

OMOKOROA ENVIRONMENTAL MANAGERS INC (OEMI)

SUBMISSION TO THE PROPOSED REGIONAL COASTAL ENVIRONMENTAL PLAN  
AUGUST, 2014

We have consulted and worked with the Waikaraka Estuary Managers (WEM) since our incorporation in 2008.

The submission which WEM has made to the Regional Coastal Plan reflects in detail the interests and concerns of OEMI and the Omokoroa community and with the permission of WEM we ask for OEMI to be associated with the WEM submission, a copy of which is attached.

We would draw particular attention to the section on Activity Based Policies p78-83 (WEM p3 points 1 through to 11 )

With reference to Omokoroa we would draw attention to

Issue 42 Harbour Development Zone

Omokoroa has had a long history of involvement with the Tauranga Harbour. Omokoroa peninsula and its urban and hinterland growth is dependent on access to the harbour. In the future greater access will be needed.

We submit that the HDZ be extended north of the Omokoroa Domain to cover the area east of the Crapp Reserve and below the cliff to the northernmost point to allow for future planning of infrastructure and to relieve the pressure on Omokoroa.

OEMI further submits that at the Kotuku Reserve at Plummers Point an HDZ be included around the area between the jetty and the boat launching ramp to allow for the future planning of infrastructure and to relieve the pressure on Omokoroa.

We are pleased to have the opportunity to offer comments on the plan and would wish to be heard.

Marny Bradley For the OEMI committee



20/8/14

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## Waikaraka Estuary Managers Inc

### Submission to Proposed Regional Coastal Environment Plan August 2014

**Our Vision is** -a partnership of community and official agency resources, working together to maintain and further improve the total environment of the Waikaraka Estuary and its land catchment.

This has remained our basis since the first discussions to form a care group in 1998.

Our guiding quote has always been

**“coming together is a beginning  
keeping together is progress  
working together is success” - Henry Ford**

Therefore we are making this submission to emphasise to you that our Te Puna community is concerned for the future of our coastal marine environment. In particular we seek to ensure that there is a positive future collaborative relationship with the Regional Council and that our issues are adequately considered during this Review process

WEM commends the clear English and layout and the detailed Definitions section of the document and we accept staff assurances that all previous relevant submissions and evidence from Care Groups have been given fair weight in the Policy development.

We note the accompanying 124 page review of the current RCEP and although we accept that these findings are not the focus of this process we do question several of the AERs stated regarding the issues in which we have an interest

It appears an oversight that none of the consultation documents that have been made generally available to the community referred to the detailed statutory analysis being available in the 460 page S.32 analysis report. This document is overwhelming, but does offer further data for those considering particular aspects. The preferred Option 1 compared to the status quo Option 2 template layout, frequently opens up questions on the basis for the analysis. Eg P.37 on social benefits says “lack of protection would be a cost to the wider community generally”. We could argue that the status quo is more permissive of meeting biodiversity goals within current principles of good practice.

### **WEM submits that the following matters require further attention**

#### **Issues**

1. p.11- Issue 7 – needs rewriting to particularly emphasise the priority for ongoing engagement, information sharing, incentives to maintain and further extend the interest of volunteers and students ( we all know that it is easy to lose the support of community groups, tangata whenua and property owners if the Regional Council does not continually acknowledge and support efforts and proposals from the community.)
2. p. 12- the Water Quality issues are all supported

3. p.13 – issues 15 and 19 – these statements are limiting in that not only iwi and hapu but the wider community share these same values and concerns. However, few in our region are “dependent” on the coastal environment as a source of food but many living in the region are spiritually uplifted and enjoy a range of recreational activities through their attachment to the coastal environment and waters. An inclusive statement is recommended
4. p.14 – especially endorse the Issues 26-30 and the need to balance the four wellbeings when developing policies and implementing regulations
5. p.15- issue 34 - this reference to the accelerated mangrove spread could be seen to imply it is due to activities in the coastal marine zone, but it is more complex than that. We welcome the issue being specifically acknowledged, but query why the environment has been omitted in the compromised values. WEM has evidence that clear water can enhance biodiversity and significant research supports this. Please include 'environment' in the last sentence

### Objectives

1. Obj . 1 – support, but request that (b) adds with integrated planning with territorial councils. - eg in coastal landuse consents and for stormwater catchment plans that include residential and industrial areas as well as coastal margins
2. Obj. 3 – support, but need recognition also of native fauna including clear bird roost areas
3. Obj 5-11 strongly supported, but Obj 9 needs to also incorporate recognition of residual contamination problems from unresolved issues of coastal community septic tank effects. eg Te Puna West
4. Obj. 22 – add appreciation of coastal biodiversity and fish diversity. - eg bird watching, estuary kayaking and children's fishing from jetties
5. Obj. 36 – strongly supported but request that add “within agreed consent frameworks that avoid ongoing litigation”. This provision or similar wording would give us more certainty.
6. Obj. 40 – all communities support this, but we request that added at end is “ and adequately resourced”. Already our harbour is at risk from introduced species.

### Policies

1. Accept IBDA A and B zones as preferable to CHPZ, but require more clarification in these descriptions of the hierarchy, the way in which the decisions on boundaries were made based on the Wildlands Report, and the implications for care groups and adjacent property owners. It appears that many property owners may have received a brief notification letter, but have not appreciated the possible future implications. Some only have predominantly wild willow vegetation. This restricts a range of native species. More communication is required on this matter . We have been concerned in the past about the restrictions that these zones create on effective management of invaders and the incursion of mangroves into coastal wetland areas.
2. NH 7 – support and request that this also includes and “with priority given to being adequately resourced to implement the necessary measures
3. NH8 – strongly supported, but question the low baseline measure in this policy and request adding that priority is given to restoring known previous natural areas” - or similar words. We have evidence of earlier natural coastal environments that did have these qualities. Using the words net loss is too weak a standard for this significant policy statement. Please amend to words such as “seek restoration of”
4. NH 11- the principle of Biodiversity Offsets is accepted. However we request that this policy principle is specifically stated as being required to be applied when considering the impacts of mangrove removal. We are unaware of this being specifically examined in our region, but from our experience the merits may well offset any possible unproven impacts. It

should not just be for infrastructure or man made impacts but also stated to include mangrove management considerations.

5. WQ Policies 1-6 – we support these policies but request extra emphasis on the value of clear estuarine waterways in reducing sedimentation and encouraging free water flow. There appears to not be any direct linkage in these policies that relates on site property management measures to flow on effects on the coastal margins
6. WQ 4 – Please reword, as mangrove removal should not be directly linked in a sentence to dredging. - strongly support a) to d) – Please clarify that this implies that mangrove removal reverses sedimentation. This has been contested against WEM evidence and we object to linking the two activities so directly in this Policy.
7. 15 – (e)viii – please add a definition of seiche effects
8. WEM supports these specific RA recreation access and open space policies. We request a direct reference to permitted vegetation clearance at the end of paper roads or public accessways to allow public access to harbour or estuarine water. This needs addressing for future protection of access in a number of areas of our harbours in RA 3 and in RA 8 as a new (c)

#### **Activity Based Policies and Rules**

1. P.78-83 – These DD policies 16-21 appear to allow discretion with the use of 'should' or 'may' – From recent RPS Environment Court experience we regret that this section is not clear. - eg DD16 and in DD17 there is the use of the word "avoid. How is this defined in law?" It appears that consents will be regularly required and are likely to end up in an adversarial situation in Court. We suggest that Care groups in the Tauranga harbour area no longer have the level of enthusiasm, resources and trust in the processes to wish to actively pursue consents with little guarantee of a satisfactorily negotiated result.
2. It appears that the evidential knowledge and research experience from years of hands on volunteer measuring and knowledge sharing by care group volunteers is given little value in contrast to 'hired expert' witnesses who have spent very little time examining the local ecological mix.
3. A number of mangrove areas appear especially in IBDA B. and we have real concern at how this zone will be assessed for significance for mangrove management to address spread across the smaller estuaries.
4. We request clarification in the document eg P. 79 - DD18 which states requirements for removing mature mangroves. Who is responsible for preparing these (a) to (c) requirements and the wide ranging documentation for Policy DD20? The care groups generally do not have this capacity or the inclination, and will be reliant on Regional Council resourcing. This is not stated anywhere and should be part of the Policy or Methods. We already observe lessening interest by care group members in formal consultation and RMA processes due to the perceived inequities in the consents processes.
5. We again reiterate earlier requests to Regional Council that this section is rewritten to incorporate general consent for removal of mangroves under specified conditions to specific identified areas of Tauranga harbour – similar and complementary to the IBDA zones. This would give security for future planning to groups wishing to offer good stewardship to their local approved zones and avoid regulatory obstacles, costs and frustrations. Our general understanding of the National Coastal Policy Statement suggests that this regional interpretation of its provisions is possible.
6. Rule DD19 on p.81 causes real concern due to the apparently arbitrary nature of these measurements. We can see no supporting analysis in any of the background analysis reports of options or the effectiveness. 30 square metres may only cover a few plants and yet these would have significant impact on a recognised IBDA A where we know they can affect coastal natural wetland vegetation. Likewise we find the 200 square metre rule impractical

and difficult to monitor. We assume we could leave an adjacent 200 s.m. for the next year and then remove the next 200 s.m. and be acting legally. Please delete this (b) (i) and (ii) unless more practicable and less restrictive provision is introduced. It is not clear to have two sets of DD19 clauses numbered (a) and (b)

7. In the second DD19(a) this implies that there is no ongoing collaboration with Regional Council staff on care group work plans. It is preferable to recommend that notification is only a required formality following regular two way collaboration between staff and volunteers. A good ongoing relationship is critical to reaching well managed outcomes
8. In DD19 (d) we question whether the recognised practice of burning well stacked and dried piles at low tide is now not permitted. This effective technique has been supported by the Regional Council to the extent of producing a special "how to" DVD. Please delete this clause as total removal from the site is often physically impractical. We see no evidence to support this new provision.
9. Rule DD20 – (c) There remains uncertainty, and there are ongoing trials re the best mechanised mangrove clearing process using currently known technology. Therefore we ask that this clause is deleted as we assume that mechanical stump removal of mature mangroves would be excluded by this clause. This surely is not intended?

#### Methods

10. p 155 – Commend Method 13 and 14. and request more specific wording that better recognises the dependence of the Councils on community volunteer vision and commitment. Eg "facilitate and support while recognising the importance of ongoing collaboration and information sharing partnerships....." needs rewriting in two sentences to emphasise the community wide projects that occur in areas such as Te Puna
11. P. 158 Method 28 – Biosecurity - we have a major concern about the high level of risk to our Tauranga harbour and the high economic and environmental exposure especially as Port movements expand. This Method requires strengthening. "work with" is a low key intention. Possible rewording to "Establish clearly worded and adequately resourced and monitored comprehensive agreements with..." - or even stronger tools. This is the opportunity to set long term expectations of the level of collaborative action that is required of all the parties. The Regional Council must state its responsibility to give clear leadership and resourcing to provide the level of coastal and harbour environmental protection that the community expects.

#### Schedules

12. P.207 – Areas IBDA B refer to mangrove scrub and shrubland – these terms are not listed in the definitions.. How are they vulnerable to modification unless a consent is issued? The only practical vulnerability is that the mangroves invade other types of indigenous vegetation or on to clear bird roosting and foraging sea beds. Only a few of the Areas A and B are identified as migratory pathways for indigenous freshwater fish. WEM suggests from experience that every small stream estuary is a potential path, if there is sufficient clear water area that is not overtaken by mangroves with associated sedimentation and adverse environmental conditions. Please add a definition for 'palustrine' in this context as it can be understood as a non tidal inland swamp rather than a coastal area.
13. P 225 – Motuhua Island – ONFL 9 – WEM supports the recognition of this vegetated coastal margin as an outstanding natural feature and landscape. Our community has a strong relationship with this feature and the property owners, but asks that if the feature is identified in this document what weight does this give to any methods to ensure that the vegetation is not lost to coastal erosion. This is currently occurring inspite of significant pohutukawa coastal restoration planting voluntary initiatives. For these reasons we oppose

the adjacent ski lane on the Motuhoa Map being in an area of high erosion exposure, but assume that this zoning is not being considered in this consultation process. We recommend that there is specific reference in the Policies and Methods to protecting the features listed in Schedule 3.

14. The Guidelines in Schedule 4 for Headlands and Islands are not sufficient to ensure that authorities implement best practice when all influences are weighed up in a consent process or when the Council is considering its funding priorities.

Thank you for the opportunity to comment and WEM wish to speak to this submission

Ralph Jefferson  
Chairman  
Waikaraka Estuary Managers Inc.

**Contact**

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