

Marina Society Development

TO Mercury Bay Community Board
FROM Allan Tiplady - Acting Area Manager
DATE 3 November 2015
SUBJECT **Marina Society Development**

1 Purpose of Report

To consider a long term plan of the Whitianga Marina Society for the development of its site, its effect on the adjoining Council and the access arrangements proposed, which proposes utilisation of part of the Council land.

2 Background

Discussions have been ongoing for some time between the Marina Society and the Community Board in relation to its long term development proposals. These have an impact on the adjoining Council land where the Dundas Street boat ramp is located and the reserve land that backs on to Lyon Park.

Following attendance by the Marina Society Board at the last Community Board meeting an onsite meeting was held between the Community Board and Marina Society Board to view the proposals "on the ground". Following that two further working meetings have been held between staff of the Marina Society and Community Board with a proposal developed to enable approval of the Marina Society long term development proposals and the first stage to proceed, whilst protecting the Community Board's interests and objectives for the adjoining public land.

3 Issue

In considering the development proposals a number of keys points and issues have been identified which require resolution and agreement. Attachment A is a plan of the long term Marina Society development proposals. The issues that have been identified for resolution are:

- a) The driver for the Marina is to reorganise their car parking and access arrangements to create a safer environment for its members and the public and to create the opportunity for growth of its boat maintenance activities.
- b) The main access point to the Marina car parks and operational compound is across TCDC reserve land.
- c) Part of the public parking will be on Marina land.
- d) Part of the public and trailer boat parking will be on land leased by the Marina from Department of Conservation (DoC).
- e) The first stage of development will be to construct the access road, car parking and access gates to the Marina operational area.
- f) The balance of the development is likely to have a 10 year horizon.
- g) Future development of the Dundas Street boat ramp will need to rely on maximising parking available in the area and include the land leased by the Marina from DoC.
- h) Aspects of the development proposed are subject to resource consent, which in turn is reliant on the Community Board approving the use of the reserve land for the access road to the Marina.
- i) Communication will be needed with the Coastguard and the Rugby Club to ensure they are aware of the development proposed.

4 Discussion

At the meetings held with the Marina Society since the Community Board meeting on 29 September 2015 a "Heads of Agreement" has been developed and agreed in principle subject to the approval of both the Community Board and the Marina Society Board. Attachment B is a copy of the Heads of Agreement along with a plan of the development proposal which shows the areas of land related to the issues identified above and discussed below.

- a) The general development plan for the Marina development is a positive initiative for the Mercury Bay area and its economic growth and development. The Marina intention is to develop the access road and parking areas in 2016 with the balance of the development to occur as and when demand requires. This means that the boundary fence for the current Boat Maintenance and Storage area will remain mainly in its current location. The plan attached to the Heads of Agreement (Attachment B) shows the area concerned hatched and labelled E. This means that 13 of the single car parks and one of the trailer boat parks shown on the plan would not be achievable.
It should also be noted that, apart from Area C, the public parking areas will not be developed, but remain in their current condition.
- b) Approval of the Community Board is required to facilitate the main Marina entrance point to its car parks and operational area being across Reserve Land. This will be given effect via a legal agreement to be in form agreed between the parties and will be subject to guidance and agreement of the legal advisers to both parties. Also, the Marina Society will construct the road with a bitumen surface and ensure acceptable drainage. The plans and specifications will be subject to Council approval.
- c) Public car parking is provided for over areas A, C, the land currently leased by the Marina Society from DoC and on Council public land. An agreement will be required between the parties, which grants the right for the car park area on the DoC land to be available for public use at all times. The form of this will need to be agreed between the parties and subject to guidance and agreement between the legal advisers of both parties.
From the Council perspective it will be necessary to ensure that the ability to use the DoC land and to enforce any parking charges applied for use of the area and associated boat ramp it is obtained.
- d) A resource consent application has been submitted by the Marina Society, which is on hold pending the Community Board decision on whether to permit use of the Reserve land for an access road to the Marina.
- e) The development plan needs to be discussed with both the Coastguard and the Rugby Club to ensure they are aware of the proposals and their use of the reserve land is not significantly impacted.

5 Suggested Resolution(s)

That the Mercury Bay Community Board:

1. Receives the 'Marina Society Development' report, dated 3 November 2014.
2. Approves the development proposal of the Whitianga Marina Society and its impact on adjacent Thames Coromandel District Council Reserve Land subject to:
 - a) The Heads of Agreement as set out in Attachment B to the report to the Mercury Bay Community Board dated 3 November 2015.
 - b) Completion and the agreements as provided in the Heads of Agreement to the satisfaction of the Councils Legal Counsel.

References-Tabled/Agenda Attachments

Attachment A *Marina Society Long Term Development Plan*

Attachment B *Heads of Agreement Between the Marina Society and the Community Board / Council with Attached Plan*

Attachment A - Marina Society

Attachment B - Marina Society