

ANNUAL GENERAL MEETING Thursday 13 August 2009

7:30 pm at the Hearing Rooms, Trafalgar Square, cnr Church Lane.

The meeting will receive the Annual Report, the Annual Accounts, discuss matters arising and elect officers and committee members. New committee members or helpers are always welcome. Refreshments follow the meeting.

Annual Chair's July 2008-June 2009

Russell Fenney, our secretary from 1993-2003, died in February and several committee members as well as Warwick Heal a lawyer who worked with Russell, spoke at the funeral. Six years later, we are still working through initiatives of Russell's and acknowledge the massive amount of work he did in coastal conservation.

Friends works on coastal matters with the three Top of the South councils - Nelson, Tasman and Marlborough – plus making submissions at the national level and cooperating with other groups on common coastal concerns. To these ends we have made submissions on Council Plans, NZ Coastal Policy Statement, the Resource Management Act Amendment Bill, Bells Island sewage pipeline, Port Nelson dredging and infilling, Aquaculture, and Cook Strait ferry speed. We have attended meetings, caucuses, Environment Court hearings, teleconferences and negotiations related to the issues listed below.

Nelson City Council (NCC) area

1. For the past year Friends has been trying to obtain the four reports on the Waimea estuary funded by a NCC \$10,000 grant to the Nelson Rowing Club. The reports were to form the basis of a feasibility study for an aquatic multisport venue and included a surveyors report, a geographic survey, an engineering report on water retention and a legal check of land ownership. To our knowledge, neither reports nor accountability of the \$10,000 exists. NCC is now undergoing a review of its Community Assistance Policy in part due to this irresponsible behaviour. See TDC section for further comment on the multisport proposal.

2. Cawthron Institute withdrew its Environment Court appeal for a road on the Boulder Bank near the Glen. A change in land ownership will make an alternative road possible. Friends of Nelson Haven objected to the road and supported Friends of the Glen (FROG) in their objection to the road. Friends' interest in the Boulder Bank dates back to the 1970s when we worked to have jurisdiction transferred from the Harbour Board to the Dept of Conservation.

3. Wakatu Inc plans a Centre for Seafood and Aquaculture on their land near the Glen, much of which is infilled Haven. Wakatu discussed their plans with us, Glen residents and others, and our hope is that the impact of the proposed Centre will not be detrimental to coastal natural character and productivity. Wakatu states they are concerned with long term planning with no sell-off to overseas interests. The project depends on first installing a large outfall pipe and plans include a

coastal museum and educational unit.

4. Port Nelson Ltd (PNL) applied to restore, by dredging, the Dixon Basin and approach channel to a depth of 4.5m. Friends has asked for monitoring for toxic substances such as anti-fouling material and PCBs which might be transferred to Tasman Bay. PNL also proposes to extend, by infilling, the Main Wharf South. This will make the wharf strong enough to have stacks of containers. PNL is considering creating a port and educational centre.

5. NCC has initiated its Coastal and Marine Biodiversity Action Plan working group, coordinated by Peter Lawless, with representatives from Friends, NIWA, Mfish, Cawthron, Forest & Bird, TDC, DOC and hopefully Marlborough District Council.

Tasman District Council (TDC) area

1. The Tasman Aquatic Multisport Development Trust project has shifted from the traverse area between Rabbit and Rough Islands to a 2.2 km x 365 m indent dug-out area of 1.1 million cubic metres into Rabbit Island. The impact of this on water circulation, plant and animal life including fish and birds, possible buried toxic chemicals as well as statutory ownership are unknown despite a \$10,000 NCC grant and TDC money (\$25,000 applied for). The \$3.1 million earmarked in the council's 2012-14 budget for this scheme has been canned although councillors support the concept and there was no support to the resolution from Cr Glenys Glover that the feasibility study be subject to the completion of a Waimea Estuary plan. Clearly, an integrated Waimea Inlet management plan is urgently needed before any such ad hoc projects can be considered.

2. The Camden Property development for Best Island is another project being considered by TDC in an ad hoc manner before developing an integrated plan for the estuary and its islands. Friends is supporting Forest & Bird in this matter.

3. The "clean-up" at Mapua continues to produce problems relating to the bungling of the process. The Parliamentary Commissioner for the Environment report released 29 July 2008 showed that consent conditions were not met and contamination of the site, residents and people working on the site are likely. The Ministry of Health report is pending. The independent auditor's report on the Ministry for the Environment – which had the resource consent after Thiess the original holder withdrew - will be released at a public meeting on Friday 31 July 2009.

4. Aquaculture renewal applications by Waitapu Fishing Co. in Wainui Bay, Golden Bay was opposed by Friends in a submission. The area is alongside the National Park and adjacent mussel farms have a limited consent period. Residents were very concerned with environmental impacts. The AMA (Aquaculture Management Area) for the Bay is mainly outside the 3 km area. The renewal was granted by TDC and Waitapu is appealing the light and sound pollution conditions.

Marlborough District Council (MDC) area

1. The Environment Court hearing on Admiralty Bay mussel farms was held for a week in February

2009. Our original submission made it possible for the Dept of Conservation to present its case for Dusky Dolphins' unique use of the Bay based on Univ. of Texas research. The dolphin normally hunts in open water along the Southern Hemisphere continental shelves. Admiralty Bay is the only known example of this species using a Bay to create fish bait balls which make food available for themselves and many species of birds, fish and seals. Friends' case was based on concerns for the Sounds' ecosystem. The 75,000 tonnes of mussels removed annually essentially mines the phyto- and zoo-plankton base of the food web with no knowledge of how to sustain or replace it. The Interim Court Decision issued in April dealt solely with dolphin management. Essentially, after 3 years dolphin observation the area in Admiralty Bay devoted to aquaculture will be able to increase from 7.5% of the Bay to 15% of the Bay. Friends is investigating the possibility of a PhD student researching food chain effects of mussel farming on bait fish.

2. Friends is concerned with the Fisheries Resource Impact Assessment considering the 'double parked' marine farm being applied for in Forsyth Bay. We are also concerned about proposed changes to agreed conditions of the original Resource Consent and are attempting to maintain the negotiated conditions.

3. Friends is supporting Pelorus Wildlife Sanctuaries Ltd submission to MDC to ensure that the Aquaculture Management Areas (AMAs) are designated before resource consents are granted for marine farms. We are especially concerned about conversion of mussel to salmon farms.

4. Methyl bromide use in Picton is a major concern and we work with Guardians of the Sounds in keeping residents aware of this appalling activity and urging MDC to adopt controls. Nelson now has some controls on use of this lethal chemical, but standards are not nationally accepted.

5. KiwiRail has applied for Kaitiaki speed trials and Friends works with Guardians of the Sounds on this. Friends had negotiated with KiwiRail over speed trials, but KiwiRail undertook other trials, which were not publicly notified and MDC has approved a speed of 18 knots in Tory Channel and 19.5 knots in Queen Charlotte Sound. Friends has not appealed the decision.

6. Friends is appealing a 10 year lease granted a mussel farm in Port Gore. Judge Kenderdine gave a special classification of only 10 years several years ago with the aim of an area free of farms and with adjacent land restored to native vegetation. The hearings for two other nearby mussel farm renewals are scheduled for August 11-12, 2009. MDC is expected to approve them, with subsequent appeals to be heard together with the earlier lodged appeal. The area has significant natural character, and is predominantly prohibited to marine farming.

General

We continue to inventory our files and the Provincial Museum will house archival ones. Our files were used this year for a planned book on the Boulder Bank, by Glen residents needing Boulder Bank information and for background on Mapua's Fruitgrowers Chemical Company.

Thanks and Acknowledgements

Thanks to the committee members whose efforts make the above possible. When making submissions on the Resource Management Act Amendments Bill we noted that much of what we do

is assist local bodies in carrying out their statutory requirements. Otherwise, basic environment requirements are ignored for short term economic reasons.

Thanks to our membership for their continued support.

Thanks to the Ministry for Environment Legal Assistance Fund which makes Environment Court appeals possible. The ability to appeal is often the major reason our submissions are taken seriously. Hopefully, the present government will continue this fund. The RMA will be seriously weakened without the fund.

Thanks to the Canterbury Community Trust for their ongoing financial help.

Thanks to the legal and expert witness contributions of Warwick Heal, Ashley Wagg and Danny Boulton.

Thanks for financial support from Nimbus Software, New Zealand Nature Company www.nznature.co.nz and 107 Bolt Rd, Waikawa Boating Club and to Konica-Minolta for photocopy access.

Thanks to the people of the Top of the South who share our common concerns.

Respectfully submitted,

Dr. Gwen Struik, co-chair