

Peter Beech (Patron of Guardians of the Sounds)

316 A Waikawa Bay Picton.

p.beech@xtra.co.nz ph 03 5736901. 0275 404 407

Yes I will speak to this submission.

It is with a heavy heart that I make this submission, over 20 yrs ago I formed an environmental watch dog group called "Guardians of the Sounds " to try and protect the natural resources of our Sounds and protect the rights of the Sounds Community.

After 20 yrs of advocacy work you would think that the govts role in Sustainable Management of the Sounds would of improved out of sight.

We have seen the transition of the Ministry Of Fisheries , who did a terrible job of managing our fisheries resource to now calling themselves MPI, they have formed a virtual partnership with the Foreign owned multinational "King Salmon. " along with Te Atiawa Trust.

You know as well as I that what they should be doing is creating a long term Sustainable, Holistic, management plan for NZ's native fish stocks, that will guarantee healthy fish stocks into the future . the individual quota system is fundamentally floored in that it focuses on individual species rather than a holistic model , and it will fail.

When the native fish stocks are all gone they plan to replace them with farmed fish ! and plan to legislate to make the Sounds into one great big aquaculture growing area.

The really sad thing is that they know full well that it will become a polluted , diseased, cess pit within 20 yrs. It doesn't worry them because like the fishermen, bottom scallop dredgers, divers, sealers, whalers, forestry industry,pastoral farmers, Dairy farmers and freezing works before they will create a mono culture farming Salmon that will give good returns initially but will be non Sustainable long term.

The current fisheries management is failing because of competition greed and corruption, their fish farming model will fail because of pollution and disease.

My whanau have lived, worked, fished, farmed and built boats in the Sounds for 7 generations, collectively we have experienced all of the failed monocultures, for the last 30 yrs we have kept a very close eye on Salmon farming both here and around the world.

Everywhere they have farmed them in sea cages intensively they have been an environmental disaster, and here is no different. It is the same water, the same fish, same methods, same feed.

How can a government in this day and age with all their educated staff, environmental advisers, scientists, Agency staff, like DOC, MOE allow a rort like this to happen .

We like to think that our great grandfathers didn't know what the effects of deforestation of the Sounds would cause or the hunting of the southern Right Whales would lead to their virtual extinction. But they do , they know exactly what is going to happen as a result of this application.

We are so tired of reading the lies from King Salmon , they argued for years that their farms where sustainable, no pollution, no disease, our farms don't cause algy blooms. We wont put our fish farms over your traditional fishing spots or spawning areas, we wont prevent you from gathering

Kaimoana, our industry wont affect your customary or recreational fishing or diving areas, your people wont get sick . diseased salmon wont infect native fish stocks.

They are still saying that their farms are fully assimilative, rubbish ,the bottom under farms that were closed 15 yrs ago are still black oozy muck, that nothing can live in, we are sick of their lies And we are ashamed that a responsible well informed government could ignore decisions made by the Supreme Court, blaze ahead by applying to move these farms and increasing the amount of feed 3 fold without waiting for results on the environmental impact of the latest high flow farms and conspire with a multinational company and take away our democratic rights.

Company scientists and expert witnesses are nothing but paid lairs, they are saying that the farms are unsustainable in low flow sites, contrary to all the King salmon dogma that the Ministry Of Fisheries and MDC has accepted as gospel all these years.

This application By MPI is an acknowledgement that all the Science that King Salmon has been promoting as sustainable all these years is false, the Sounds community have known this all along but the agencies wouldnt listen to us.

The belief that moving farms into high flow sights will make the industry sustainable is misleading and potentially disastrous for the Sounds Eco system. The reason they have made this application in defiance of the Supreme court is because they know that there is no way that fish farms that are stocked at current levels will ever be able to achieve the target that MPI have set of one Billion Dollars worth of product a yr by 20 25. This application is all about intensification.

We have been told that the amount of feed applied for would produce the equivalent amount of nitrogen as the amount of sewerage from 400,000 people or 56 ,000 dairy cows.

I suspect that you will recommend that these sites are granted as “ Controlled Activities “ with very long licenses, Controlled Activities are licences in Perpetuity, and should not be allowed, any licence for a fish farms should be reviewed every 5 yrs as they are in Norway.

Personally I don't believe these farms shouldn't be allowed in the Sounds full stop, but in some ways the low flow sites are the better of the two evils, in a low flow site the waste falls to the bottom , this forms an anaerobic build up underneath the farms that in time give off methane gas, phosphorous and other toxins that eventually become anoxic, the lack of oxygen kills their own fish.

If you move those farms into high flow sites, only 20% of the waste falls to the bottom the other 80% gets distributed all around the Sounds by the flood tide. In 6 hrs a toxic algy bloom will travel the length of the Sound. This has been proven. The nitrogen enrichment will result in the only creatures living in the Sounds will be Algy blooms and jelly fish, they will be creating a Dead Zone, this has happened in the Adriatic, The Gulf of Mexico, The Sea Of Japan, why would it not happen here.

The other risk is that shown in other countries is the increase in acidification that could have a serious impact on the shells of our Kaimoana and threaten the paua industry.

It is wrong for a government that has a duty of care to provide for the health and safety of its people to allow an industry to operate and develop that has knowingly caused paralytic algy blooms capable of causing peoples diaphragms to seize and their lungs to stop, these people could die from eating contaminated kaimoana.

I f this happens and the Ministry of Health have prior knowledge are they not responsible.

I told the Ministry of Health who had erected a sign in Waikawa that said If you eat shell fish you could get sick . I told them that they should change the sign to say that “If you consume kaimoana contaminated with Paralytic Algie bloom you could DIE ! “

Every year for the last five years we have been unable to collect Kaimoana over the summer months because of Paralytic algy blooms. If Te Atiawa Trust wasn't partnered up to this company they should be enraged about losing the fundamental traditional right to gather Kaimoana and the lost of yet another popular fishing and diving spot to another massive fish farm which will destroy all the native ecology for hundreds of metres all around it.

What MPI don't appreciate is that Totaranui is like a washing machine bowl, the tide will spread the nitrogens and toxins to every part of it, Cancer although concentrated in one area of the body will eventually kill the host.

Does the 2nd article of the Treaty of Waitangi not say, “Full Exclusive and UNDISTURBED possession of lands forests and fisheries ! A company that is knowingly poisoning our kaimoana and our community is in contravention of Article 2 of the Treaty of Waitangi.

At the EPA Hearing in 2013 the Judge told us that our references to the Treaty of Waitangi were

“ Nothing but a distraction, “ This was a terrible insult to Maori, did he say this because of a lack of understanding about Te Ao Maori / (Maori world view of the natural world,) or was it because he felt that The Treaty Of Waitangi has no basis in the law and he wasn't obligated to give regard to it.

The treaty is mentioned in over 30 acts, my understanding is that law makers must take these acts into consideration, The main one being the Conservation Act 1987 section 4.

“This act shall be so interpreted and administered as to give effect to the principals of the Treaty of Waitangi.” Local Maori strongly support the concept of Kaitiakitanga as defined by section 2 of the RMA 1991- “ The exercise of guardianship, and in relation to a resource, it includes the ethic of stewardship based on the nature of the resource itself.”

Chinnook Salmon is not a native species , but the adverse effects of Salmon farming have a very real potential to threaten our Mahinga kai , native fish stocks and threaten the health and safety of our community.

Section 8 of the RMA says “ shall take into account the principals of the treaty of Waitangi. “

Section 6 e requires decision makers to “ recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands water, site wahitapu and other taonga.

Section 7, sets out persons exercising functions and powers under the act are to have particular regard to including Kaitiakitanga

Under the Treaty of Waitangi (fisheries claims,) settlement act 1992 “ it states, May be seen as an affirmation of customary rights that would other wise be recognised by the common law. “”

I have included this because, if as a court you feel that you are not required to acknowledge the Treaty of Waitangi or just see it as a “Distraction, “ please pay recognition to our customary rights to be able to gather kaimaona and fish(without getting sick) and to help feed our kids and be able to swim in clean unpolluted water that is recognised by international and customary law, if not in LAW but in LORE.

I certainly hope that this court pays due regard and respect to the Treaty of Waitangi the founding document of our country.

We have shared our LORE, (Oral histories,) before with the EPA, who took no notice.

The old people had a holistic view of the Sounds ecosystem, they believed that all of the elements the air, the bush, the sea, the river deltas and lagoons , the tide the fish , kaimoana all had a life force and that they were all dependant on each other for mutual survival.

They called the Sounds Totaranui, the emphasis is on the word Tara which is a womens private parts, the name meant that the Sounds was their mother, and Tory channel was the Mothers womb, the high peak directly behind the channel Entrance was called Raiatea, the penis that fertilised the womb.

The Bay called Onapua , the Pua is the receptacle for life where the seed is germinated , isn't it interesting to learn that it is from this bay where they believe the Algy blooms originate.

And the southern most headland of Arapawa is Called Rua O Moko , (this name has a dual meaning,) one is""

“ God of Earth Quakes,” the other meaning is “ The Unborn Child, “ and the earth quakes are the mothers birthing pains.

This middle section of the channel was the most densely populated by Maori over the Summer months, where they were actively involved in gathering and storing enough kaimoana to carry them through the winters.

They lived in bays on both sides of the middle sections of the channel their pa sites were called Kaihinu, and Moioio Island, because these bays and headlands are much more sheltered than the exposed bays at either end like Okukuri and Maraetai/ Dieffienbach where the Southerly storms become extremely violent.

Of course the same applies today, and that central section of the channel was the most favourite fishing spots for customary and recreational fishermen & divers

The MPI have taken it upon themselves to make The channel into a salmon farming / aquaculture growing area, I was told the other day that the MDC Aquaculture working group has been asked to divide the whole of the Marl sounds up into paddocks ! I suspect that MPI have plans to develop the Marl Sounds into one great big aquaculture growing area to the detriment of all other user groups and our Sounds communities rights to Tourism, customary and recreational fishing and diving.

Remember that there are hundreds of people today who are descended from Maori who lived in Tory channel and Arapawa Island, also hundreds who descend from whalers and fishermen from Tar White.

There are also very significant Urupa like Moioio Island where over 300 souls were slaughtered during the musket wars and the grave site of Huriwhenua, one of Te Atiawas paramount chiefs.

Don't take it for granted that because Te Atiawa Trust has thrown their hand in with King Salmon that local whanau Hapu agree with it, at the last EPA hearing , Whanau Hapu called iwi hui where they were given a clear mandate to tell the Te Atiawa Trust to oppose their own partners.

They were told by the Trust that when the people voted them onto the Trust they had given them a mandate to make independent decisions.

King salmon were very clever in being able to convince Te Atiawa Trust to join them as partners, this court needs to acknowledge that Te Atiawa are just one of 8 Iwi in the Top of the South.

I guarantee that in the future local Maori who have been disenfranchised by their own Iwi trust will turn on them. Nothing is more important to Maori than their rights to be able to harvest fish and kaimoana, especially for weddings, 21'sts, tangi at the Marae, this marriage with King Salmon will end badly for Te Atiawa Trust, already the chairperson has been forced to step down.

It wont be long before local Maori will need to go to the supermarket to buy their Kina and mussels out of plastic punnets !

The new Salmon farm at Ngamaho will pollute and destroy the best cockle bed in NZ in the bay directly to the South of the farm, the EPA refused to listen to our warnings about this.

I am a 5th generation Soundie, I have lived in the Sounds my entire life, I've never been anywhere, I'm 60 yrs old and have spent my life plying these waters, for the last 25 yrs I have been a commercial skipper first working as a commercial fisherman then skippering commercial tourist boats and water taxis. For the last 20 yrs my wife Takutai and myself have been running an ecotour operation in the Sounds and Tory channel.

After spending a lifetime studying the ecology of the Sounds I whole heartedly agree with the Maori analogy of the Sounds being the Mother and the Channel being the mothers womb.

You need to look at the big picture, ocean water being swept all the way by southerly storms all the way from Antarctica, rich in Zoo plankton and phytoplankton, when it reaches Cook Strait it is forced into a funnel, Tory Channel leads directly off Cook Strait. Phytoplankton nets that we have dragged around in Tory Channel entrance called Kura Te Au show that the strong tidal flow is rich in Zooplankton and Phytoplankton.

This is spat or fish eggs that sweep up the Kaikoura Coast, they have a high oil content which evaporates over 3 days and when they reach the Channel they sink to the bottom. When the fish and Kaimoana spat in Tory channel it is carried by the flood tide and distributed all around Tootaranui.

Before the Fast Ferries trashed it, Tory channel was regarded as the most productive area of fish and Kaimoana in NZ.. What I want to make sure that you understand is that, If there is one area of Tootaranui that you should protect over all others its Tory channel, The Mothers Womb, if The ecology of the Channel dies, which it will with intense aquaculture, the the ecology of Tootaranui will die with it. Be clear on that point it is very true !

The Sounds ecology has reached a tipping point, there are only 20 Hector Dolphins left who dwell permanently in the Sounds, and for the last 4 yrs the bottle nose Dolphins have disappeared all summer long. This is a result of the MOF allowing the destruction of the bottom of the Sounds ecology as a result of the bottom dredging by Scallop and kina dredgers, both commercial and recreational .

When the flood tide leaves Tory channel and enters Tootaranui it sweeps straight across to the other side where the Ruakaka Salmon farm is sited, there is one of only 3 King Shag roosting sites in Tootaranui, we know that the algy blooms caused by salmon Farming are disastrous for the King

Shags. The shags are bottom feeders and feed in the tidal flow that sweeps across between Dieffenback and Bull head.

We take out a lot of bird watching parties , our tourism industry would suffer greatly from the loss of these wonderful birds, we have known people to travel all the way from Europe just so they can tick that box.

There are already too many salmon farms in Tory channel for the ecosystem to be able to assimilate. Don't allow another one, it could well be the straw that breaks the camels back.

There are lots of issues over shipping, (another large salmon farm set up opposite a blind corner is a navigational hazard, I saw 3 ferries all passing each other right opposite that point just the other day.

We have experienced what happens when a fish farm breaks lose from its moorings and sweeps down the channel, its happened before and will happen again. Fish farms shouldn't be sited along a shipping route.)

Sedimentation caused by Forestry, bottom dredging for scallops, Kinas and collapse of the fish stocks. I have an accumulated knowledge based on the oral histories of 3 generations of my ancestors who like me spent their whole lives living in the Sounds and we have also learned to respect the oral traditions of Maori who have lived in the Sounds for between 1 and 2,000 years. MPI are making management decisions about things you and your scientists know nothing about, be very careful, the Sounds ecology is in a state of collapse. Don't tip it over the edge with misguided belief in short term gain.

I see the ecology going thru its paces every day , the Maori people in whanganui are asking people to think of their Awa, the whanganui river as a living entity. That is a wonderful concept , think about the analogy with the Sounds and ask yourself if you are making the right decisions. (would you disrespect your mother !)

As a tourism operator who over 20 yrs has taken thousands of foreign tourists and thousands of kiwi school children around the Sounds, let me tell you that the foreign tourists are all well aware of the pollution and disease issues with Salmon farming and they don't want a bar of them, they don't want to be taken to look at them and they don't like talking about them, they have travelled to the bottom of the world to look at our pristine nature show.

In the last 2 months We have taken out 12 school classes who are wanting to learn more about the sustainability of salmon farming in the Sounds, there is a big public backlash from the people of Marlborough, to this proposal, interesting that now its coming from the schools

The Government has allowed our fresh water rivers and streams to become terribly polluted, please explore the parallels between the effects of over intensification of dairy farming ,make sure that your decisions don't do the same to our beautiful Sounds. We have stripped her of all the whales and seals, we have filled in all the lagoons and dredged out the deltas where the baitfish bred, With no breeding grounds left there is no Bait fish to entice the enormous pods of pilot whales that used to come into the Sounds in my grandfathers time, we have ploughed up the bottom and destroyed her ecology and through mismanagement we have allowed the fish stocks to be decimated.

We have deforested the hills, for their 2000 yr old podocarps, pastral farmed for 150 yrs, now covered the hills with exotic pines, the sedimentation from which has smothered all our kaimoana beds and kelp beds.

The wilding pines eradication has cost NZ and the local community millions of dollars to remove with no help from the forestry industry.

Don't make the same mistake with yet another mono culture , we know that salmon farming will fail, and we know that when it does the aquaculture industry will just turn their backs and walk away, it will be left up to the Sounds community to clean up the mess.

Finally, the thing that I am extremely concerned about is MPI taking the management rights off our local government in regards aquaculture.

Many of us stakeholders have spent yrs now consulting on our Sounds plan, then MPI come along and tell our council that they are taking Aquaculture out of the district plan . How dare they !

They have defiled our democratic process, this is the Dilution of Democracy, whats next, when they decide that they want to fast track forestry, will they pull that also.

They are on a slippery slope !!! where does this stop.

Democracy is a frustrating system, but it's the best system we have got, if a law is unjust as a community we can change it , if there is no law we can create one.

We elect people as councillors to represent us, people who know our history , our culture and environment, if they don't know we can educate them , but we rely on them to manage our Sounds.

This is local government by the people for the people.

This is Democracy, MPI have no right to interfere in this process, and to call the application by one company a matter of National importance is an insult to everyone's intelligence.

If they must grow this industry that takes fish stocks off poor people to convert into feed to sell to rich people , look for a Truly Sustainable method, I think that storms and raising water temperature will prevent open sea farming .Although it is Ideal for mussel farming ,there is an open sea mussel farm being developed now out in Clifford bay which has been developed because of over crowding of mussel farms in the Pelorus, and lack of sustainable growth because of over competition and lack of feed. Pure economics will drive this development.

I think that land based fish farming is the future, where they dig their ponds out of the land, pump in the cool clear waters of Cook Strait, circulate around the ponds, feed the fish on Sea weed which the industry can farm themselves to what in time will all be herbivore fish, control the water temperature and filter the waste out (to be processed in an environmentally acceptable manner) before the filtered water is returned to the sea.

The farm will be near the town like Blenheim, Riverlands, or lake Grassmere where there are huge lagoons right along side the road and rail network. close to the coast, easy access for the large quantities of feed and be close to the town for workers access. Yes it would be more expensive and would reduce their profit margins, but the only reason their profits are so good is because they don't pay rates for their sites and they just dump their waste in the sea. The Ministry of environment should insist on this industry having to dispose of their waste effectively without pollution.

The company will have to pay rates for the land and will have to pay to dispose of their rubbish, like every other industry, As a govt agency MPI need to make this industry clean up their act

MPI'S turning a blind eye to the terrible pollution of our rivers is bad enough, they should man up and clean up this industry, why should the Sounds environment have to subsidize their waste.

King Salmon say this technology isn't available , Rubbish, they have had them in Canada and Norway for years.

The Norwegians have developed this technology into an extremely productive and profitable enterprise where every part of the process is controllable, water temperature, oxygen levels and the disposal of their waste. Even their waste is processed into a marketable product, this is a truly sustainable system.

The last EPA hearing process cost them between 11 and 15 million dollars , that would of built a magnificent land based closed containment farm that the whole community and country would be proud of.

Remember that King Salmon is just one stake holder, a small player compared to our tourism industry, yet it has the potential to destroy the tourism industry, the Sounds ecology is dying, please don't make it any worse by adding 5 times the nitrogen and remember the precautionary principal.

Every action has a reaction and every creature in the marine ecosystem is symbiotic.

It is economic necessity that will drive the development of off shore mussel farms, however the only thing that will get Fish farmers to develop land based , closed containment farming is Government policy based on long term sustainable management with due regard to environmental effects , customary rights and the health and safety of our community .

As it stands Fish farmers don't have to buy the area of seabed they covet, they don't have to pay rates, they don't have to dispose of their waste and if and when they leave , they don't have to dredge their pollution off the bottom , they just turn their backs and leave.

I have limited my submission to only cover Totaranui, That doesn't mean that I am not concerned about Hoiere, but there are residence from there that have a far better knowledge than me of their own rohe, only thing I will say is that the pollution from the high flow sites there will be distributed by the tide right thru the Sound. One good thing is that in time it will probably destroy the mussel industry, which should be moved out into the open sea.

MPI shouldn't be looking at high flow sites, they need to be looking at ways of getting Salmon farming out of our Sounds altogether.

I would like to think that with good science and good management we could put in place a long term management plan for a sustainable recreational and customary Sounds fishery. However I suspect that the ever increasing numbers of recreational boats with their more and more sophisticated fish finding technology will mean that the fish resources of the Sounds will inevitably collapse . which will result in the Sounds being made into a marine reserve which long term will be of far greater ecological and economic value to NZ.

I don't expect that the decision that this court makes will be anything other than MPI policy,

What I will be very interested in is to see your decision peer reviewed by the supreme court and to see whether or not the Supreme court is influenced by government peer pressure or whether the justice system stands above politics.

Thank you for allowing me the opportunity to speak.