

Submission for TRC 2014/2015 Annual Plan

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Tēnā koutou, tēnā tātou,

Ko Rangi

ko Papa

ka puta ko Rongo

ko Tānemahuta

ko Tangaroa,

ko Tūmatauenga

ko Haumiatiketike

ko Tāwhirimātea.

Tokona rā ko te rangi ki runga

ko Papa ki raro

ka puta te ira tangata

ki te whai ao

ki te ao mārama

Tihe, mauri ora!

Thank you for taking the time to hear our suggestions and concerns.

Please find below our comments on the draft annual plan for 2014/2015. Some councillors will be familiar with the work our group does. We are opposed to the expansion of the oil and gas industry because of its impact on the local and global environment, in particular climate change. Our group combines environmentalism with the quest for social justice.

We would like to state our opposition to the drilling for fossil fuels. We need to take climate change and the risk to our local environment seriously and leave the oil and gas in the ground. A NO to fracking, landfarming, deep-well injection, drilling and flaring is a YES to a sustainable and just future for the generations to come.

We would like to speak to our submission when the time comes.

Nga mihinui,

CJT.

Foreword

We take note of the council's use of the word "volatile" when describing the oil and gas and related petrochemical sector. This sector is indeed a boom and bust industry, particularly at the moment. Council needs to ensure the costs of this highly polluting industry are not carried by the local and global community.

Working together with Maori

We support the increased involvement of indigenous people in management of natural

and cultural environments in and affecting their traditional rohe. We support the provision of policy, processes, resources and appropriate timeframes to allow Maori to do so fully. We support retraining of council and their staff in tikanga Maori. Learning of correct Taranaki pronunciation and tikanga should be added too.

While mention is made of working with "Maori", "iwi" and "Maori governance authorities" we would like to see specific inclusion of **hapu** and **papakāinga** governance entities. It was with hapu that the crown signed Te Tiriti o Waitangi and it is hapu and papakāinga who know their specific rohe the most intimately.

Resource management

Level 1 service 'protection of the life-support capacity of water' and level 2 'maintenance and enhancement of overall water quality in our rivers and lakes, groundwater and coastal waters' cannot be measured simply by MCI, BOD, microbiological state and nutrient levels. Increasingly, timely and comprehensive chemical testing for BTEX and known "fracturing products" must be conducted in water bodies (surface and ground) potentially affected by hydraulic fracturing and discharges of drilling wastes (including all discharges onto land and into tributaries, landfarming, mix-bury-cover and deepwell injection, etc.).

Level 2 'efficient allocation of water for consumptive use' does not appear to take "sustainability" into consideration. Which "Council policy" are consents "to take, use, dam or divert water" based on? How does it relate to "ecological flows", one of the measures for level 1 service? What about groundwater abstraction – is there a guide on how much can be abstracted sustainably without risking its depletion? More research needs to be

done on Taranaki water aquifers and sustainable water use.

Level 3 'Maintenance and enhancement of overall water quality...'

Baseline levels need to be reassessed. A baseline set on 1995 water quality is deplorable. A true baseline should be set on a healthy water catchment or "no change", "stable" and "improvement" mean very little to the actual health of Taranaki's waterways. It is a disgrace to see national water health standards judge Taranaki waterways as low as they do.

We state again that we would like to see this council implement community 'Clean Stream' programmes throughout Taranaki to ensure all waterways are being monitored and communities are involved in understanding their waterways and protecting them. Several other NZ regional councils have been successfully running these programmes for years.

Level 4 'Protection of riparian land...'

We would like to see changes to the recommended widths of riparian protection areas. These widths should be based on soil type, gradient and actual flood plain boundaries. Too often we see water channels with barely a metre fenced and planted either side. This is a waste of time and money as it will have very little effect on the protection of the riparian ecosystem.

Level 5 and 6 Sustainable land use

We would like to know more about the council's definition of "sustainable" land use. It is

good to see a desire to increase sustainable land use in Taranaki but we would like to see this desire greatly increased. We hope that the new Freshwater and Land Policies will reflect the important link between unsustainable land use and water degradation and effective, urgent solutions to turning this around.

Level 7 Air quality

We expect to see control of methane and nitrous oxide emissions addressed by council as far as utilising methane digestion in effluent ponds, reducing the use of urea on farms and utilising methane extraction in landfills and oil and gas activities. This is crucial to reduce greenhouse gas emissions and transition to renewable energy sources.

Air quality tests on oil and gas activities should not just be calculated using averages but peaks and lows. It is not normally the average of blows taken by a boxer, it is usually one hard punch that knocks the boxer out. This is true for workers and communities living next to the petroleum industry. Given Taranaki's high rate of cancer victims, cancer causing chemicals need to be monitored.

Policy and education needs to increase on reducing polluting fires in Taranaki to **zero**. Too often thick black smoke is seen rising from farms and rural residences where plastics, car tyres, furniture and old fridges are set alight. The smoke from these fires pollutes soils and airways with dioxins that are well known to cause such diseases as alzheimer's.

Level 8 Biodiversity

Protection of biodiversity should not be limited to Key Native Ecosystems. Protection

should extend to all riparian strips, coastal areas and other sites of native flora and fauna. While the council does not need to monitor these areas necessarily, education programmes should be set up to allow communities to understand and protect them. Garden centres should be restricted in terms of plants they can sell (Forest and Bird have been working on this for many years).

Level 9 'resource management policies, plans and strategies' require greater public participation to ensure that they are indeed 'acceptable to the community'.

Level 10 'efficient and effective resource consent processing, administration, compliance monitoring and enforcement' requires substantial reform and improvements.

More specifically, the current consenting process for oil and gas activities (mainly discharge of contaminants into air, land and water) lacks transparency and does not take into account comprehensive assessment of effects on the environment. The compliance monitoring programmes lack science, objectivity, independence and statistical rigour, and enforcement actions are inadequate.

Review of many oil and gas compliance monitoring reports from the last few years has revealed inadequate monitoring relying heavily on company data, numerous breaches of consent conditions and incidences without appropriate follow-up chemical testing, enforcement or remediation actions.

Notably, the unbundling of consent processing and separate hearings between regional and district councils does not allow assessment of cumulative impacts; such as health

impacts from noise, stress, safety risks from hazardous substances, air pollution from flaring and potential water contamination from waste discharges, all combined. When assessed separately, the effects may seem minor and once consent is granted for one activity, pressures are put on councils to grant subsequent consents for other activities linked to the same project despite the additional effects that would impose significant adverse effects on the environment and nearby residents.

Another important case of cumulative impacts lies in the risks from intensifying and upscaling fracking and deepwell injection activities across the landscape. Such risks include groundwater contamination and damaging earthquakes, the latter have been well documented recently in scientific literature and have prompted US authorities to tighten relevant regulations (see [CJT media release, 1 April 2014](#); [AP 11 April 2014](#)). Increasingly, the line between 'natural' and human-induced hazards is becoming blurred. Council needs to keep abreast with scientific research and evidence overseas to inform its policy and make regulatory changes to minimise hazards to people, infrastructure and the environment.

In terms of **Activity 3 'compliance monitoring programmes'**, emphasis should be given to the integrity of such programmes rather than the 'negotiated budgets' and timeframe. We ask where resource consents for non-agricultural discharges (notably from oil and gas activities) fit in this section? Are they considered as 'minor industries'?

Review of consents issued over the last few years indicated a rapid increase in the number (and proportion) of consents issued for non-agricultural discharges. It would be wrong to consider them as 'minor industries'.

To sum up, substantial reform in resource management, consent processing and compliance monitoring is required to ensure:

- transparency and public participation through notification during consent applications,
- assessment of environmental effects is thorough, comprehensive and based on science and the precautionary principle,
- overall and cumulative effects on the environment and nearby residents are taken into account by committing to joint assessment and hearings with district councils on applications concerning inextricably linked activities,
- consent conditions are stringent and not easily revised to suit consent holders,
- compliance monitoring and sampling methods are scientifically and statistically robust,
- objective and transparent reporting (rather than subjective ratings such as 'good' despite documented breaches and non-compliance),
- adequate enforcement and remediation are followed through in cases of non-compliance. Too often fines are like pennies to these multi-million dollar companies so one can only wonder if they assess it is cheaper to pay the fine than to avoid the problem. Full decommission plans and full cover insurance must be part of any petroleum activity resource consent.

Activity 4 'Pollution incidents and response'

The current regional oil spill response plan is grossly inadequate and needs an urgent review and national government investment into its improvement and necessary equipment. Most if not all investment in appropriate clean up equipment should be a requirement of any petroleum production and petroleum-fuelled shipping activity

operator. The use of chemical dispersants that are themselves toxic and indeed only hide oils underwater out of sight, should be banned.

The inappropriate and excessive use of fertilisers, herbicides and pesticides and the ploughing of fields during heavy rainfall or strong winds that causes water and air pollution and soil loss needs to stop. Too often we see this in Taranaki. More education needs to happen to assist farm staff and managers with understanding sustainable land use.

Activity 7 'Waste Minimisation'

We reiterate decreasing use of urea and methane capture on farms, landfills and petroleum exploration and production activities is a **must** to reduce greenhouse gas emissions. All effluent ponds should be sited so as not to overflow into surface waterways during flooding. Irrigation should be banned during the middle of the day when evaporation is high.

Rural community waste minimisation education, in particular reducing plastic packaging, recycling and ending non-paper rubbish fires is urgent to reduce pollution and health impacts.

Council need to work with district councils to implement proper on-land sewage treatment in the near future. It is not acceptable to simply filter and chemically treat human waste and pour it into the sea. Is this current system even sustainable if importing of these chemicals and use of hydrocarbons become unaffordable in the near future? Our coastal reefs are our food baskets and recreational grounds, they should not be dumping

grounds. Our human waste is also food for the land that is greatly needed to return to a sustainable land management system. Decentralised, natural composting systems are a must.

Activity 10 'Enhancement Grants'

This programme should also include restoration or creation of **any** new wetlands not just those of regional significance.

Why poplar poles? Surely there are plenty of indigenous plants that could be utilised that fit in with the native biota such as manuka that double for bee farming. Forestry causes much soil erosion so it is surprising to see this as a suggestion.

Regional Freshwater and Land Plan

We seek clarifications on the purpose of this regional plan and its relation to the regional freshwater plan and regional soil plan.

Transport

We would like to see bus fares reduced to a rate that is deemed lower than driving a car, otherwise people will always choose that convenience over catching the bus. More education on making public transport 'cool' is greatly needed. Better co-ordination with inter-city services is also needed, in particular during peak times such as around holiday periods.

Hazard management

More education is needed on the local effects of climate change. Coastal management, land slips, power cuts, strong winds and floods are several concerns that can be mitigated encouraging tree planting for windshelter and land management; being prepared with back-up power and plug-in landline phones; and better planning and siting of buildings away from potential falling objects and waterways and with stronger roofs.

A crucial element in storm water and flood protection is providing sufficient natural storage of water such as wetlands and vegetation to allow the land to act as a sponge that soaks up and slowly releases water and thus reduces the impact of heavy rainfall. By concreting surfaces and clearing waterways we allow water to run off faster but this is not necessarily a good thing. Increased speed increases the force of the water causing further erosion of soils, riverbanks and beds and allowing more debris to be moved and more threats to the safety of people and livestock. See **appendix 1** below for more information. We should be reducing compacted soils and concreted surfaces and utilising wetlands, vegetation and swales to retain water in soils and aquifers. Wetland protection and riparian planting should be a priority.

Recreation, Culture and Management

It is surprising to see how much money is spent on three rural gardens. Surely this amount could be reduced by using more sustainable gardening methods? Comparing this to what is spent on Puke Ariki it would be good to redirect some garden monies to allow less corporate sponsorship and control of our best museum. Why is there no investment in Maori cultural activities or protection or education on heritage sites? Indeed Puke Iti, we

have been told is known more correctly as Puke Te Whiti and was once a very important Maori garden site, home to the oldest local Maori ancestors of current tribes. This needs to be publicly acknowledged. Again it would be good to see council invest in more accessible recreational activities such as cycling, kayaking, walking and surfing.

Taranaki Port

Council's heavy reliance on Port Taranaki's revenue is extremely risky, given the known 'boom-and-bust' cycle and volatility of the oil and gas industry. With rising fuel prices and a changing economy, a global import-export industry is highly risky under current transport methods and uses. Council should be divesting from fossil-fuel reliance investment like the Port and investing into a diverse range of environmentally sound, sustainable technology and energy resources.

Regional Representation...

While councillors are publically elected their staff are not. Too often we see the tail wagging the dog in local councils. We would like to see a turnover in senior management at TRC to bring some new thinking and perspective into the council.

Conflicts of interest of councilors working in industry that is monitored by council is of great concern.

Additional comments

The Parliamentary Commission for the Environment's final report on her investigation into

hydraulic fracturing is due to be released shortly. We urge Council to consider carefully the Commissioner's findings and recommendations (acknowledging her political and financial constraints) when finalising the Annual Plan, reviewing the various regional plans which have implications on the processing of resource consents.

Councils needs to desist from any practice of only consulting the Historic Places Trust on matters of Maori waahi tapu and other areas potentially affected by oil and gas or other activities. Primarily hapu as well as iwi need meaningful consultation with sufficient resource and timeframes to enable them to understand the issue at hand and to respond satisfactorily. Council needs to heed their recommendations seriously, more than just ticking a box required by the RMA.

Appendix 1.

Reversing trigger components for climate change by decentralized Water retention

...Thousands of square miles in the Alentejo region are a sad reminder of how deforested and eroded soils repel rainwater. The winter and spring rains cannot be absorbed. Instead, they form big, brown streams carrying precious topsoil into the sea, leaving behind bleak land that is hopelessly dry in the summer. More and more farmers are giving up, devoting their land to irrigated monocultures, which intensifies the destruction of the land even more... Bernd Müller, ... states, "Floods and droughts have the same origin, a destroyed hydrological balance. In order to restore it, we have to help rainwater infiltrate the soil. Instead of rainwater, fresh spring water should fill the creeks and rivers."

...The rainwater gathers behind naturally shaped earth dams, built without concrete or plastic, and has time to soak into the ground. Rainwater recharges aquifers, the groundwater table rises, new springs pop up and the overall rainwater cycle is allowed to recover. In addition, fruit forests and gardens have been planted on the shore terraces, and Tamera is a green oasis during the summer months. Wildlife is returning, and biodiversity is visibly increasing. Moreover, the water is enabling the economic growth and resilience of the region.

... Grassland, which covers a large part of the planet, seems to form a symbiosis with large herds passing through. Without them, the prairies, tundras, and savannas of the world turn into deserts. The reason for this is simple: In seasonal dry climate zones, these amounts of grass need to be processed in the stomachs of animals for the decomposition process. The biomass of the grassland does not rot in the air, it would just dry after letting go of its seed, sink down and cover the land with thick layers, hindering the growth of new grass, and often bursting into large prairie fires. This is what happens worldwide: What we call climate change is more than just too much CO₂ in the air. It is a lack of biomass transformed into earth. Without rotting biomass, the land turns hot and hard, unable to let water infiltrate into the ground, leading to erosion and desertification.

In nature, a herd runs or walks through a landscape, eats grass, and tramples down the rest, bringing it into contact with the soils. It leaves behind manure mixed with seeds and perfect conditions for the next season's grass to grow. If the herds stood on the grassland for the whole year, eating, trampling, and selecting, the grassland would not be able to grow. It would lead to the negative effects of overgrazing which we face in so many areas.

Conventional Drainage Problems

Conventional drainage practices usually drain water off of a site as fast as possible. This may be from the misconception that the water will create flooding or erosion problems. In fact, the opposite is true in many cases.

Water that is drained in pipes, culverts, and other impervious materials accumulates and increases in velocity. When water is drained off a property too fast it can create erosion, release sediment into streams and rivers, and compound floodwaters.

Water Infiltration

An approach to drainage and water runoff that seeks to slow, spread, and sink the water into the landscape will provide a multitude of beneficial effects to the site as well as throughout the entire watershed. Water-harvesting systems recharge groundwater aquifers and create mini on-site aquifers, or “water lenses,” keeping water in the landscape far into the dry season. They also mitigate water flowing rapidly across the surface of the land, preventing sediment and accumulated toxins from deteriorating downstream waterways and fish spawning habitats.

Water-harvesting uses a variety of techniques, including terraces, seasonal pools and ponds, water infiltration swales, slow moving waterways, and dry creeks.

Every site has its own specific variables for which observation is required in order to develop appropriate water harvesting techniques. Once the strategy is developed, the process continues with shaping or opening up the soil to encourage water to move slowly across it. Water spreads along these contours or into pools where it sinks into the earth.

Water-harvesting elements in a Permaculture Artisans design always add an aesthetic

value to the landscape. They are integrated completely with the overall design and existing elements. These terra-forming techniques also add to the building and retention of topsoil and often become the basis for planting beds, the layout of trees, and other agricultural systems.

There are some situations where water infiltration is NOT the wise choice: near the foundation of a building, on extremely steep slopes (beyond 18% grade), and on slopes that have shallow soils resting on top of bedrock. While infiltration is not appropriate in these cases, erosion can occur if water is not slowed and drained properly. Permaculture Artisans is available for consultation on any of these surface water issues.

See also <http://www.permacultureartisans.com/Quick/water.html>