

Proposed Natural Resources Plan:

Submitter:

**Friends of Taputeranga Marine Reserve
Trust**

Submitter Number:

S69

24 SEP 2015

Proposed Natural Resources Plan for the Wellington Region (31.07.2015)

To whom it may concern,

We would like to provide some feedback on the above-mentioned plan, currently out for consultation.

The Friends of Taputeranga Marine Reserve Trust was formed in October 2009 to help ensure that the full range of the Marine Reserve's potential benefits could be realised and to give the community both a voice and an involvement in its future. The initiative for the Trust has come from individuals who have either been involved in the establishment of the marine reserve or who have provided crucial support for it from within the local and wider Wellington communities. The Trustees represent or have had experience in marine science, the local community, commercial and recreational diving, central and local government, conservation and marine users. The Trust works closely with the Department of Conservation and the other groups or individuals with a major stake in the marine reserve, including the community. We will only make comments on the parts of the plan, which we feel are within the remit of the Trust and have therefore not commented on the air quality chapter. Below are comments on specific sections of the plan.

We have been involved in a previous version of this plan. We would like to note that although we asked for tracked changes documents, this was not considered. We also note that the numbering of policies and rules have also changed, with no map to be able to compare the present document with previous versions and comments. Finally we note that most of those comments we made seem to not have been heard, and we attach our previous submission for your attention. Below are some general points on the document presently open for consultation.

On behalf of the Friends of Taputeranga Marine Reserve Trust

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Policy P3: need to clarify what the precautionary approach is towards, which is the natural environment through minimizing the impact on the environment. It seems trivial but the fisheries act had the precautionary principle, which was successfully challenged in court by fishers saying it was precautionary towards economic interests and not towards fish population for example.

Policy P7: the economic and social benefits of aquaculture are recognized, but must be balanced against environmental impacts. Some aquaculture practices have a huge negative environmental impact and blanket support should not be provided like that.

Policy P32 is still missing “minimize” as another option after “avoid” and before “remedy” of adverse effects. Same as P42 etc.

Policy P67 is against policy P7 which states the use of fresh water body as cleaning, dilution and disposal of waste water. That part of P7 should be removed or softened.

Policy P73 on stormwater should also include a catchment-based approach to stormwater management (present in P74 but obviously missing in P73).

Rule 127: We applaud that piping of streams is deemed a non-compliant activity and all efforts should be made to daylight currently piped streams.

Rule 153, removal or destruction of a marine structure, should be balanced against leaving it there to rot.

Rule 191: beach grooming should be at least a Discretionary or Restricted Discretionary activity (if not non compliant) within the marine reserve area and other sites of significance. The supra-littoral zone is vitally connected to the intertidal, with significant nutrient interchanges for many small marine and shoreline animals.

Schedule F2c (birds-coastal) should also include the entire south coast, critical for penguins in particular, and dotterels in some places, and make shore-based activities non-compliant.

Method M22 on coasts: “engage with mana whenua, agencies, AND community groups that have governance responsibilities and INTEREST in the coastal marine area”. We support the will to have a general plan, but wish community organizations such as ours to be involved in the process. Not to do so would be contrary to the governance trend in New Zealand as voluntary groups are sought out to carry more of the conservation load.

Schedule F5: Add Moa Point to the giant kelp beds (in particular in the bay across from the dog pound).

**Greater Wellington Regional Plan: Working document for discussion
(August 2013)**

To whom it may concern,

Thank you for the opportunity to provide comments on the working document mentioned above. Hopefully they will not all be superseded by new versions yet. We would like to congratulate the Greater Wellington Regional Council on a very inclusive process with stakeholders and are looking forward to working in collaboration with the Regional Council on developing this plan further.

The Friends of Taputeranga Marine Reserve Trust was formed in October 2009 to help ensure that the full range of the Marine Reserve's potential benefits could be realised and to give the community both a voice and an involvement in its future. The initiative for the Trust has come from individuals who have either been involved in the establishment of the marine reserve or who have provided crucial support for it from within the local and wider Wellington communities. The Trustees represent or have had experience in marine science, the local community, commercial and recreational diving, central and local government, conservation and marine users. The Trust works closely with the Department of Conservation and the other groups or individuals with a major stake in the marine reserve, including the community. We will only make comments on the parts of the plan, which we feel are within the remit of the trust and have therefore not commented on the air quality chapter. Below are comments on specific sections of the plan.

We would like to be involved in the further development of the final document, and potentially in the Wellington catchment Whaitua.

On behalf of the Friends of Taputeranga Marine Reserve Trust

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- **Objectives**
 - If objectives are changed, can further documents be track-changes or documented for clarity
 - 3.10 Objective RP.019 Why is there no specific Wellington Harbour? We should have one that's replicating it: RP.019a The regionally significant amenity, recreational, ecological and cultural

values of Wellington Harbour are protected, maintained and enhanced.

- 3.15: water bodies and coastal water should be defined in the glossary, to specifically include the harbours.
- RP.033: should have a minimum time constraint and quality level to improving the water body over time even if the Whaitua then can make it more stringent.
- RP.048: "The benefits of environmentally sustainable aquaculture are recognized", need to define environmentally sustainable, some would argue that anything but mussel farming is highly damaging to the environment.

- **General policies**

- Policy GP.P5:
 - Does it include stormwater or only sewage? Should it?
 - (a) why 2025 and who specifies what high ground water table levels are, and why dispensation at high ground water table levels?
 - (c) why not with community as well as tangata whenua?
- Policy GP.P7
 - (d): surely the removal of dangerous or derelict structures {...} is only carried out provided the environmental impact of removing the structure is lesser than that of leaving the structure in place?
- Policy GP.P8:
 - (k): the use of fresh water body as cleaning, dilution and disposal of waste water goes against GP.P5. It should be removed
- Policy GP.P11
 - (a) surely minimized too? (as well as avoided, remedied or mitigated for adverse effects on the environment)
- Policy GP.P15:
 - (a) should also cover underwater vegetation and cover (not just land cover)
 - (b) should also include animal life currently there or potentially recolonising (as well as physical processes)
- Policy GP.P16: Include in the high natural character not only landscape but also marine scape (seascape?) and cover, and also support of wildlife (current or potential)
- Policy GP.P22: there's no marine environments in schedule D, this policy should also include the water bodies in schedule C such as the marine reserve, or move those to schedule D?
- Policy GP.P27:
 - need to clarify there (and everywhere else) that coastal water bodies include the harbour.
 - Add (l) minimized adverse effects on the health consumption quality of seafood / mahanga kai for harvest

- Policy GP.P33: Wellington harbour should have policies such as GP.P29 and GP.P31 which Porirua harbour also has (GP.P30 probably not relevant for Wellington harbour)
- Policy GP.P38:
 - (a) Might want to change the wording from free of pollutants to something more achievable. With the modern detection capacity there will always be pollutants measured.
 - (c) How do you want to achieve this since the limits are set by MPI.
 - (c) Recreational gathering should also be considered there. Should be enough to support recreational gathering as well as Maori customary harvest.
- Policy GP.P43: The work is only halted while the archeological discovery is recorded? And then it can be wiped out regardless of value? Should there not be more protection?
- Policy GP.P45: add to the policy “and it cannot be restored at a reasonable cost”.

- **Land and water**

- General comments:
 - How are the targets in schedule H going to be monitored? How often, where, and by whom. How will we ensure statistical robustness: enough replicates to make sure we are measuring a change or something on the other side of a threshold.
 - In terms of process, there should be at least a minimum standard to be met within a specified timeframe, which the whaitua might decide to make tighter. In other words an agreed worst-case outcome for the entire region.
- Policy LW.P5: should have an equivalent for the discharges to the harbour and coast. Even though they are qualified as high energy environments, there are limits to what should be discharged there, particularly near beaches for coastal discharges.
- Policy LW.P12
 - (a) should have a similar equivalent to schedule C marine habitats, sediments in the marine environment is also a problem.
- Policy LW.P19
 - (c) should include sediments as well as contaminants
- Policy LW.P20
 - (b) What is a rainfall event of medium intensity? Technically it means half the time it rains it's ok to have discharges of raw sewage in water bodies? And if we consider long term rainfall events then it would become more than half the time it rains with the increase in storm events? Can we have a hard number? Reduce to 5 events a year or something?

- Policy LW.P22: Anything in schedules C and D should be specifically mentioned and given priority
- Policy LW.P23
 - (c) add schedule C
- Policy LW.P29: should have a best practice plan in place that can and will be checked (increased compliance check costs)
- Policy LW.P43:
 - (b) should have plan by the owner, the onus should be on the owner and not the Council.
- Rule LW.R1:
 - (d) (i) add marine reserve
- Rule LW.R23
 - (c) should it not be like fertilizer and be about the capacity of the land to use the compost rather than a fixed nitrogen loading value?
- Rule LW.R25
 - (b) (i) add within 10m of a bordering property, thinking mostly about organic farms etc. Could also be applicable to LW.R23 (a)
- Rule LW.R32:
 - (c) how is the coastal marine area defined? High water mark or other? Should be in the glossary at the start.
- Rule LW.R37:
 - (b) add sediment as well as contaminant, or define contaminant to include sediment (throughout)
- Rule LW.R51:
 - Add condition (c) asking for methods of erosion and sediment control (as per condition 6 below in rule LW.R52).
 - Maybe add conditions similar to those of rules on livestock
- Rule LW.R53:
 - Why is the threshold 3000m² when the one above is 1500m², should it not be the same? Also should it not be in m³ and not m²?
 - Why is it that only rule LW.R53 should be prepared in accordance with the Erosion and Sediment Control Guidelines? Should it not be applicable to all rules on earthworks?
- Rule LW.R64:
 - (j) Surely the activity should comply with the General Conditions for activities in significant wetlands, otherwise they have no more protection than natural wetlands. This comment applies also to rule LW.R67 for outstanding wetlands (condition h).
- Activities in beds of lakes and rivers
 - This is section 67.52, it doesn't seem to have a rule number associated with it
 - Section (i) chapeau (i) and (ii) are more lenient than the regulations for cattle (e.g. rule LW.R46)!

- would suggest chapeau (i) is way too lenient: sediments for 12 hours a day for 5 consecutive days might well kill all the biota there.
 - Chapeau (ii) should at least be as per cattle rule: no more than 33% change in colour or clarity 50m away from the site. Currently it's 30% 24h after the completion of the activity
 - Water allocation (section 6.53): general comment: this does not tackle the issue of the allocation of water over the entire course of a stream or river, or a bore. It only limits what each individual can take. A holistic approach is likely needed to avoid running out of water at the other end.
 - For example rule LW.R94 (d) the 50% could be taken by a single user? Or why would the last user on the river be penalized?
 - Rule LW.R90
 - (a) should have the installation of a water meter in order to be consistent with rule LW.R91 and also be controllable.
- **Coastal management**
 - Policy CM.P3:
 - Add (e) to have a whole of life plan for new structures, including maintenance and disposal
 - Policy CM.P5: need to clarify what the precautionary approach is towards, which is the natural environment through minimizing the impact on the environment. It seems trivial but the fisheries act had the precautionary principle, which was successfully challenged in court by fishers saying it was precautionary towards economic interests and not towards fish population for example.
 - Policy CM.P6: what does that mean? Is that a blank check statement?
 - Policy CM.P39: the economic and social benefits of aquaculture are recognized, but must be balanced against environmental impacts. Some aquaculture practices have a huge negative environmental impact and blanket support should not be provided like that.
 - Coastal management rules
 - General point for all rules: any activity in the marine reserves have got to comply with DoC Marine Reserves act as well, including the need for documentation etc. This might be best put in schedule K, with something in the introduction here
 - Also anywhere rules apply to areas identified in schedules (C2c, C4, C5, O) and sometimes B should also apply to schedule D, or at least marine reserves. For example dredging should not be permitted in marine reserves (CM.R42).
 - Rule CM.R18:
 - Add (m) that the removal of the structure has a lower combined environmental and social impact than leaving the

structure where it is (essentially to rot away). There are times when removing structures just doesn't make sense.

- Rule CM.R31: is beach grooming a permitted activity in Houghton Bay? Princess Bay is listed but not Houghton bay.

- **Schedule C5**

- Giant kelp: add Moa Point

- **Schedule H**

- Maximum etc is misleading if there's only been one point. See general comments about statistical robustness and replicates etc
- E-coli limits (and pathogens): add in shellfish too?
- Table H1.2
 - Do not have low flow and moderate flow but fixed volumes. A small river at high flow might be used for recreation yet a large river at low flow might not be used for recreation. The aim was contact but I think it's flawed.
 - Make sure small rivulets are preserved, they might be the most used by small children.
 - Should have pathogen markers for where there is likely wastewater treatment contamination, since they treat for e-coli but might not treat other pathogens which pose a human health risk
- Table H5.1
 - Should have targets for C4 schedule (marine areas) with sediment and clarity targets at least.
 - "Taonga species are present in quantities, size and of a quality that is appropriate for the area": how are you going to define these, monitor these, and have any impact on these? Catch limit is of MPI resort, and is the most important factor for quantity and size. Quality could indeed include pollution etc which the Council might have an impact on...

- **Schedule K**

- As discussed above, should be something here about the Marine Reserves Act and the need to obtain further permits for specific activities from DoC.
- 1. It should be made clear that impacts of disturbance should be minimized. For example not drag an anchor point along the seabed when you can float it. It has happened.
- 10. Discharge of sediment, as discussed above is too lenient and should be aligned with cattle rules for example. In effect have no more than 33% 50m away from the source, rather than (or as well as) just more more than 30% 24 hours after the completion of the activity.

- 16. (b) make it clear that detrimental to wildlife includes marine wildlife. Studies have showed that marine bioluminescence has been impacted by city lights. We have no idea what that does to the marine environment.
- 17. Pertains to the noise in the coastal area created by the Commercial port area. Why is there not a similar rule for noise created by the airport, or is it somewhere else? Why do the rules differ: 7am to 11pm for port and 6am to midnight for the airport (?).

