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Dear Sarah,

Re: PEER REVIEW OF THE NATURAL CHARACTER ASSESSMENT: PROPOSAL TO LEAVE THE REMAINS OF THE MV RENA ON ASTROLABE REEF

Further to your correspondence and instructions, I have undertaken a Peer Review of the Natural Character Assessment ('the Assessment') that has been prepared as one of the technical reports to accompany the Resource Consent Applications for the Proposal to leave the remains of the MV Rena on Astrolabe Reef (the 'Proposal'). The Natural Character assessment has been prepared by Wade Robertson of Beca Ltd.

Purpose and Background

The purpose of this peer review is to advise the Department of Conservation on:

- The adequacy of the report;
- Is it complete? Advise of any areas requiring further clarification or additional work; and
- To provide a professional opinion on the conclusions that have been reached in the Assessment based on the work that has been undertaken to date.

It is not the purpose of the peer review to undertake an independent assessment of natural character effects.

The Assessment will be reviewed according to each section of the report, followed by a summary which records any observations in relation to any clarifications required or omissions from the Assessment. I note that the Assessment has relied on a number of other technical reports, particularly in relation to the physical effects of the proposal. Those reports include assessments in relation to:

- Recreation;
- Social Impacts;
- Sediment Quality;
- Water Quality and Ecotoxicity;
- Dispersal of Pollutants;
- Acoustic Effects;
- Avifauna;
- Fisheries and ecology; and
- Marine Mammals.

I have received the Resource Consent Application and the reports in relation to Social Impact and Recreation and have reviewed the Executive Summaries of each, however I have not read them in full. As natural character effects are a combination of both physical and perceptual

effects, it is normal practice for an assessment of natural character to rely on, summarise and distil the conclusions from a range of other, often more technical and detailed assessments.

I have not had the opportunity to review Peer Reviews testing the validity of any of those other assessments above that have been prepared in support of the Proposal.

Review of the Sections of the Assessment

Executive Summary

The Executive Summary provides a useful overview of the purpose, scope and conclusions of the Assessment. The conclusions are repeated later in the Assessment, so will be addressed in the review of that section and in the final summary.

The Executive Summary is a useful way to summarise the contents of the Assessment.

The Executive Summary does not identify the most relevant statutory or policy documents relating to the assessment nor does it identify the relevant test that the Natural Character Assessment is putting the application to. Based on my reading of the Resource Consent Application and the Assessment, the most relevant tests for the Assessment appear to be Policies 13 and 15 of the New Zealand Coastal Policy Statement 2010 and their relationship to Section 6(a) of the Resource Management Act.

Scope of Work

The scope of work section provides a description of the proposal, the purpose and scope of the Assessment, the assessment method and a section titled defining natural character.

The description of the proposal outlines that:

"Conditions are proposed to cover the following..."

The nature of the conditions is described, however the conditions are not contained or reviewed within the Assessment. The Conditions of Consent are discussed in detail later.

The scope of the Assessment is well described. The relevant policy documents are set out at Section 1.2.4.

At the end of the Purpose and Scope section on Page Two the Assessment states:

"It is important to note that the proposed Resource Consent and this assessment do not seek to authorise the grounding or its aftermath. Therefore, this assessment is limited to those effects on natural character resulting from leaving the wreck only."

This statement sets a limitation to the Assessment of the natural character effects of the Proposal. The statement limits the consideration of any effects to only future effects.

The description of the Assessment Method is set out and is appropriate to the proposal, so far as it goes. I note the extensive review of documents, studies and case law, the extensive and wider Bay of Plenty site work and the period of time taken to prepare the natural character Assessment¹.

The assessment method is appropriate to the Proposal for which consent is being sought.

Section 1.4 relating to Defining Natural Character provides a review of the history of natural character definitions and the current best practice under the RMA. The definition section

¹ Gleaned from the Revision History on Page One as being in the order of 18 months.

reaches the conclusion that the consideration of Natural Character requires an understanding of physical aspects and perceptual aspects, which is a simplification of a wider Tri-partite grouping of landscape assessment aspects.

I can largely agree with the process of arriving at the list of physical and perceptual aspects that are listed at the end of Section 1.4 based on the review undertaken, however a level of broader public perception is missing from the more detailed and focused perceptual aspects that are listed in the Assessment.

The perceptual aspects considered in the Assessment are:

- Visual and aesthetic qualities, including visual coherence and legibility, memorability, vividness, sense of wilderness and remoteness; and
- Experiential qualities including noises, smells exposure to elements and underwater experience².

Using this method for the consideration of the perceptual aspects of natural character³ would require someone with an interest in the natural character of the reef to visit the reef and in most cases be under the water. It would limit the full consideration of the perceptual aspects of the natural character of the Astrolabe Reef to divers. For example, the Assessment assumes that in order to appreciate visual coherence, legibility, memorability, vividness, sense of wilderness and remoteness, noises, smells, exposure to elements or underwater experience, one would at least need to be present and in close proximity to the reef.

Since the MV Rena struck the Astrolabe Reef on 5 October 2011, the location and the natural character of the reef and the wider Bay of Plenty area have been subjected to strong public interest. Debris from the MV Rena has washed up on beaches from the Eastern Bay of Plenty and the East Cape to the Coromandel Peninsula. The level of environmental damage has been public and widespread. The New Zealand public and in particular the Bay of Plenty public, including a large number of local environmental groups have been involved and will continue to be involved in the clean up from the MV Rena.

Given the very public and wide spread nature of both the physical and in particular the perceived effects of the MV Rena on the wider Bay of Plenty area it would be remiss not to consider wider public perception in relation to the natural character effects of the wreck on the Astrolabe Reef, the open sea and the Bay of Plenty coastal environment.

While the Assessment has established a rationale for assessing the perceptual aspects of natural character, in relation to the unique nature of the MV Rena applications, the method appears to be limited in its consideration of natural character for two reasons:

- It relies on people to be at the reef and generally underwater to appreciate the perceptual aspects of natural character; and
- It ignores a wider and more obvious public perception in relation to the historical⁴ and future natural character of the reef and the surrounding area.

² Page 5 of the Natural Character Assessment.

³ Including the perception of naturalness.

⁴ By historical, I refer to both the natural character of the reef prior to the grounding and the natural character of the reef and surrounds between the grounding and when the Resource Consent Applications were lodged, which, by the limits set on the Assessment, are excluded from consideration.

In my opinion, consideration of the wider public perception of the natural character of the reef should form part of the Assessment given the unique and public nature of the wreck grounding and the applications to leave it on the reef.

The review of previous studies adequately summarises each of the Regional Assessment documents that are relevant to the applications.

Natural Character of the Astrolabe Reef

The description of the natural character of the Astrolabe Reef focuses mainly on the physical aspects. This section contains a number of references to other studies and assessments which help to describe various physical attributes of the reef. The physical description of the reef is largely technical and appears to be appropriate to the applications.

The description of the perceptual aspects of the natural character of the reef notes:

"The perception of Astrolabe Reef has undoubtedly changed since the grounding of the Rena with a broader cross section of society now aware of the Reef and its location. Whilst the Reef has been widely recognised in the past (e.g. naming of Astrolabe restaurant in Mt Maunganui), it would have been largely unknown to people outside of residents and visitors to Motiti Island, recreational and commercial fishermen, recreational boaters and divers".

This observation confirms that the wider public awareness of the location, presence and the natural character of the reef and the surrounding area has changed since the grounding of the MV Rena. As highlighted above, the location and condition of the reef and the MV Rena have attracted national and international attention. A wider public interest therefore now forms part of the perceptual aspects of the natural character of the reef.

Three main groups of people can be identified as having an interest in the natural character of the Astrolabe Reef:

- The recreational divers and fishers that visit the reef and experience it directly;
- The inhabitants of Motiti Island and people who share a spiritual relationship with the Astrolabe Reef and Motiti Island; and
- The general population of the Bay of Plenty and New Zealand that are now aware of, but don't necessarily have a direct relationship with the reef.

The Assessment goes on to evaluate the natural character rating of the Astrolabe Reef using a combination of the physical and perceptual aspects outlined. The Assessment concludes that the natural character of the reef would have been outstanding prior to the grounding of the MV Rena. It also concludes that with the clean up works so far and the natural re-colonising of the reef and the wreck by marine life the natural character rating remains outstanding.

Assessment of Effects on Natural Character

The Assessment of the natural character effects of the proposal to leave the MV Rena on the reef is focused mainly on physical effects. With the benefit of over two and a half years of recovery works, natural re-colonisation, the exclusion zone around the wreck and the increase in the level of three dimensional habitat on the surface of the reef, the effects on the physical aspects of natural character are found to be positive and to have largely offset any negative effects of the physical damage to the reef itself.

In relation to an increase in three dimensional habitat on the reef, the approach taken would suggest that more wrecks would provide more habitat. This outcome might be a small, but now happy coincidence in relation to the relative size of the wreck to the wider Bay of Plenty

marine habitat area and the wider effects envelope and debris field for the wreck, but provides a limited positive outcome.

The evaluation section of the Assessment mentions that the physical impacts relate to “*a relatively small approximately 2% portion of the reef*”.

This would suggest that it is only the physical location of the wreck on the reef is ‘impacted’. Since October 2011 flotsam from the MV Rena has been spread across a large area of the sea floor of the Bay of Plenty and physical cleanup has been required on beaches and tidal areas from the northern parts of the East Cape to the Coromandel Peninsula. This would indicate a more widespread debris field and area of impact than the small part of the reef that hosts the remnants of the MV Rena itself. Potential ongoing effects could also relate to a wider debris field and receiving environment.

Mitigation Measures

The mitigation measures are referred to in a general sense. The detailed wording is not outlined in the Assessment.

I have reviewed the Proposed Conditions of Consent and in particular the Proposed Conditions that relate to the Restoration and Mitigation Package. I note that there are proposals to establish funds to be administered by Charitable Trusts for the purpose of financially supporting projects that benefit:

- The relationship that the residents, landowners and tangata whenua of Motiti Island have with Otaiiti (Astrolabe Reef);
- The relationship that the iwi and hapu of Te Arawa Maketu have with Otaiiti (Astrolabe Reef);
- The relationship that the iwi and hapu of Tauranga Moana have with the moana; and
- The establishment of a scholarship to provide for education and/or research involving the marine environment, seamanship or navigation for residents of the wider Bay of Plenty for a period of 5 years.

The financial commitment that is offered to the projects of benefit to the groups outlined above is detailed, with the greatest commitment being made to the people and the environment of Motiti Island which is closest to the reef.

The restoration and mitigation package Conditions appear to make genuine commitment to providing financial assistance to the people most directly affected by the proposal.

It is unclear whether any specific measures have been recommended for the restoration or mitigation of natural character effects. It is assumed that the Restoration and Mitigation package outlined above would include financial support for projects that restore natural character; such projects could include coastal re-vegetation projects on Motiti Island and ecological restoration works within the Maketu Estuary or the Tauranga Harbour.

Relevant Policy Review

This sections lists a series of documents that have been reviewed. The full detail of the Policy Documents reviewed is contained in **Appendix 9: Relevant Policy Review**.

Conclusions

The conclusions flow logically from the Assessment. The Assessment concludes that the natural character of the Astrolabe Reef remains outstanding and that any ongoing effects of

the retention of the MV Rena wreck will '*generally be low and diminish further in the long term*'.

The conclusions appear reasonable in relation to the Assessment that has been undertaken so far, however aspects of the wider public perception of the natural character of the reef and the wider area of impact outlined above have not been addressed.

It is notable that there are a number of maps, charts, photographs and other background materials attached to the Assessment. There is no physical plan in the Assessment illustrating the location of the MV Rena on Astrolabe Reef, the extent of the overall debris field or the tidal areas that have experienced direct effects from the grounding to date. This information would provide an understanding of the overall extent of the potential natural character effects envelope of leaving the MV Rena on the reef.

Summary

The natural character Assessment has been limited to the future effects of leaving the remains of the MV Rena on the Astrolabe Reef. This approach does not consider the effects that have resulted since the grounding on 5 October 2011.

The assessment method has focused in on the detailed perceptual aspects of natural character assessment as it would relate to those people that are able to visit the reef and does not consider the more obvious and widespread public perception beyond the immediate footprint.

The small area of the reef where the remains of the MV Rena are located is a focus of the Assessment. The natural character effects of the grounding have been experienced and are likely to continue to be experienced across a much wider area that should also be assessed in relation to potential future effects.

Further graphic information (plans, maps, etc) illustrating the location of the MV Rena, the Astrolabe Reef and the overall debris field and areas affected to date would provide a better understanding of the potential effects of the proposal.

While the conclusions that have been reached so far in the Assessment appear logical, it is my opinion that both widespread historical physical effects and wider public perception cannot be de-coupled from an assessment of the natural character effects of the proposal to leave the MV Rena on the Astrolabe Reef.

Completeness

The focus of this review is to summarise the Natural Character Assessment and to offer guidance as to whether the Assessment is complete. In my opinion additional work or information is required in relation to the following:

- The public perceptual aspects of the effects of the proposal on the natural character of the Astrolabe Reef;
- Maps or plans identifying the location of the MV Rena on the reef and the extent of the debris field; and
- Identification of the nature and the degree of the effects of the proposal on the natural character of the Astrolabe Reef. The relevant test under the policy framework, particularly in relation to Policies 13 and 15 of the NZCPS 2010 and their relationship with Section 6(a) of the RMA.

Further work in relation to these aspects would improve the overall consideration of the natural character effects of the proposal.

I hope this review assists your understanding of the Assessment. I will be happy to discuss and review, as required. Please call me if you have any queries.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'B Coombs', with a stylized flourish at the end.

BRAD COOMBS

Registered NZILA Landscape Architect
Isthmus