



Tai Timu Tai Pari

Sea change

Hauraki Gulf Marine Spatial Plan

Management of marine farming Graeme Silver, WRC September 2014



Hauraki Gulf
Marine Park
Ko te Pataka kai
o Tikapa Moana
Te Moananui a Toi



Hauraki Gulf Forum
Tikapa Moana
Te Moananui a Toi

Ministry for Primary Industries
Manatū Ahu Matua



Department of
Conservation
Te Papa Atawhai

Waikato
REGIONAL COUNCIL
Te Kaitiaki o Rotorua o Waikato

Auckland
Council
Te Kaitiaki o Tāmaki Makaurau





overview

- **Legislation**
- **Planning documents**
- **Consents**
- **Historic permitting**
- **Status in Waikato**
- **Status in Auckland**
- **Land based aquaculture**



legislation

- **Resource Management Act**
 - allocation of space and environment effects
- **Fisheries Act**
 - impact on fishing and fishers (undue adverse effects test)
- **Maori Commercial Aquaculture Claims Settlement**
 - 20% to the Maori trustee
- **Maritime Transport Act**
 - navigation safety and safe ship management
- **Animal Products Regulations and Notices**
 - sanitary survey and food safety
- **Biosecurity Act**
 - surveillance responsibilities
- **Other business laws**



RMA – planning documents

- **New Zealand Coastal Policy Statement**
 - national policy direction – must be given effect to
- **Waikato Regional Policy Statement**
 - regional policy direction
- **Waikato Regional Coastal Plan**
 - specific policies and rules on the water
- **Waikato Regional Plan**
 - policies and rules for freshwater, air and soil on land
- **District Plan(s)**
 - land use policies, rules, zones



Hauraki Gulf is a special case

- **Hauraki Gulf Marine Park Act**
 - must treat parts of this act as an NZCPS
 - so must be given effect to
- **Auckland Unitary Plan**
 - combines all regional and district plans into one
 - including the regional policy statement





Consents

- **require consent from regional council**
 - cannot be a permitted activity
 - duration of 20 to 35 years
 - assessment of environmental effects
 - likely to be publicly notified
- **status determined by the coastal plan**
 - controlled, discretionary, non-complying, prohibited
- **can use zones to identify locations for farms**
 - can zones farms 'in' or 'out'
- **land based infrastructure may require consent from district council**
 - depots, processing plants



Historic permitting

- **pre-RMA: Marine Farming Act**
 - leases and licences from the Ministry
 - gazette notices to close areas (prohibit marine farming)
- **post RMA until 2004: Dual consent regime**
 - resource consent + marine farming permit
 - first-in first served
- **post 2004: Single consent regime**
 - all previous permits deemed to be consents
 - must be in zones (Aquaculture Management Areas)
- **2011 reforms**
 - zones no longer compulsory
 - can introduce allocation methods in coastal plans



status in Waikato

- **coastal plan due for review in 2015**
- **shellfish farm rules:**
 - existing shellfish farms are discretionary
 - new spat catching farms are discretionary
 - new inter-tidal oyster farms are discretionary
 - shellfish farming in the Wilson Bay zone is controlled
 - other non-fed farming in the Wilson Bay zone is discretionary
- **fish farm rules:**
 - discretionary in Wilson Bay Area C and new Coromandel marine farming zone – *this space not yet released for applications except Trustee space (18 ha)*
 - discretionary in existing farms in 20+ metres deep waters
- **all other marine farming is prohibited**



status in Auckland

- **proposed Auckland Unitary Plan**
 - one general zone and several protection zones:
ecological significance, outstanding natural character,
natural features, natural landscapes, historic heritage
- **marine farm rules:**
 - existing farms are restricted discretionary or discretionary
 - new farms are discretionary in the general zone
 - new farms are prohibited in protection zones
- **some specific policies:**
 - new farms should consolidate development
 - avoid significant expansion in Mahurangi
- **expected to become operative in 2016**
 - Sea Change implemented by a Variation to the Unitary Plan



complications

- **old Auckland Regional Council Plans still apply**
 - includes a 1983 MAF gazette notice prohibiting marine farming with the area of the old Auckland Regional Authority!
- **area transferred from Auckland to Waikato:**
 - Auckland Regional Council plans apply until Waikato completes review of its regional coastal plan
- **these go away** once Unitary Plan becomes operative and Waikato Regional Coastal Plan is reviewed



land based aquaculture

- **RMA requirements:**
 - district plan zoning and consents for land use
 - regional plan rules for water takes, discharges, earthworks
- **freshwater fish farming regulations:**
 - licence from MPI
 - prescribed list of species (trout prohibited)
 - approvals for transfer of stock (may involve both MPI & DoC)
- **land based farming of marine species**
 - allows containment of wastes
- **costs of operation higher than marine farming**
 - buildings, tanks, feed, circulation and treatment systems
 - energy costs of pumping and purifying water are significant



Tai Timu Tai Pari

Sea Change

Hauraki Gulf Marine Spatial Plan



**Hauraki Gulf
Marine Park**
Ko te Pataka kai
o Tikapa Moana
Te Moananui a Toi

In partnership with mana whenua
and the following agencies:



Hauraki Gulf Forum
Tikapa Moana
Te Moananui a Toi

Ministry for Primary Industries
Manatu Ahu Matua



**Department of
Conservation**
Te Papa Atawhai

