

Kenpuru and Central Sounds Residents' Association

Marine Subcommittee Report to 2019 AGM

The Committee is involved in a number of substantive matters involving the much-treasured marine space of the Sounds. As always, bringing about sustainable change takes longer than you first think but we did manage to make progress in some areas, particularly as the new Government finds its feet.

1. **Court of Appeal Case:** Back in 2015 the Marine Subcommittee advised the AGM of its plan to bring some sanity to the seemingly endless sprawl of new mussel farms in the central Sounds. First we wanted to get some case law in our favour and then influence the appropriate sections of the upcoming Marlborough Environment Plan (MEP). Our first Environment Court case was sorted fairly quickly in our favour with important findings as to landscape and navigation issues.

2. The second (started at the same time) proved rather more problematic as the mussel farmer applicant kept on appealing against the rejection first at the Environment Court, then on four points of law to the High Court and then on one point of law to the Court of Appeal. As many of you will be aware, they lost again at the Court of Appeal – the point of law argued, however interesting, was of no consequence on the facts of the case.

3. This case has proved a watershed decision in terms of establishing that the cumulative effects of continually chipping away at the foraging habitat of the iconic, unique-to-the-Sounds and critically endangered King Shag cannot go on. So we did it!

4. **Aquaculture Review Working Group:** This group was convened by Council to garner further input in preparation for the release of the missing aquaculture chapter of the MEP. Trevor Offen, supported by Hanneke Kroon, has been our expert representative. As noted at last year's AGM, this has been a gruelling process, which finally seems to be winding up with the next meeting on 15 April. I will ask **Trevor** to say a few words at the AGM on this topic.

5. **Recent Mussel Farm Renewal Applications:** Beginning late last year, we noticed a wave of early renewal applications from existing mussel farms. Most of these applications seemed to be in King Shag foraging area. We suspected applicants were concerned about how their licences might be treated under the MEP and were jumping the gun. Our main researcher, Hanneke, also noted that a number of these applications were claiming "like-for-like" status or in other words, there was no change but on review, we saw there was. We decided we had better defend our hard-won case law. We were disappointed at a fairly laid back attitude from Council and picked out a number of the more egregious applications and made submissions.

6. We have had some initial discussions with one applicant who has put forward six applications and we will see where we get.

7. **Matters on Hold:** At last year's AGM, we noted a couple of developments that had been progressed under the last Government and were now under review by the new

Government. I refer to the National Environment Standard for Aquaculture and the MPI push for new salmon farm locations for King Salmon.

8. As at writing, these matters were still under review.

9. **Scallops:** As noted at last year's AGM, we were optimistic that with a new Minister of Fisheries, we actually might make progress in our campaign to save the threatened Sounds scallop resource by becoming part of the management process rather than merely a consultee.

10. I am very pleased to report that this is exactly what has happened.

11. The Association along with our alliance partners (Pelorus Boating Club, Marlborough Recreational Fishers Association) are representatives on a ministerial-sanctioned working group.

12. Learning from hard experience, this time we made sure we were prime movers in the drafting of the group's terms of reference (see our website www.kcsra.org.nz). After a bit of hesitation, Iwi (both local and national) have come on board. Getting some objective science around what a rebuilt Sounds resource might look like in terms of biomass reference points, exploitation rates and so on have proved more time consuming than originally envisaged. However, we seem to be getting there.

13. The group is now at the stage of thrashing out a draft strategy document as to the future management of the Sounds scallop resource for public comment. In May a further biomass survey is programmed. So let's see what that brings forth in terms of whether or not biomass levels have recovered after two seasons of closure.

Conclusion

The Association has not lacked ambition in terms of trying to do its bit to ensure the Sounds becomes a sustainably functioning ecosystem with landscape and natural character values protected and enhanced for the enjoyment of current and future generations of New Zealanders. We have made notable progress in some matters with other matters still works in progress. We will keep at it.

Andrew Caddie
Chair
Marine Subcommittee

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