

Kenepuru & Central Sounds



Kenepuru & Central Sounds Residents Association Inc.

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23 August 2016

Dear Sir/ Madam

Submission on Marlborough Environment Plan (MEP) Miscellaneous Matters

1. I am presenting this submission on various aspects of the MEP relating to Commercial forestry activities in the Marlborough Sounds in my capacity as President of the Kenepuru and Central Sounds Residents' Association (**KCSRA**).

Who are we

2. KCSRA was established in 1991 and currently has over 260 household members whose residents live full-time or part-time in the Kenepuru and Pelorus Sounds. The Association's objects include, among others, to coordinate dealings with central and local government and promote the interests of residents of Kenepuru Sound and adjacent areas, and to promote and act in the best interests of residents, ratepayers and persons associated with the Kenepuru and Central Sounds area.

What do we do

3. KCSRA works hard to represent our members on a range of issues. For example, advocating for better and safer roads and provision of public amenities in places of high visitor use, liaison and representations to the local council and central government, and involvement in local environmental/conservation issues. To see a fuller description of our activities then you should visit our web site and look under the "Public Documents" section (www.kcra.org.nz).

Kenepuru & Central Sounds Residents Association Inc.

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Why this wrap up Submission

4. As you will be aware KCSRA has put considerable effort into researching and preparing substantive high level submissions on various topics of important policy significance eg a response to the way the MEP proposes to handle Landscape and Natural character issues, and the perceived policy oversights in the handling of Commercial Forestry activities in the Sounds. However, in the course of the KCSRA working group traversing the various volumes of the MEP a variety of various lesser but still important issues were noted which we now intend to address in this submission. In no particular order we note the following.
5. **Notable Trees - Chapter 10 Volume 1:** KCSRA **submits** in support of the need for the MEP to have objectives and policies around these important matters canvassed in Chapter 10 of the MEP. Accordingly, we **submit** in general support of the issues, objectives and policies of Chapter 10 Volume 1. In terms of Objective 10.1 and Policy 10.1.3 (identifying for protection), we note we have already made a submission in support of a protective designation for the Torea Saddle War Memorial (which members of the KCSRA have been active in having refurbished and enhanced). Another member also noted the historical and other significance of the 90 year old plus grove of 4 large fine specimens of historic Norfolk Pines in the Portage public carpark. Accordingly, we **submit** that Policy 10.1.3 is particularly pertinent to these trees which, we **submit**, should be designated as notable trees and marked as such in the MEP. In terms of the final section of Chapter 10 re monitoring the effectiveness of objectives and policies as it relates to notable trees, we **submit** in support of the proposed regular survey. However we **submit** that the surveys should be carried out at 7 year intervals not 10. We also **submit** that the wording concerning the ambit of the survey needs to be expanded to make it clear the survey should not only identify the condition of notable trees but also be required to identify any remedial action arising from such survey.
6. **Chapter 3 Volume 1 - Tangata Whenua:** We note approvingly and **submit** in support of the Council's view that the relationship between Tangata Whenua/ local Iwi is **not** that of a Treaty of Waitangi partnership via for example some interpretation of the common law relating to agency. We agree and **submit** in support of the Council position that there are only two treaty partners (the Crown and Maori). We concur with the Council view that any Treaty obligations of the Council are only imposed through express wording in statute - such as the RMA imposed requirements.
7. **Chapter 16 Volume 1 - Solid Waste:** We **submit** in general support of Objective 16.1 and associated policies. However, there is an obvious flaw/omission in this Chapter - once again the particular needs of the "Jewel in the Crown" are overlooked. Council provided domestic waste disposal facilities in the Sounds are rudimentary consisting of one stop coin operated skips. It is time, we **submit**, that the Council took more informed and vigorous steps to make available more recycling opportunities in more remote but tourist and other visitor heavy areas such as the Sounds. We **submit** that this needs to be highlighted in the MEP by inserting in this Chapter an express policy to review and improve waste disposal and recycling opportunities for residents and visitors in the Sounds and other more remote areas. The vague implementation method wording of 16.M.4 needs, it is **submitted**, to be buttressed by express targeted policy wording.
8. The KCSRA notes that it is customary for Council to plead poverty at this point. However, KCSRA is well aware that Council receives a pro rata share of the central government waste

levy funding as well as being able to also make applications for funding for waste minimisation projects to the Waste Minimisation Fund directly.

9. KCSRA would be pleased to assist and guide the Council in terms of how it might more effectively go about securing funding to assist in long overdue waste recycling initiatives in the Sounds.
10. **Climate Change - Volume 1 Chapter 19:** This chapter touches on an increasingly recognised and accepted issue in very general terms with a little specificity around, for example, flood hazards and freshwater allocations. So we **submit** in support in equally general terms. Our caution is that we at KCSRA are already having to address with, it has to be said, a seemingly reluctant Council over issues concerning the vulnerability of certain low lying roads in the Sounds and their susceptibility to coastal erosion from storm surges associated with rising sea levels. Accordingly, we read with interest Objective 19.2 and in particular Policy 19.2.2. As we read it (and the wording of method of implementation 19.AER.3 supports our interpretation) this policy only applies to **new** infrastructure not **existing** infrastructure such as we are engaged in discussions with Council over. On the assumption we are correct, it is **submitted** that this is most unfortunate and we **submit** that in keeping with the requirements of avoid, remedy and mitigate there needs to be a clear Policy in Chapter 19 requiring Council to review existing Council infrastructure such as roads in the context of this issue and report as to what measures/ steps need to be taken to either protect it and/or replace it.
11. **Issue 5 J - Coastal Occupancy Charges for moorings, jetties and boat sheds:** In mid 2014 the Council issued a discussion paper on a proposed Framework for Occupational Charges and KCSRA submitted. See our submission dated 18 August 2014. Our members had both formally and informally made it clear to us that they opposed the proposed regime as it was to apply to moorings, jetties and boat sheds. As can be seen from our earlier submission the basic point was that the primary driver behind these proposed charges was to rectify years of neglect in terms of carrying out environmental research and monitoring on the adverse effects of marine farming. Quite reasonably our members could not see the logic or need for a contribution to come from anybody but the marine farming industry.
12. However, based on the content of the MEP on this matter the Councils position has not changed and we have no reason to believe our members have changed their views. Accordingly KCSRA **submits** in support of a occupational charging regime for coastal permits issued in respect of existing and new marine farms for the purpose of sustainable management of the Coastal Marine Area. We **submit** in opposition to that regime being extended to coastal permit holders of moorings, jetties and boat sheds and repeat the reasoning set out in our earlier submission. In short there is no reasonable case for it.
13. Assuming Council continues to press ahead on such a levy for moorings etc., we also note our concern that this time round Council has, in the MEP, elected to withhold the proposed formula or similar by which the actual charge will be derived. Rather it is proposed to set the charge on an annual basis in the annual plan round. We **submit** in opposition to this approach. As we see it the well resourced and influential marine farm sector will be able to easily manipulate this approach whilst it creates the maximum difficulty for effective participation and/or subsequent appeal by individual permit holders of moorings etc.,.

14. Last time round Council proposed a grossly inequitable charging formula whereby marine farmers on a square meter basis paid as little as 2 cents per square meter but mooring and jetty permit holders were to pay 2 to 3 dollars per square metre! The approach proposed will, it is submitted, cement these sorts of inequities into what is already a flawed regime.
15. Finally we note that it is proposed in the MEP that rate payers pay 25% of the total annual budget with the balance coming from levies. There is no narrative to support this level of contribution particularly given the many years in which the matter of rate payer contribution was brushed aside.
16. **Appendix 25 Volume 3 - pest plants species:** A long serving and well respected KCSRA member kindly supplied a copy of his submission on the state (poor) of many Council reserves in parts of the Sounds as result of the presence of certain types of invasive plant species. We urge the Council to take on board this submission by taking greater ownership and actively remedying the state of many Council reserve areas. In particular we **submit** that the list of identified plant species in Appendix 25 of Volume 3 of the MEP be extended to include Old Mans Beard (*Clematis vestalba*), Banana Passionfruit (*Passiflora* sps) and Gorse (*Ulex europeans*).
17. **Council Assistance to Community Groups - Policy 13.4.2 and 8.2.12 - Volume 1:** We submit in support of these statements and that Council support could run to financial support. Both these policies acknowledge the important role the vigorous, active and effective community groups can and do play in the context of protecting and managing local fisheries and indigenous biodiversity. In the context of Policy 8.2.12, in our targeted submission on that Chapter, we note the various concerns and recommendations we make. We urge the Council to take careful note of the views and recommendations expressed there.
18. In this submission we are particularly focused on Policy 13.4.2 and how Council might see itself as already "walking the talk" of this policy intent with its significant funding of the Marlborough Marine Futures initiative. We appreciate the ambition of the MMF vision but wish to sound a few notes of caution. As we calculate it the Council has had two attempts at supporting a MMF structure and vision and to date probably spent or committed over \$100,000.
19. It is fair to say that the initiative has to date returned only promise as opposed to concrete results. The current prognosis is that there is still some way to go. We submit that Council, in the context of policy 13.4.2 (and 8.2.12), needs to carefully consider the well known adage of "*reinforce success*".
20. By way of example over a similar time period KCSRA has achieved (in alliance with other local organisations) concrete results in terms of protecting the Marlborough Sounds Scallop fishery from continued unsustainable commercial exploitation. We have also made (in alliance with other local organisations) real strides at the Environment Court level in terms of calling a halt to the endless sprawl of mussel farms in the excessively farmed low flush bays like Beatrix Bay with consequential adverse impacts on indigenous biodiversity. What we are saying to Council is that you need to also spread this type of funding around established successful community and other groups and not concentrate all your efforts (and allocated funding) on just one initiative.

21. KCSRA would like to have the opportunity to appear and be represented at the MEP hearings

Yours sincerely


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