

## **Meeting Notes – EW and Surfbreak Protection Soc. Monday 16 April 9am at EW Office, Hamilton**

**Present:** Brent Sinclair (EW Coastal Programme Manager), Vernon Pickett (?) EW Coastal Scientist, Trevor Johnston (SBPS) Monique Davis (SBPS) Brad Scarfe (SBPS).

**Current situation:** No plans have been presented yet by the consent holder to EW.

Brent Sinclair gave outline of EW's position in terms of BP's conditions. Whereas EC decisions give reasonable clear guidelines for execution of consents, there is no guidance in BP's added condition re the monitoring of the Bar. There is no definition of adverse effects that could have been determined by the court had the court taken the Bar in consideration. EW is therefore pushed into the role of adjudicator and has some flexibility in how they make their final decisions.

EW is likely to look at the overall "intent" of the conditions.

Brad pointed out that some science exists (held by the University) that could be used for monitoring but this has not been accessed to date by Marina Society consultants (example: Tonkin & Taylor bibliography in their Mundaka-Whanga comparative surfing study does not cite one of the 100+ references on surfing and coastal science)

Need for baseline study and hydrodynamic models discussed, especially the need for LIDAR and multibeam surveying of the topography and bathymetry.

What would be EW's role if monitoring shows adverse effects?

EW has recourse to section 128 of the RMA. In the case of Whanga Marina this means a review every two years, starting October 2008.

In the case of adverse effects of water quality, this is a compliance issue and enforcement can be executed immediately.

### **Discussion of Dredging:**

Much discussion on definition (or lack of) adverse effects. Does the construction perse result in effects? Does dredging cause an effect, especially maintenance dredging?

There is lack of long term data to separate natural and artificial (effects of the development) fluctuations to the harbour and beach.

What has been the effect of existing maintenance dredging? Is there a difference between existing small scale dredging and larger scale dredging required?

Brent suggested that nourishment of the beach with suitable dredged material has been discussed. Brad noted that this is one activity that is guaranteed to modify surfing wave formation. There are numerous locations around the world where surf has been improved and destroyed by nourishment and therefore their effects need to be considered.

Brent asked we knew of any historical evidence, photographs or even anecdotal, that could show effects of existing maintenance dredging to date.

One of the conditions put on the consent holder is a Survey of the streambed.

### **Discussion of Bond:**

Bond as outlined in the conditions is primarily an insurance policy for EW in relation to the construction itself.

What can EW do if consents are broken? Tools for EW can either be directive or punitive. Either can provide a subsequent tool for any court action.

Enforcement action in response to minor variations in timelines is unlikely – would not be supported by courts

### **Other:**

Brief discussion of mangroves and silting of the Harbour and the recent trial pits. These were not for soil samples but to look at water flow and turbidity caused by construction (condition is for turbidity no more than 150m from construction site). Brent explained mangrove management is part of the current Harbour Plan development.

Brad gave examples of scientific tools such as Lidar and multibeam echosoundings that could be useful for the Harbour Plan as well as Whanga Bar baseline study. EW could commission this type of data collection for the greater good of the area, irrespective of the marina development. Other regional councils are undertaking this type of baseline data collection currently.

Brent believed Marina Society is already working with Waikato University on monitoring plans. However, Brad talked with Glen (MSc student) about this and the discussions may be limited to Tonkin and Taylor buying the model bathymetry from the Coastal Marine Group. However, it may be only Glen who is talking with T&T and other people will need to approve this.

Brent invited SBPS to contribute its own research on recommended monitoring ideas. The fact we are not formally registered as affected parties did not preclude us from doing so.

The science will be assessed by Peter Singleton, manager of EW scientists as well as EW staff developer of the Whangamata Harbour Plan.

SBPS could also put in a submission to the EW LTCCP to request funding is made available in future budgets towards scientific study beneficial to protection of surfbreaks.

Meeting closed 11.00am