noise and Vibration Effects Assessment Report.*

3. Construction noise calculations consistent with the proposed (Wharf 6) piling methodology.

*The information requested is provided in Section 6 of the Hunt Wharf 6 and 7 Noise and Vibration Effects Assessment Report.*

*Not relevant to the slipway redevelopment project.*

4. Assessment of Cumulative Effect of Construction Noise and Vibration from the Wharf 6 and Slipway Redevelopment Project

*This matter is addressed in Section 8.8 of the Hunt Wharf 6 and 7 Noise and Vibration Effects Assessment Report.*

5. A Port Noise Management Plan covering all activities at the port.

*Eastland Port has a Noise Management Plan in place for the Upper logyard operations in accordance with the resource consent conditions. A similar plan is to be prepared for the Wharfside logard once construction is underway in accordance the resource consent conditions. There is no Tairawhiti Resource Management Plan or other requirement for a wider port wide plan, although Eastland Port are prepared to commission one, once the noise rules in the Tairawhiti Plan are updated and made consistent with the NZ Standard NZS: 6809 Port Noise Management and Land Use Planning.*

6. A Proposal for Combined and Simplified Noise and Vibration Rules Across All Port Areas

*This is a Council matter effectively required under the RMA and the new Tairawhiti Resource Management Plan provides a vehicle for this to occur. Eastland Port are willing to assist with this work, but the formal plan change initiative is best to come 'publicly' from the Council, rather than 'privately' from the port company.*

7. Modelling for Port Noise Contours for Current, Permitted and Planned Activities

*This work is best undertaken within the framework of a Council and port company agreed plan change that is consistent with NZS: 6809.*

8. A Tabulated Summary of Noise Criteria from Council Plans and Port Resource Consents

*The Council can readily compile this information, which will be of limited relevance to a 'one-off' wharf redevelopment project that is quite different to logyard and other redevelopment projects.*

Planning

1. Updating of the AEE and Supporting Reports with Reference to the Tairawhiti Resource Management Plan.

*This has been done.*

2. Updating of the AEE to Account for Recent Plan Changes

*This has been done.*

3. Further Information in the AEE on Consultation with Iwi/Customary Groups

*This has been done (Ref. Sections 5.9 and 5.10 of the 4Sight AEE).*



13 July 2017

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**PORT OF GISBORNE - PROPOSED WHARF 6 AND SLIPWAY CONSENTS**

Further to our pre-application meeting last week, we have prepared the attached comments on the draft applications and the matters arising from our discussions.

We would like to acknowledge the opportunity for the Council processing team to review the draft applications and discuss technical matters directly with the experts who have been assisting the Port of Gisborne with the preparation of the applications.

We have prepared our comments in the attached table and given the nature of the comments and the overlapping matters between the two applications, the comments have been grouped by topic order and not specific to each separate application. In terms of the key matters, it is our view that these will need to be appropriately addressed in the final application in order for us to provide a proper and full assessment of the application. This will then lead on to our recommendations on the applications.

Our technical team will be available to discuss these comments and provide any further input and review of any additional material before the application is lodged.

We look forward to your advice on how and when the application assessment will be progressed.

If you have any enquiries regarding the content of this letter, please feel free to call me on (021 676 377) or email me at todd@planningworks.co.nz.

Yours faithfully

Todd Whittaker (MNZPI)

Key Matters for Application and Assessment	Other Matters/Comments to Consider
<p><b>Coastal/Ecology</b></p> <p>1. Information is provided on the occurrence of juvenile lobsters (including lobster puerulus) in the port, but there is little specific mention of their use of habitat beneath Wharf Six apart from noting that:</p> <ul style="list-style-type: none"> <li>o No crayfish puerulus or shrimps were observed during a daytime, intertidal inspection of the area beneath Wharf Six in May 2017.</li> <li>o Empty puerulus collectors were found.</li> <li>o “It is reiterated that the May 2017 biological survey of the Wharf 6 area did not record juvenile crayfish as present”.</li> </ul> <p>The absence of juvenile lobsters and puerulus from intertidal reef flats beneath Wharf Six is not surprising, given that crayfish are generally a nocturnal, subtidal species. In addition, not enough information is provided about the puerulus collectors found beneath the wharf to determine the relevance of the lack of lobsters associated with them (e.g. had they been there for an hour, a day, a week a month or longer).</p> <p>Additional information should therefore be provided to describe this area and put its use by juvenile puerulus and juvenile lobsters into context, both within the port and more broadly. For instance, is this the only habitat of this type in the port, and what effect would its loss have on the occurrence of lobster puerulus and juveniles in the port? Are other similar sites available in NZ where sufficient numbers of juvenile lobsters occur to observe and study their ecology? What would the loss of the Wharf Six habitat mean for the presence of lobster puerulus/ juveniles within the port.</p> <p>2. The only mitigation measure proposed for the loss of lobster habitat beneath Wharf Six is the rip-rap revetment on the slipway. Are there similar features within the port, and if so is there a history of them being colonised by juvenile lobsters and puerulus? If not, what evidence do you have that this measure will be an effective means of offsetting the loss of lobster habitat beneath Wharf Six?</p>	<p>11. Provision of monitoring reports referred to in the ecological assessment would be useful.</p> <p>12. It is recommended that advice from a lobster specialist (e.g. Prof Andrew Jeffs of the University of Auckland) is sought on assessing and mitigating the effects of the proposed activities on lobsters.</p> <p>13. Field data collected for the preparation of these assessments appears to have been largely obtained in an opportunistic fashion, rather than through robust and properly designed surveys. Given the level of future development being proposed by the port, it is recommended that a properly designed habitat, ecological and sediment quality survey be carried out to map the port area. This would enable the Port, Gisborne District Council, and the community to consider development proposals from a more informed position regarding the environmental context.</p>

3. The "Refurbishment and Toe Stabilisation of the Existing Wharf" option appears to enable habitat beneath wharf six to be retained. More detail should be provided on the selection of options, and specifically, on how ecological functions were factored into the options assessment.
4. Details are provided about a storm event that occurred during the May 2017 survey. However, more information is needed to put this event and its effect on suspended solids, turbidity and salinity into context. Information should be provided on the size of the storm, the frequency of such events occurring, and where the measured values for suspended solids, turbidity and salinity sit within the frequency distribution for such readings within the port (i.e. quantitative information on the natural variability of the parameters).
5. No stormwater treatment is proposed for around 80% of the redeveloped Wharf Six area. Please provide a rationale for the exclusion of stormwater treatment. That should include information on the activities that will be carried out in this area and their potential to generate contaminants.
6. Information on subtidal sediment quality and benthic ecology is provided in the slipway assessment, but its function is uncertain because of small sample sizes and sampling locations beyond the area likely to be effected by the slipway development. Please provide the context for this information and explain how it assists in determining the potential effects of the proposed activity.
7. Please provide comparable information to that discussed above on the subtidal species and habitats directly affected by the slipway redevelopment.
8. Sediment concentrations of nickel appear to be slightly elevated (although they remain below guideline values) in the reported data. Is this associated port activities?

<p>9. More details should be provided on triggers for the use of silt curtains during capital dredging.</p> <p>10. More details should be provided on the organic content of dredged material.</p>	
<b>Noise</b>	
<p>1. Quantitative information about the actual current noise emissions from all aspects of the port operation, including activities conducted under specific resource consents. This information should be for actual emissions that occur rather than just permitted levels that theoretically could occur. This information is to provide a baseline for assessing the actual effects people may experience. Reference can then be made to the permissible limits based on any consented levels and District Plan rule provisions.</p> <p>2. Quantitative information about sound levels from increased operational activity that is enabled by the two projects, including the cumulative sound levels with all other activities at the port. For example, it is understood that both projects are essential to allow two 200m long ships to be loaded at the same time, and for larger vessels to operate in this part of the port (including 24/7 activity). That activity is a direct consequence of these consents and cannot occur without these consents. These projects are not just renewing infrastructure, but provide more horizontal and vertical space allowing for larger vessels.</p> <p>3. Construction noise calculations that are consistent with the proposed piling methodology. There are discrepancies in the draft report with reference made to hydraulic piling in the calculations, which is not part of the methodology, and no calculations for percussive piling that is part of the methodology.</p> <p>4. Assessment of the cumulative effect of construction noise and vibration from multiple projects consented and planned at the port. Due to the way the port is segmenting overall expansion, the community is to experience a number of separate construction projects, which may give rise to a cumulative effect.</p>	<p>5. A Port Noise Management Plan covering management and monitoring of all activities at the port, and community liaison. If there is a framework implementing good practice, then effects from the two applications could potentially be best managed under that framework rather than requiring individual controls.</p> <p>6. A proposal for combined (and simplified) noise and vibration criteria that could apply to all port operations. While this wouldn't change the current district plan requirements or existing consents in the short-term, it could inform appropriate controls in conditions for these consents.</p> <p>7. Modelling showing port noise contours for current, permitted and planned activity.</p> <p>8. A tabulated summary of all the noise criteria that apply to different aspects of the port operation including from resource consents, district and regional plans.</p>

<p><b>Planning</b></p>	<ol style="list-style-type: none"><li>1. The application documentation would benefit from updating to reference the revised plan numbering of the recently adopted Tairāwhiti Resource Management Plan.</li><li>2. Assessment of the applications against the Plan Changes is recommended.</li><li>3. Further discussion around the consultation process and response from iwi/customary groups would be useful.</li></ol>





**Topics for Discussion – Eastland Port Applications 5 July 2017**

**Wharf 6 and Slipway Consents.**

Topic Area	Wharf 6	Slipway
Overview	<ul style="list-style-type: none"> <li>Overview by Port</li> <li>Any new information</li> <li>Matters for Council to respond to/comment on.</li> </ul>	<ul style="list-style-type: none"> <li>Overview by Port</li> <li>Any new Information</li> <li>Matters for Council to respond to/comment on.</li> </ul>
Ecology	<ul style="list-style-type: none"> <li>Requires further assessment of juvenile lobster habitat and in particular mitigation methods for loss of habitat.</li> <li>Levels of organic and microbiological material within the dredged material.</li> <li>Additional marine habitat and biota surveys. Need copies of previous surveys.</li> <li>Proposed months for dredging.</li> <li>Are the sediment concentrations for total recoverable concentrations? Does NV relate to No Value?</li> <li>Why was the channel not sampled for sediment quality in 2017?</li> <li>Nickel appears to be elevated has there been any source investigation in terms of the Ports contribution?</li> <li>Current compliance with the requirement for water to be 'clear' after 2 hours?</li> <li>Dredge typically has a large plume following it to the disposal zone how is this proposed to be controlled? How is the volume reconciled at the dumping ground in terms of any loss? Effects of dredging are different from ship movements and rain events.</li> <li>How is dredging adjacent to Wharf 6 proposed to be managed?</li> <li>The characterisation of dredged material.</li> <li>The results of the NIWA monitoring of the disposal site (and provision of reports).</li> </ul>	<ul style="list-style-type: none"> <li>The methods used for sampling the benthic community, e.g. whether three samples is sufficient to characterise the community, the area (or tow length) sampled during dredge tows, dredge mesh size, and the "0.5 mm nylon sock" used to sieve samples (this does not appear to be a standard method of sampling).</li> <li>Design features of the revetment to maintain habitat and attract biota.</li> </ul>

<p>Noise</p>	<ul style="list-style-type: none"> <li>• Background to existing Port practice for monitoring and compliance with resource consent/District Plan limits</li> <li>• How has noise levels from proposed upgrades been assessed against existing noise sources and background noise levels?</li> <li>• Adequacy of existing District Plan standards in terms of setting effective noise contours and noise standards.</li> <li>• Construction noise, has vibration and percussive piling been assessed as this method is referred to in engineering reports.</li> <li>• Assessment of compliance at Port Boundary vs other locations where noise sensitive activities exist.</li> <li>• Assessment of Construction noise levels along with operational noise and cumulative effects?</li> </ul>	<ul style="list-style-type: none"> <li>• As per Wharf 6 Comments</li> </ul>
<p>Coastal/Engineering</p>	<ul style="list-style-type: none"> <li>• Existing dredging consents for maintenance, but same are for capital works dredging?</li> <li>• High Turbidity Gross Pollutant Trap – other types of trap possible/consent condition.</li> <li>• Confirm the proposed new wharf footprint with the existing wharf footprint?</li> <li>• The redeveloped wharf will fall towards the outer sheet pile wall as such stormwater will naturally spill into the harbour however no stormwater collection or treatment facilities are proposed how is this area proposed to be managed? What potential contaminants are likely?</li> <li>• The proposed stormwater drainage and treatment facilities, monitoring, maintenance and record keeping can be managed via a site stormwater management plan. The monitoring needs to meet RMA S107.</li> <li>• Explain how the silt curtain is proposed to be used to control suspended sediment and turbidity? What other controls are proposed in relation to managing conspicuous change in colour and clarity.</li> </ul>	<ul style="list-style-type: none"> <li>• Is the proposal the preferred option of option 1?</li> <li>• How is the contamination within the site proposed to be managed?</li> <li>• The effects of the slipway redevelopment talks about the ‘poor’ natural water quality of the coastal waters adjacent to the slipway. Where is the data supporting this statement? I note the sampling was undertaken the day after a heavy rainfall event.</li> </ul>

<p>Planning</p>	<ul style="list-style-type: none"> <li>• Update to Tairāwhiti Resource Management Plan (Tairāwhiti Plan).</li> <li>• Plan Changes and variations</li> <li>• Maintenance dredging and linkage to existing maintenance dredging consents</li> <li>• Construction management plan – key mitigation</li> <li>• Outer Spoil Disposal Ground – existing consents.</li> <li>• Existing discharge of stormwater into harbour – will additional activity on wharf lead to more untreated stormwater runoff?</li> <li>• Coastal Environment Overlay</li> <li>• Proposed conditions – wording or intent</li> <li>• Notification Assessment</li> </ul>	<ul style="list-style-type: none"> <li>• Disposal of contaminated soil/construction waste, Wharf 4/truck movements.</li> <li>• CSMP</li> <li>• Rule 5.5.2 Freshwater Management Plan interpretation, no permitted activity rule.</li> <li>• Coastal Environment Overlay</li> <li>• Rule 4.4.6R criteria a – structure directly related to the operational requirements of the port.</li> <li>• Dredging beyond existing sheet pile wall.</li> <li>• Reclamation – dumping. Contaminants = Discretionary.</li> <li>• Notification Assessment</li> </ul>
<p>Other</p>	<ul style="list-style-type: none"> <li>• Timelines Consenting/Construction</li> <li>• Stage 2 Consents?</li> <li>• Overview of titles and landownership</li> <li>• Any issues with Council ownership of seabed? Landowner approval?</li> <li>• Implications/Integration with Council's Tairāwhiti Navigations and Inner Harbour project.</li> <li>• Customary title - Rongowhakaata</li> <li>• Compliance with existing maintenance dredging consent conditions. Where are the latest annual reports and monitoring and records data</li> </ul>	<ul style="list-style-type: none"> <li>• Implications/Integration with Council's Tairāwhiti Navigations and Inner Harbour project.</li> <li>• Construction noise – Permitted. To discuss.</li> </ul>