

## **Submission to the West Coast Regional Council's (WCRC's) Proposed Coastal Plan.**

**Name of submitter:**

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**Statement:**

- 1.) I live in Haast, where I have lived since 2001.
- 2.) I am an environmentalist, and a retired trapper for the Department of Conservation (DOC).
- 3.) I have no pecuniary interest in the outcomes of the proposed plan.
- 4.) I make this submission on my own behalf and do not represent any group or organisation.
- 5.) I do wish to be heard if a hearing takes place in Haast.

**My submission is as follows:**

1.) **Chapter 3** bundles natural and human use values together in the same chapter. **I strongly oppose** this device which, the way it is worded in the objectives, policies and explanations, devalues the natural values, making them subservient to the human use values.

This anthropocentric world view is surely as obsolete and misguided as the once held beliefs that the sun revolved around the earth, or that the earth was flat.

Humanity forms an integral part of the web of life, which is everywhere, ultimately has no centre or hierarchy, and is a dynamic symbiosis and cooperative of living things.

**I strongly urge** council to create separate chapters for natural and human use values.

In that context, the plan fails to take into account or mention the fur seal and seabird colonies which are present in and use the coastal marine area for foraging, roosting and access to breeding colonies, and which deserve to be included in a chapter on natural values.

In New Zealand, marine mammals, including fur seals, and seabirds are protected in Coastal Marine Areas (CMA) under a range of statutes, including the Marine Mammal Protection Act 1978, the Wildlife Act 1953, and the Conservation Act 1987.

On the West Coast, fur seals and seabirds, including Blue Penguins or Korora (*Eudyptula minor*), Fiordland Crested Penguins or Tawaki (*Eudyptes pachyrhynchus*), Banded Dotterels (*Charadrius bicinctus*), White-fronted Terns (*Sterna striata*), Oystercatchers (*Haematopus spp.*), Royal Spoonbills (*Platalea regia*), Red-Billed Gulls (*Larus scopulinus*), shags (*Phalacrocorax spp.*) and White-faced Herons (*Ardea novaehollandiae*) use the CMA for the range of purposes mentioned above.

In particular, the two penguin species have breeding colonies throughout the length of the West Coast, which they access through, and are adjacent to, the CMA, with Tawaki mainly south of Bruce Bay, and Korora more common north of there.

Consequently **I request** that a chapter of the plan addressing the issue of protecting the seabirds and marine mammals which use the CMA be developed.

I also strongly urge council to make activities in or adjacent to their breeding colonies and important foraging areas, **non-complying and/or discretionary** activities. (See para.2 below).

2.) **11.2 Status of Activities.** In the light of the above, I also request that the plan include a **non-complying** activity status, which it currently lacks, for certain activities in certain locations.

The discretionary and restricted discretionary statuses still allows activities within the CMA habitat of the aforementioned species and others, to proceed, subject to the political leanings of council's decision makers, which is surely dangerously subjective and inadequate in the circumstances.

The absence of the non-complying status means that the plan is potentially unable to give effect to Part II (Purpose and Principles) of the RMA 1991 because the proper protection of marine mammals and seabirds are matters of national importance, and these creatures are an important part of the west coast identity.

Although penguin and other seabird populations may be almost holding their own on the coast, it is surely a false logic to wait until they are critically low or endangered in order to protect them. Hence the need for a high level of protection to be accorded to their habitats, which can be achieved through making activities in the CMA in or adjacent to their breeding colonies and foraging areas non-complying.

3.) **Chapter 3, Objectives and Policies,** are strongly slanted towards mineral extraction in the CMA, which **I strongly oppose.**

**Reason:**

These objectives and policies are founded on the old and unimaginative extractive industries mindset of the 19th century and the first 60-70 years of the 20th. There is a serious lack of vision here, as well as the risk of opening the door to seabed mining in the CMA, and consequent impact on the marine ecology.

Other than the permitted small-scale activities in the CMA, any larger-scale ones risk significant pollution and erosion issues.

Even small-scale activities must avoid impacting marine mammal and seabird breeding and foraging areas.

The West Coast attracts many people to live and work there because of its relatively wild and undeveloped environment, which, in today's world, is a rare asset.

Enterprises formed around IT R&D, education, tele-medicine, distribution, tourism, agricultural added value products, and as yet undiscovered online applications, are most likely to be more significant sources of employment and community prosperity, and attract and keep more people on the coast than mining.

4.) **3.3.8(a)(b)(c): When considering effects of a proposed coastal consent activity...**

These clauses and the accompanying explanation refer to landscape values in the CMA, and suggest that because there is plenty of unmodified coastline on the West Coast, that in that context developments should be facilitated and expedited. Furthermore, the clauses introduce the view that if the landscape contains a "working" element, or a degree of modification, that further development will be acceptable.

**I challenge** that approach.

**Reason:** The most unmodified sections of CMA on the West Coast are largely remote and relatively inaccessible.

It is therefore misleading to claim an abundance of natural character in the CMA on the coast, when much of it is too remote or inaccessible for most people to get to. Merely because a landscape contains elements of "working" or modification should not be an excuse for further development, especially when it is readily accessible and largely wild and unmodified.

4.) **3.3.10: Have Regard to Cumulative Effects**

**I request** that "Have regard to" be changed to "Shall recognise"..

**Reason:** Cumulative effects of many activities are inevitable, and must always be a central consideration in decision-making under the provisions of sections 5(a)(b)(c) and 6(a) of the RMA. "Have regard" is inappropriate and far too weak in this case.

5.) **5.3.7: Sea Level Rise**

**I support** this clause.

**Reason:** The recognition of sea-level rise is timely.

6.) **8.3.3: (Should read 8.3.4) When considering applications for the renewal of resource consents....**

**I partly support** this clause.

**Reason:** Enhancement of water quality to the level where it supports a healthy population of aquatic organisms is highly desirable as it indicates that the water is safe for any recreational use.

7.) **10.3.1: Policy**

**I request** that 10.3.1(a)(iv) be added to read: "marine mammals and seabirds;"

**Reason:** Marine mammals and seabirds can be very sensitive to noise, and their wellbeing severely compromised by it. References as follows:

i.) Williams R *et al* "Impacts of Anthropogenic Noise on Marine Life" in Oceans and Coastal Management 115 (2015) pp. 17-24.

ii.) "Marine Mammals and Noise Fact Sheet" NOAA Fisheries Service Southeast Region.

iii.) European Science Foundation Position Paper 13 June 2008. "The Effects of Anthropogenic Sound on Marine Mammals".

8.) **11.4: Notification of Resource Consents**

**I oppose** the provision in this clause.

**Reason:** Although ss 95A and 95B of the RMA allow for consents to be granted without notifying affected parties, the WCRC should not, and must not, through this or any other plan, be party to such totalitarian and undemocratic practices, which can only lead to social divisions and unrest.

9.) **Rule 16: Removal of Driftwood**

**I support** this rule.

**Reason:**

The collection of drift wood for firewood and crafts should be encouraged provided that it complies with the provisions in this rule.

10.) **Rule 25: Other Disturbance Activities**

**I partially support** this rule, however, I think that this rule should make it clear that some forms of disturbance in the CMA may be prohibited or non-complying, and that all forms of disturbance captured by this rule will trigger a public notification requirement of the relevant consent applications.

11.) **13.3.4: Vegetation Planting and Disturbance**

**I strongly support** this provision, especially references to the ecological significance criteria.

**Reason:**

Recognition of the ecological values of wetlands and indigenous vegetation in the CMA is welcome, overdue and assists in giving effect to the Part II requirements of the RMA.

12.) **15.1: Introduction**

**I oppose** this clause.

**Reason:**

The excuse of inadequate funding to carry out proper monitoring to assess the effectiveness of the plan and the level of compliance with consent conditions is an unacceptable dereliction of council's duty towards New Zealand. There can be little point in preparing any plan if the resources to gauge its effectiveness are not in place. Either sufficient funds are raised through rates or central government must be required to make good the shortfall.

13.) **15.2: Elements to be Monitored: Foreshore, seabed and river activities.**

**I request** that "All statuses of activity involving the removal or planting of vegetation" be added to the elements to be monitored under this heading.

**Reason:** Vegetation removal or planting in the CMA is likely to affect the ecology of the areas where it takes place. Compliance with Part II of the RMA must require monitoring of activities involving the removal or planting of vegetation.

14.) **Schedule 6: Whitebait (Inanga) Spawning Sites in the Coastal Marine Area.**

**I request** that the Hapuka estuary, Hapuka river, Groper creek and Crikey creek and its associated wetland and dune lake, be listed in Schedule 6.

**Reason:**

1.) The tidal reaches of the Hapuka river and Groper creek are sites where whitebaiting has been prohibited by the Department of Conservation (DOC), and are also recognised as culturally significant *mahinga kai* area CSA 24 in **Schedule 3A**. It follows that the Hapuka river and Groper creek are, within their tidal reaches, whitebait spawning sites. Crikey creek is also a site where whitebaiting is prohibited by DOC. It follows, that it too must also be a whitebait spawning site of some significance.

15.) **Schedule 6: Whitebait (Inanga) Spawning Sites in the Coastal Marine Area.**

**I request** that the tidal reaches of all Schedule 6 whitebait spawning sites be included as integral parts of those sites.

**Reason:** Whitebait spawn on riparian vegetation, mainly rushes and sedges, throughout the tidal reaches of their spawning sites. Whitebait are no longer as plentiful as they were, and full protection of their entire spawning sites is essential if their numbers are not to decline further.

Bearing this in mind **I seek** that the CMA include the entire tidal reaches of Schedule 6 whitebait spawning sites throughout the West Coast CMA.

16.) **Schedule 3E: Outstanding Natural Character Areas.**

**I request** that the tidal reaches of the Hapuka river and Groper creek upstream of the Haast-Jackson Bay road bridge be listed in Schedule 3E.

**Reason:** The Hapuka Estuary walk is recognised as one of the West Coast's premier short, easy, nature walks, and, according to noted New Zealand naturalist and seabird specialist Kerry-Jayne Wilson of Charleston, in her book, "West Coast Walking, a naturalist's guide", the Hapuka estuary and associated wetlands and forest, is of "particular significance" because it is "essentially pristine", and the Hapuka river doesn't carry a sediment load. The estuary and the walk are also easily accessible to the public.

To boat up the Hapuka river and Groper creek is to experience a New Zealand as it must have been around 1840.

17.) **Schedule 3F: Coastal Recreation Areas.**

**I request** that the Haast river mouth and Haast Beach be listed in Schedule 3F.

**Reason:** Haast Beach and Haast river mouth are popular areas for surfing, bird watching, fishing and walking, as well as the river mouth being an important and popular whitebaiting location.

18.) **Schedule 1: Coastal Marine Area Boundaries Across Rivers**

**I request** that the CMA boundary for the Haast river be moved upstream to the SH6 bridge.

**Reason:** The reach of the Haast river from the bridge to the open sea is frequented and used by a range of seabirds for roosting, foraging and breeding. These include, from my own observations, Red-Billed Gulls, Pied Stilts, White-Fronted Terns, Royal Spoonbills, Oystercatchers, Spur-Winged Plovers, Spotted and Black Shags and Banded Dotterels. Furthermore, the view of the river from the bridge to the sea is an iconic one enjoyed by the many visitors who cross the bridge and slow down to take in the beautiful and expansive view.

Classifying this stretch of the river downstream of the bridge will subject it to the restrictions embodied in the plan, thereby helping to ensure that it remains in an undeveloped and natural state.

**End of submission.**



Paul Elwell-Sutton.

22/2/2016.

I do wish to be heard if a hearing is to take place in Haast.