

Before the Marlborough District Council

IN THE MATTER OF the Resource Management Act 1991

And

IN THE MATTER OF the Proposed Marlborough Environment Plan –
Topic 11 Use of the Coastal Environment.

**MEMORANDUM ON BEHALF OF THE MINISTER OF CONSERVATION AND MINISTRY FOR PRIMARY
INDUSTRIES RE BIOFOUL CLEANING**

FOR TOPIC 11 USE OF THE COASTAL ENVIRONMENT

DATED 20 APRIL 2018

Department of Conservation

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May it please the Hearings Panel

1. At the hearing of submissions and evidence on behalf of the Minister of Conservation and Ministry for Primary Industries for the Use of the Coastal Environment Topic, the Panel requested clarification of the following matters, in the context of the permitted activity rule and standards for in-water biofoul cleaning proposed by MOC and MPI;
 - How big is 50 microns?
 - Is the average boatie able to comply with a requirement that there be no discharge of material greater than 50 microns when undertaking in-water cleaning of biofoul?
2. Counsel has sought clarification from relevant DOC and MPI staff on these two points.
3. 50 microns is 0.05mm. A micron is 1/1000 of a millimetre. Accordingly, 50 microns is very small.
4. The 'average boatie' is able to comply with the performance standard requirement (of no discharge of biological material greater than 50 microns into the water column) by employing specialist operators with containment and filtration equipment. Counsel is advised commercial operators with specialist equipment are available and can provide services to locations such as the Marlborough Sounds.



D van Mierlo

Counsel for the Minister of Conservation and Ministry for Primary Industries

20 April 2018