

Tasman Resource Management Plan - Change 61

Notified : Saturday, 12 March 2016

Summary of Decisions Requested In Change 61

In Topic Order

Summary of Decisions Requested In Change 61 Submissions

C61 GEN - Change 61

■ **840 Beard, James A**

- C61.840.1 *Remedy:* Relocate the six factories elsewhere.
- C61.840.2 *Remedy:* Tasman District Council to consider the operation illegal.
- C61.840.3 *Remedy:* Oppose the continued extraction of mussel spat at Abel Tasman Point.

■ **1328 Friends of Golden Bay**

- C61.1328.1 *Remedy:* Oppose Plan Change rezoning the spat sites to AMA 4 and the designation as a controlled activity.
- C61.1328.3 *Remedy:* Request the [Plan] remain as it is until 2024 as designated by the Environment Court.

■ **327 Golden Bay Marine Farmers Consortium Ltd**

- C61.327.1 *Remedy:* Rename Wainui Bay as AMA 4 Wainui.

Further Submissions : <u>Oppose</u>	FC61.1050.1	Friends of Nelson Haven & Tasman Bay (Inc.)	FC61.1421.1	Royal Forest & Bird Protection Society (Golden Bay)
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■ **4128 Ministry for Primary Industries**

- C61.4128.1 *Remedy:* Supports the intent of the plan change, subject to requested amendments.

Further Submissions : <u>Oppose</u>	FC61.1328.4	Friends of Golden Bay	FC61.1050.5	Friends of Nelson Haven & Tasman Bay (Inc.)
FC61.1421.5 Royal Forest & Bird Protection Society (Golden Bay)				

■ **4129 Reed, Denis**

- C61.4129.1 *Remedy:* Retain the status quo.

■ **1421 Royal Forest & Bird Protection Society (Golden Bay)**

- C61.1421.1 *Remedy:* Request the current TRMP policy to continue.
- C61.1421.3 *Remedy:* Accept the permitted time [for farming] to extend beyond 2014 if there is no environmental or social reasons against it.

■ **1377 Vaughan, Alan J**

- C61.1377.1 *Remedy:* Oppose the re-designation of the Wainui Bay spat catching sites as an AMA.

■ **4131 Wallace, William (Bill)**

- C61.4131.1 *Remedy:* Rename Wainui Bay as AMA 4 Wainui.

Further Submissions : <u>Oppose</u>	FC61.1050.3	Friends of Nelson Haven & Tasman Bay (Inc.)	FC61.1421.3	Royal Forest & Bird Protection Society (Golden Bay)
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C61 GEN Climate Change - Change 61

■ **1050 Friends of Nelson Haven & Tasman Bay (Inc.)**

- C61.1050.2 *Remedy:* Decline the Plan Change and retain the status of the spat sites as discretionary with no changes to species/structures/activities (including mussel farming) or extensions in area allowed.

Further Submissions : <u>Support</u>	FC61.1328.2	Friends of Golden Bay
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C61 GEN Heritage - Change 61

■ **840 Beard, James A**

- C61.840.6 *Remedy:* Relocate the six factories elsewhere.

■ **1050 Friends of Nelson Haven & Tasman Bay (Inc.)**

- C61.1050.3 *Remedy:* Decline the Plan Change and retain the status of the spat sites as discretionary with no changes to species/structures/activities (including mussel farming) or extensions in area allowed.

Further Submissions : <u>Support</u>	FC61.1328.3	Friends of Golden Bay
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■ **1421 Royal Forest & Bird Protection Society (Golden Bay)**

- C61.1421.6 *Remedy:* Request the current TRMP policy to continue.

Summary of Decisions Requested In Change 61 Submissions

C61 GEN ONL - Change 61

- **840 Beard, James A**
C61.840.4 Remedy: Relocate the six factories elsewhere.
- **1531 de Lambert Family Trust**
C61.1531.2 Remedy: Decline the Plan Change in its entirety.
- **4126 Foxwell, Jillian**
C61.4126.3 Remedy: Leave the Wainui site as a discretionary activity.
- **1328 Friends of Golden Bay**
C61.1328.2 Remedy: Oppose Plan Change rezoning the spat sites to AMA 4 and the designation as a controlled activity.
- **1050 Friends of Nelson Haven & Tasman Bay (Inc.)**
C61.1050.1 Remedy: Decline the Plan Change and retain the status of the spat sites as discretionary with no changes to species/structures/activities (including mussel farming) or extensions in area allowed.

Further Submissions :	<u>Support</u>	FC61.1328.1	Friends of Golden Bay
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- **3592 Golden Bay Community Board**
C61.3592.3 Remedy: The farms continue to be consented to operate.

Further Submissions :	<u>Oppose</u>	FC61.1050.15	Friends of Nelson Haven & Tasman Bay (Inc.)	FC61.1421.15	Royal Forest & Bird Protection Society (Golden Bay)
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- **4129 Reed, Denis**
C61.4129.2 Remedy: Retain the status quo.
- **1421 Royal Forest & Bird Protection Society (Golden Bay)**
C61.1421.5 Remedy: Request the current TRMP policy to continue.
- **1377 Vaughan, Alan J**
C61.1377.2 Remedy: [Spat catching sites] should be subject to a periodically renewed resource consent.
- **4132 Whitehead, Beryl J**
C61.4132.2 Remedy: Retain the status quo.

25.1.3.1 - Controlled Activities (Spat Catching)

- **4125 Anatimo Trust**
C61.4125.1 Remedy: Oppose the Plan Change. Request spat catching in Wainui Bay remain a discretionary activity under 25.1.4.4 of the TRMP requiring a resource consent and compliance with any conditions set by Council.
- **840 Beard, James A**
C61.840.5 Remedy: Relocate the six factories elsewhere.
- **4126 Foxwell, Jillian**
C61.4126.1 Remedy: Leave the Wainui site as a discretionary activity
- **3592 Golden Bay Community Board**
C61.3592.1 Remedy: The farms continue to be consented to operate.

Further Submissions :	<u>Oppose</u>	FC61.1050.13	Friends of Nelson Haven & Tasman Bay (Inc.)	FC61.1421.13	Royal Forest & Bird Protection Society (Golden Bay)
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- **327 Golden Bay Marine Farmers Consortium Ltd**
C61.327.2 Remedy: Make mussel spat catching and holding controlled activities.

Further Submissions :	<u>Oppose</u>	FC61.1050.2	Friends of Nelson Haven & Tasman Bay (Inc.)	FC61.1421.2	Royal Forest & Bird Protection Society (Golden Bay)
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- **4127 Minister of Conservation**
C61.4127.1 Remedy: Make further or alternative relief to like effect to that sought in the submission.

Further Submissions :	<u>Oppose</u>	FC61.1050.7	Friends of Nelson Haven & Tasman Bay (Inc.)	FC61.1421.7	Royal Forest & Bird Protection Society (Golden Bay)
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Summary of Decisions Requested In Change 61 Submissions

25.1.3.1 - Controlled Activities (Spat Catching)

- C61.4127.2 *Remedy:* Amend first paragraph of 25.1.3.1 to:
 "The occupation and disturbance of any site in the coastal marine area by structures, and the use of those structures, for;
 • scallop spat catching or mussel spat catching in subzone (a) AMA 1 Waikato, subzones (a) – (k) AMA 2 Puramakau, and subzones (a) – (h) of AMA 3 Te Kumara and;
 • mussel spat catching in AMA 4 Wainui;
 is a controlled activity, if it complies with the following conditions:"

Further Submissions :	<u>Oppose</u>	FC61.1050.8	Friends of Nelson Haven & Tasman Bay (Inc.)	FC61.1421.8	Royal Forest & Bird Protection Society (Golden Bay)
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■ **1421 Royal Forest & Bird Protection Society (Golden Bay)**

- C61.1421.2 *Remedy:* Oppose the Controlled Activity Status; retain as a Discretionary Activity.

■ **4131 Wallace, William (Bill)**

- C61.4131.2 *Remedy:* Make mussel spat catching and holding controlled activities.

Further Submissions :	<u>Oppose</u>	FC61.1050.4	Friends of Nelson Haven & Tasman Bay (Inc.)	FC61.1421.4	Royal Forest & Bird Protection Society (Golden Bay)
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■ **4132 Whitehead, Beryl J**

- C61.4132.1 *Remedy:* Retain the status quo.

25.1.3.1 (4) - Controlled Activities (Spat Catching)

■ **4127 Minister of Conservation**

- C61.4127.4 *Remedy:* Amend as follows:
 "(4) Management of biosecurity risk organisms such as Undaria and the prevention of arrival and the movement of unwanted organisms."

Further Submissions :	<u>Oppose</u>	FC61.1050.10	Friends of Nelson Haven & Tasman Bay (Inc.)	FC61.1421.10	Royal Forest & Bird Protection Society (Golden Bay)
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■ **4128 Ministry for Primary Industries**

- C61.4128.2 *Remedy:* Ensure spat catching and holding operations managed under the plan change contain specific requirements for best practice biosecurity management.

Further Submissions :	<u>Oppose</u>	FC61.1328.5	Friends of Golden Bay	FC61.1050.6	Friends of Nelson Haven & Tasman Bay (Inc.)
FC61.1421.6	Royal Forest & Bird Protection Society (Golden Bay)				

25.1.3.1 (ga) - Controlled Activities (Spat Catching)

■ **4125 Anatimo Trust**

- C61.4125.2 *Remedy:* Oppose the Plan Change. Request spat catching in Wainui Bay remain a discretionary activity under 25.1.4.4 of the TRMP requiring a resource consent and compliance with any conditions set by Council

■ **1531 de Lambert Family Trust**

- C61.1531.1 *Remedy:* Incorporate the following controlled conditions:
 i. The community Liaison Group is maintained;
 ii. The hours of operation are limited (for all maintenance/operations) to after 7 am start and 7 pm finish;
 iii. No artificial lighting is allowed for extending operation beyond natural light;
 iv. Controls on noise are included, considering also the way in which noise travels over water. This should include noise from music on the boats; and
 v. The operators should be required to undertake beach/coastal clean up to keep the beaches clean of debris from the farms.

■ **4126 Foxwell, Jillian**

- C61.4126.2 *Remedy:* Leave the Wainui site as a discretionary activity.

■ **3592 Golden Bay Community Board**

- C61.3592.2 *Remedy:* Annual meetings between residents and the Wainui Marine Farmers be a condition of the continued use of Wainui Bay for the purpose of spat catching.

Further Submissions :	<u>Oppose</u>	FC61.1050.14	Friends of Nelson Haven & Tasman Bay (Inc.)	FC61.1421.14	Royal Forest & Bird Protection Society (Golden Bay)
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Summary of Decisions Requested In Change 61 Submissions

25.1.3.1 (ga) - Controlled Activities (Spat Catching)

■ **4127 Minister of Conservation**

C61.4127.3 *Remedy:* Include after matter (7) "Timing and purpose of reviews of any or all conditions":
 "In Wainui Bay:
 In addition, the following standard conditions (to the extent that they are applicable) will be applied to any consent granted under this rule:
 (i) Where any structure or part of a structure sinks, breaks free or otherwise causes a navigation hazard, steps are taken as soon as practicable to recover, secure, and make safe the structure. The consent holder, or site manager, whoever is first aware of the matter, is to notify the Council Harbourmaster of any such incident as soon as practicable on becoming aware of it.
 (ii) The consent holder removes from the site any structure or material that is superfluous to the activity, including any discarded equipment.
 (iii) The consent holder notifies Maritime New Zealand immediately prior to the placement of structures; and within 24 hours of the placement of structures notifies Land Information New Zealand, and the Council Harbourmaster.
 (iv) The whole or any part of the interest in the coastal permit for the activity may be transferred to any other party. The transferor remains responsible for compliance with the terms and conditions of the permit until written notice of the transfer is given to the Council."

Further Submissions :	<u>Oppose</u>	FC61.1050.9	Friends of Nelson Haven & Tasman Bay (Inc.)	FC61.1421.9	Royal Forest & Bird Protection Society (Golden Bay)
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■ **1421 Royal Forest & Bird Protection Society (Golden Bay)**

C61.1421.4 *Remedy:* Request the current TRMP policy to continue.

■ **4130 Tui Community**

C61.4130.1 *Remedy:* Support the changes so retain the Plan Change.

Further Submissions :	<u>Oppose</u>	FC61.1050.16	Friends of Nelson Haven & Tasman Bay (Inc.)	FC61.1421.16	Royal Forest & Bird Protection Society (Golden Bay)
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25.1.3.2 (4) - Restricted Discretionary Activities (Spat Catching)

■ **4127 Minister of Conservation**

C61.4127.5 *Remedy:* Amend as follows:
 "(4) Management of biosecurity risk organisms such as Undaria and the prevention of arrival and the movement of unwanted organisms."

Further Submissions :	<u>Oppose</u>	FC61.1050.11	Friends of Nelson Haven & Tasman Bay (Inc.)	FC61.1421.11	Royal Forest & Bird Protection Society (Golden Bay)
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25.1.3.3 - Prohibited Activities (Spat Catching)

■ **4127 Minister of Conservation**

C61.4127.6 *Remedy:* Amend rule 25.1.3.3 to:
 "(a) Scallop and mussel spat catching in subzones (a) – (k) of AMA 2 Puramakau, and subzones (a) – (h) of AMA 3 Te Kumara and mussel spat catching and holding in AMA 4 Wainui that does not comply with conditions (a) – (h)(i) of rule 25.1.3.1, rule 25.1.3.1A (a) – (e), or with rule 25.1.3.2 (a) or (b) is a prohibited activity for which no resource consent application will be received or granted. For the avoidance of doubt, this does not preclude an applicant from applying for consent to catch spat across all spat-catching subzones in an AMA in successive years, subject to compliance with rule 25.1.3.1(b) and (f) in any spat-catching season.
 (b) The catching of spat of species other than scallops or mussels in subzones (a) – (k) of AMA 2 Puramakau, and subzones (a) – (h) of AMA 3 Te Kumara and other than mussel spat in AMA 4 Wainui is a prohibited activity for which no resource consent application will be received or granted.
 (c) Aquaculture other than the catching of scallop or mussel spat in subzones (a) – (k) of AMA 2 Puramakau, and subzones (a) – (h) of AMA 3 Te Kumara and catching of mussel spat and holding mussel spat in AMA 4 Wainui is a prohibited activity for which no resource consent application will be received or granted."

Further Submissions :	<u>Oppose</u>	FC61.1050.12	Friends of Nelson Haven & Tasman Bay (Inc.)	FC61.1421.12	Royal Forest & Bird Protection Society (Golden Bay)
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