

Russell Protection Society AGM

January 2, 2011

1. Introduction

This has again been a very quiet year for the Society because the economic downturn has meant that there is little money to be made from subdividing or developing large scale accommodation. The Russell Peninsula now appears to have a surplus of residential sections for sale and prices for land have tumbled in some instances. The local body elections have recently occurred and this has resulted in the Mayor and much of his team being returned for another three years. Unfortunately our own Council candidate, Martin Leiding, was unsuccessful this time around. Nonetheless we need to work with the new Council in order to achieve good outcomes for Russell.

2. Sewerage, Again..

No RPS meeting would be complete without a reference to the sewerage situation in Russell. You may recall that through the efforts of Doug Owens we were able to set up a local sewerage advisory committee and to get the Council to employ a part-time worker to monitor the sewage discharge bores. Unfortunately this seems to have fallen apart after the local worker resigned and the Council engineer we were liaising with moved on to another job. Problems have occurred in the past when Council contractors were left to their own devices. This has usually resulted in a poor management and maintenance record, particularly when use of the discharge bores is not rotated to reduce loadings and the build up of slime, and other plant and equipment is also neglected. Council officers appear to have adopted a self-fulfilling prophesy that the Russell bores will simply fail in the short to medium term, although with proper management there is no basis for such a view.

This self-serving view came to a head with the promulgation of a Bay of Islands-wide mega-sewerage scheme, which envisaged that Russell would join while abandoning its own new and expensive scheme. The RPS, in conjunction with the Bay of Islands Coastal Watchdog, the Russell Ratepayers and other groups joined an appeal against this ill-advised and expensive scheme. This was followed by a lengthy mediation process where we countered the Council's expensive technical experts with our own advisors, funded through the MFE Environment Legal Aid fund. We seemed to be at an impasse until Martin Leiding met with Mayor Brown to explore a compromise. It now appears that the Council has tentatively agreed to remove Russell Peninsula from the Bay of Islands Scheme, while reducing the scale of that Scheme down to a more realistic scale. We are now waiting to sign a consent order to that effect. Watch this space!

3. Russell Sewerage Connection Fee

Council appeared intent on pursuing a deadline whereby Russell properties would be charged a substantial development levy unless they connected their properties by a certain cutoff date. It was explained to Council that it made more sense to encourage ratepayers to join the scheme, thereby spreading the costs and reducing groundwater pollution, rather than discouraging joining by levying an addition cost. Sanity finally prevailed and the deadline was extended, however it is a timely reminder that people who haven't connected should do so without further delay.

4. Russell Landfill

There had been rumours that Council is intending to close and cap our landfill and to establish a full transfer station instead. This matter was referred to Terry Greening, our Community Board representative, who made inquiries with the Council. Apparently it is the refuse contractor who is

pushing for this, but according to Terry the Council has no intention at this stage of closing our tip.

5. Tainui Holdings Proposed Subdivision – Te Wahapu

This appeal represents a pakeha family who are leaving the district and want to more intensively subdivide their land than the District Plan provides for as of right. Ironically, this land does have strong spiritual values, as was pointed out by tangata whenua representatives during the hearing of the application. There were also some key land stability and landscape issues to consider. Helen attended the hearing on our behalf and the result was very positive, with Council declining it. However, the owners appealed and we joined the appeal as a s274 party. This was followed by a long process of mediation where the applicant reduced the number of sections by one and submitted a landscape plan. Ultimately the Council decided to agree to this amended proposal by way of a consent order and this put the RPS in a difficult position because we simply do not have the resources to proceed to a hearing. So we agreed to withdraw from the appeal, but wrote to the Environment Court outlining our concerns about the proposed intensity of the subdivision and its likely effects upon the landscape, spiritual qualities and wildlife values of the land. Surprisingly the Judge of the Court wrote to all the parties agreeing with our letter and indicating that the matter should proceed to a hearing where these concerns can be properly tested. The question of who will fund our participation at the hearing has not been addressed yet.

6. Russell Wharf

There have been a number of attempts to upgrade the Russell Wharf. About four years ago the RPS and the Russell Business Association worked together to change the plans of Far North Holdings (FNH), who wanted to effectively create a private marina there. Instead we were able to achieve an acceptable development that was more in keeping with the heritage values of Kororareka Bay and The Strand. A committee was later formed to look at the longer term development of the wharf and the RPS participated fully. More recently a new committee was formed and they have developed a new plan in conjunction with FNH that envisages a doubling of the size of the southern arm of the wharf. This and the proposed design are a matter of concern and hence I asked for a meeting of the Russell Executive to discuss it. The following points were made at the meeting:

- Russell 2000 and the Russell Protection Society have worked to help define what is important about Russell and what should be retained.
- The protection of view corridors out to sea, particularly from The Strand, was accorded a very high priority
- The Marine 6 zone for the area recognises this fact by referring to “Heritage Values” as a matter that must be explicitly considered in any development or re-development of the area.
- The Historic Places Trust will therefore want to carefully consider what the effects of such works may be, particularly on the Strand Heritage Area.
- For this reason all previous attempts at re-developing the Russell Wharf have sought to work largely within the existing footprint of the current wharf.
- There has been an ongoing issue over the lack of maintenance of the wharf and there appears to be an urgent need to commence maintenance works.
- Previous proposals have been largely aimed at improving the efficiency of the existing wharf
- A check with organisers of Russell Boating Club events indicates that the scale of the existing Russell Wharf is adequate to serve the needs of recreational boaters for almost all of the year.
- The concept that if a larger wharf is built at Russell then people will ultimately use it, thereby creating its own demand, is something that needs to be critically examined.
- It is unclear why the existing wharf needs to be bigger – One suggestion is that catamarans and super yachts are becoming more prevalent, however it needs to be pointed out that new marinas

rarely provide for the huge requirements of these vessels because it is simply not an efficient use of space. It should be noted that catamarans usually end tie to marinas or wharfs and super yachts will always anchor out because at 100ft plus they are simply too large.

- The present wharf at Russell, as with previous wharfs there, is largely at right angles or perpendicular to the beach and therefore its visual footprint is relatively small.
- The proposal to double the size of the Southern wing will have a significant visual impact because it runs parallel to the beach and would therefore block the view of the open sea from a substantial portion of The Strand.
- This would effectively act as a fence and obscure views across to Paihia.
- It has been suggested that visitors would instead marvel at the view of the Tucker Thompson or other boats – it should be pointed out that the Tucker would only be there for a few minutes during the summer and not at all during the winter, leaving people to gaze at the elevated structure instead of sea vistas that The Strand is famous for..
- The proposed design of the new wharf, in tandem with its large scale, also need to be critically examined.
- It is proposed to place the cruise tender pontoon at the very end of the wharf. The profile of cruise passengers is heavily weighted towards more elderly, retired people who are generally less mobile and have a greater range of disabilities. The proposed pontoon is in the most exposed location, which limits its use in Southerly conditions, and virtually doubles the distance that these passengers must walk.
- It should also be noted that this would prevent catamarans from end tying to the Southern wing.
- The width of berths at the existing wharf is consistent with what has been built at the Opuā marina and elsewhere and conforms to international standards – creating extra-width berths could simply invite confusion for the recreational boating public in terms of its intended capacity while resulting in the inefficient use of space for most of the year.
- In summary, the proposal could have significant effects on the heritage values of The Strand while offering little to the boating public other than a greater distance for elderly passengers to walk.
- A re-development of the existing wharf at its current scale to serve the demonstrated needs of the recreational boating public should find favour with all parties in Russell.

It was then agreed by the Russell Exec that we would notify the Far North District Council and FNH that the current wharf proposal is unacceptable, but that urgent attention needs to be given to maintaining the wharf in a safe condition.

7. Wellington Street Stormwater Works

The RPS has worked closely with the Northland Regional Council (NRC) in preparing catchment management plans for Russell Central and Matauwhi Bay. These plans envisage trying to reduce stormwater by limiting impervious surfaces and by using water tables, open drains and flood plains rather than piping to reduce the impacts of runoff. This will also help to recharge the underground water resources in the Russell catchment, which are already oversubscribed. The current proposal for Wellington Street is to capture all runoff from Wellington Street as far as the Duffus Estate and pipe it under the road, with an outfall along the foreshore. Unfortunately, individual property owners, with the agreement of Council, have piped the open water courses through their properties over the years. In a number of instances these pipes have proved to be inadequate, leading to flooding. We are now in a situation where there may be no alternative but to pipe stormwater in these areas. I have contacted the NRC to express concern over the fact that the FNDC has not observed many of the conditions of their management plan consent, including mandatory annual reporting of their maintenance works carried out on the existing stormwater system. Lack of maintenance was a prime

cause of previous flooding events in Russell. The NRC has promised to investigate the matter and to report back. So far I have heard nothing from them.

8. Development of Former Fullers Property at Matauwhi Bay

It has been brought to our attention that the current owners of this property are proposing to essentially exploit the current zoning of the land to initially build a caravan park there, with the aim of later translating this into a comprehensive holiday destination resort involving condos, restaurants and entertainment facilities. It has been very difficult to find out any accurate information about this project and the owners remain very tight lipped. However, it is anticipated that they will have to go for a resource consent at some stage in order to realise their grand plans and this will provide an opportunity for us to get involved. In the meantime the downturn in the economy means that it is highly unlikely that this development will proceed in the short term. Watch this space.

9. Rahui at Deep Water Cove

The Society was approached for support of an application by the hapu of Te Rawhiti for a ban on all fishing around the sunken wreck of the warship Canterbury. In response we made a comprehensive submission in support, while noting the need to monitor the area to determine if the rahui or closure is successful. It is pleasing to note that the application for a Rahui has finally been successful and will remain in place for a period of two years to allow the fish life to recover and enhance the diving attractions of the area. The Society has also been supportive of marine reserves and the re-establishment of the maritime park in the Bay of Islands.

10. Review of the NRC Regional Policy Statement

The NRC has started a process to review its current Regional Policy Statement and has invited comment on a discussion. It was decided to focus our submission on a single issue that has been of particular concern to our membership. The following is the submission that was sent:

RESPONSE TO REGIONAL POLICY STATEMENT – DISCUSSION DOCUMENT

- The Russell Protection Society (RPS) wishes to focus its submission on a single regional issue that is most often raised by our membership and is regularly highlighted at our meetings. This concerns the rapid process of sedimentation that is occurring in our Northland intertidal and estuarine waters and the effect this is having on our feral shellfish beds, many of which are important customary resources.
- Erosion and sedimentation are usually accelerated when land use changes occur. In the Bay of Islands this is particularly so during the process of creating coastal residential subdivisions. Examples of these environmental effects are numerous and include subdivisions at Uruti Bay, Orongo Bay, Te Wahapu, Oneroa Bay, and many other areas in the inner and outer Bays. Photos are available showing streams carrying massive sediment loads during storm events in these areas. As a result the important shellfish beds at Uruti Bay, Te Haumi, Pipiroa Bay and elsewhere have virtually disappeared. The NRC is also on record as expressing concern about the rapid spread of mangroves, which is a direct result of increased sedimentation in our estuaries.
- The author of this submission was previously responsible for the management of recreational and customary shellfish beds in Northland for over a decade as an officer with the Ministry of Fisheries. During that period the Ministry conducted a number of intertidal shellfish surveys in the Region which documented the steady decline of these resources. As an advisor to the

Hauraki Gulf Marine Park Forum he helped to initiate a multi-disciplinary study of intertidal shellfish decline in the area. The most likely culprit identified through this study was sedimentation and the associated binding of pollutants to this fine particulate matter.

- The NRC has developed a standard set of guidelines for controlling land clearing and earthworks activities. These were originally modeled on US Army Corps of Engineers standards and more recently on work done by other Regional Councils, notably Auckland. Northland has a combination of relatively high rainfall, steep topography and fine clay soils which means that it is particularly prone to erosion when land is disturbed. It is therefore considered appropriate during this RPS review that the NRC guidelines are critically examined to determine whether they have been effective or not.
- If it can be assumed that NRC's standard guidelines have generally been followed in the Region, then by most accounts it would appear that these have largely been inadequate in controlling erosion and consequent sedimentation, particularly when high-intensity sub-tropical storm events occur during the summer and autumn months while earthworks and land clearing operations are being undertaken. It is recognised that this is not a trivial matter because land development and use are at the heart of the Northland economy. However, use of our marine areas is also very important to the cultural, social and economic well-being of the regional community and to tangata whenua in particular. In our view what is needed is an open and transparent debate about where the balance lies between protecting our intertidal waters from rapid sedimentation and fostering land use development. It is suggested that the NRC is in an ideal position to articulate and debate the various trade-offs that may have to be made in this regard so that a regional consensus on the matter can be developed.

11. Cass Street II

The RPS, in conjunction with Russell 2000 and other community organisations, is involved in the second stage of improving the linkage between Kororareka Bay/The Strand/the wharf and Cass Street. This would involve relocation, removal or redesign of incongruous elements such as commercial signage, street furniture, lighting, fuel tanks, decks, railings and landscape planting while providing direct stair access to the beach. In order to achieve this it will be necessary to first achieve a broad consensus on what should be removed or redesigned and on issues such as the pedestrianisation of The Strand. Since a major stakeholder in this area are the local businesses, the Russell Business Association has canvassed its membership on some of these matters. A clear consensus has yet to develop. The initial redevelopment of Cass Street was designed by a very highly regarded architect and landscape architect, Mr. Harry Turbott. Unfortunately Harry has been quite ill recently and his future involvement in the project is uncertain. Ideas about how this worthwhile project might be fostered would be greatly appreciated.

12. Have a great holiday

Please have a safe holiday and best wishes for a Happy New Year. Your hard working committee values your support and would like to encourage you to help enlist new members and to actively participate in the affairs of the Society. We would particularly welcome a discussion of where the Society is (and should be) going and what some of the key issues are that we should be addressing.