

01 May 2018
Hawke's Bay Regional Council
159 Dalton Street,
Napier
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Lodged by email to tania.boshier-jones@hbrc.govt.nz

WRITTEN SUBMISSION ON RESOURCE CONSENTS LODGED BY PORT OF
NAPIER LIMITED WITH THE HAWKE'S BAY REGIONAL COUNCIL

Applicant: Port of Napier Limited
Application Numbers: CL180008C, CL180009E, CL180010E, CL1180011E, CD180012W, CL1800130
Details of the Application: To construct a new wharf including capital and maintenance dredging of the channel and disposal of dredged material at sea.

Introduction

1. These comments are provided by Fisheries Inshore NZ Limited on behalf of the Area 2 Committee. Area 2 committee members are quota owners and harvesters of wild fish stocks that could potentially be exposed to and adversely affected by increased sedimentation arising from the proposed dredging and disposal of spill.
2. This submission represents the views of the commercial fishers and quota owners on the Area 2 Committee which is a regional affiliate of Fisheries Inshore New Zealand.
3. FINZ has a mandate from the Area 2 Committee to work directly with and on behalf of its members on the management of fisheries within the region. The Area 2 Committee is a committee representing the interests of Area 2 quota owners and fishers. The focus is on stock-specific and regional issues that impact on the local fisheries they represent.
4. FINZ note that companies, other quota-holders and local fishers may also make their own submissions on the resource consent applications. This submission is not intending to detract in any way from those individual submissions.
5. We **wish** to be heard in support of our submission and will be represented at the hearing by a local commercial fisher.
6. We are **not** a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

Submission rationale

7. Our fishing vessels fish in waters that could be potentially adversely affected by the spill disposal.
8. An example of the potential adverse impacts on commercial fishing activities is demonstrated in report 2895 (page 148) which notes that 'the proposed location of the disposal area is within an area of inshore southern Hawke Bay representing around 60% of the total commercial flatfish catch.'
9. We do not think the potential for adverse effects on the marine environment has been adequately recognised. Further work is required to assess the potential adverse effects at specific times of the year.

10. We are concerned that the impacts on the marine environment from the current proposed disposal site have not been adequately recognised. Further work is needed to assess these impacts and provide additional disposal site options.
11. We do not think that the current resource consents adequately address Objectives 16.2, 16.3, 17.2 and 17.3 of the Regional Coastal Environment Plan.
11. Specifically, we are concerned that guideline (e) of policy 17.1 as stated in Table 17.1 of the Regional Coastal Environment Plan has not been adequately addressed.

Consultation

12. The Area 2 Committee contacted Napier Port in May 2017 to be involved in the consultation process. Despite this initial contact we were not a party consulted by the applicant prior to lodgment.
13. Area 2 committee members very much want to work in a collaborative manner with the Port Company.
14. We signal our willingness to meet in a pre-hearing to work through the proposed resource consent conditions and our concerns.
15. We hope to resolve our concerns by amendments to the proposed consent conditions, specifically by including measures that will better protect and safeguard the marine environment and our businesses which are reliant on it.
16. The amendments that we seek include 'what and where the environmental baseline data is collected, for how long, who undertakes the analysis of this data and the subsequent recommendations that feed into the adaptive management plan and how triggers are monitored and reported on'.
17. The Area 2 committee seeks more explicit measures that will safeguard the water, seabed and life sustained by it, and more involvement in the decision-making process.

Relief

18. We are opposed to the application as proposed and seek that it be declined.
19. We seek changes to the consent conditions to ensure that potential effects on our business have been adequately recognised, and processes and procedures put in place to avoid, offset and mitigate potential adverse effects and better manage risk.
20. We request that processes and procedures are put in place to avoid, offset and mitigate potential adverse effects and better manage risk, such as:
 - Explicit conditions in the consent conditions aiming at safeguarding the marine environment and its productivity
 - A commitment by and actions by Port of Napier Limited to achieve best practice (in what?)

- An explicit commitment by Port of Napier Limited to work collaboratively to secure a healthy, productive and sustainable marine ecosystem
- An agreed environmental monitoring and reporting framework for water quality (managing sedimentation and plume) that includes how the Port Company will collaborate, involve and share information with commercial fishers
- An agreed pathway for dealing with unintended consequences of dredging and disposing including a stepped development
- In consultation with commercial fishing industry, the retention of:
 - (i) a biosecurity expert and
 - (ii) a marine environment scientist in preparing and making changes to management plans including dredge plan, biofouling plan and environmental monitoring plan.
- Assurance that changes to management plans are done in consultation with and after seeking advice from commercial fishers.
- The make-up, scope of work and terms of reference of any local advisory / technical groups to include a representative from the Area 2 committee.



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