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Tēnā koe Richard

Thank you for your request for information received by Council on 14 September 2018. Council notes your request to receive the information by **27 September 2018**. Your request for information and Council's response is set out below.

The background to your request you have provided:

"On 5 June 2018, Coastal Resources Limited (CRL) lodged an application for marine dumping consent with the Environmental Protection Authority (EPA) for the dumping of dredged material in the Northern Disposal Area, located in the EEZ, approximately 25 kilometres east of Great Barrier Island (the application). A copy of the application can be found on the EPA website - <https://www.epa.govt.nz/public-consultations/open-consultations/coastal-resources-limited/application/>

The DMC is seeking the following advice and information from the Waikato Regional Council under section 56 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (the EEZ Act) so it obtains the best available information to better understand:

- a) the nature and effect of Waikato's coastal planning provisions,*
- b) the roles and responsibilities of the Waikato Harbourmaster*
- c) contaminant standards and guidelines used to consent dredging the coastal marine area.*

The Decision-making Committee (DMC) deciding this application received a briefing from Council staff on 7 August 2017. I anticipate that the material used in that briefing will materially answer this request for information.

The DMC is requesting the following advice and information from the Waikato Regional Council under section 56 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (the EEZ Act) to help it understand the nature and effect of other marine management regimes that may be involved in managing the effects of CRL's application."

Request 1:

"Please produce a report (or diagram) that outlines Waikato's Coastal Planning framework. In particular, the management regimes and hierarchy of statutory and non-statutory planning instruments and processes that provide for the management of the coastal marine area and exclusive economic zone around the Hauraki Gulf under the RMA."

Council's response:

Refer attachment 1.

Request 2:

"Please provide advice on the roles and relationships between the statutory functions of the Waikato Regional Council, Maritime NZ, and the Harbour Master in relation to potential barge movement within the coastal marine area (out to 12 nm)."

Council's response:

Harbourmasters are appointed by the Council under s33D of the Maritime Transport Act (MTA). S33E, F, G, and H describe the powers of harbourmasters and enforcement officers. A regional council may make bylaws for the purpose of ensuring maritime safety (s33M, MTA). Council does appoint harbourmasters and does have an operative bylaw (2013) which covers all navigable waters in the region except for Lake Taupō.

Council's Annual Plan summarises the responsibilities and activities of the maritime services section; compliance with the bylaw, debris removal and maintenance of aids to navigation and safety signage.

As the tracks the barges will take from dredging sites to the dumping sites are unclear, Council is unable to comment on specific risks to navigation. The one area which may be of concern is the area between Cape Colville and Channel Island where strong tidal currents occur which can cause steep seas.

Request 3:

"As part of CRL's current and proposed application they follow a particular process to characterise the sediment before it is disposed of. Please advise what sediment characterisation process you use to determine what contaminant levels are in the proposed dredged material."

Council's response:

There would need to be an analysis of both particle size and contaminant concentrations (total recoverable analysis) if being disposed of within the marine area but if being disposed of to a landfill then TCLP analysis (leaching potential) may be important. Contaminant analysis is likely to include standard heavy metals and metalloids such as arsenic, mercury, copper, cadmium, chromium, zinc, nickel and lead and also selenium and antimony could be useful to include and also organics such as organochlorine pesticides and polycyclic aromatic hydrocarbons and organometallics such as tributyl tin (if close to land in estuarine environments but for some of these contaminants probably not so relevant for areas in the EEZ approximately 25 kms east of Great Barrier Island). Total organic carbon would also be useful to include in interpretation of contaminant effects.

It is likely that Council would also consider requirements around the representativeness of sampling of dredged materials with regards to number of samples, depths of samples through a stockpile of dredged material or representativeness of sampling the marine bed prior to dredging. In any case Council would expect that the sampling plan is sufficient to identify both lateral and vertical contaminant variation within the area to be dredged. The sampling procedure would need to consider the potential for targeted sampling approaches where there is the potential for hotspots.

Request 4:

"Please provide any baseline information you may have on the on marine invasive pest species occurring at Cuvier Island."

Council's response:

Council does not hold this information.

Nāku, nā



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WAIKATO COASTAL PLANNING FRAMEWORK

