

Report to Hauraki Gulf Forum

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Subject: Waikato Regional Council constituent party report on work to support fisheries health in Hauraki Gulf Marine Park

Purpose

1. The Chairperson of the Hauraki Gulf Forum has requested information from Waikato Regional Council (WRC) along with Fisheries NZ, Department of Conservation and Auckland Council constituent parties on their respective work to support fisheries health in Hauraki Gulf Marine Park.
2. These constituent reports will be collated by the Hauraki Gulf Forum Executive Officer and tabled at the Hauraki Gulf Forum meeting on 19 August 2018 noting that the report from Fisheries NZ will be the focus.

Executive Summary

3. WRC work to support fisheries health in Hauraki Gulf Marine Park occurs directly and indirectly at policy, science and operational levels. This report provides an overview of that WRC work which includes:
 - Review of Regional Coastal Plan and Regional Plan provisions
 - Implementation of Sea Change Hauraki Gulf Marine Spatial Plan
 - Science and monitoring to underpin policy and planning
 - Biosecurity activities
 - Operational plans for Coromandel and Waihou-Piako catchments
 - Harbour catchment management plans for Coromandel Peninsula.

Relevant statutory framework

4. As regional council WRC has a broad role in managing the regional marine environment through the RMA and New Zealand Coastal Policy Statement (NZCPS). This includes activities within coastal catchments and activities in the coastal marine area. The management of these activities can directly and indirectly support fisheries health.
5. The RMA currently excludes regional councils from statutory decision making in regard to the taking, allocation, or enhancement of fisheries resources for the purpose of managing fishing or fisheries resources controlled under the Fisheries Act 1996. A 2017 High Court decision has held that regional council can impose planning controls to manage the environmental effects of fishing that are not subject to Fisheries Act 1996 controls (refer Para 14). This decision is currently before the Court of Appeal.
6. The Waikato Regional Policy Statement, prepared under the RMA, provides an overview of regionally significant issues. The Waikato Regional Coastal Plan, currently being reviewed, applies to the coastal marine area (CMA). The Waikato Regional Plan applies to land areas outside of the CMA but is relevant in that it addresses the management of effects of activities that may impact on the CMA.

7. Regional councils are consent authorities for coastal permits (resource consents), which apply to activities within the CMA and resource consents for activities within catchments that may impact on the CMA.
8. Regional councils play a role in biosecurity management, including marine biosecurity, under the Biosecurity Act 1993 and NZCPS Policy 12.

Previous information to the Hauraki Gulf Forum

9. WRC and other agencies provided **constituent reports on 'sedimentation'** to the Forum's August 2018 meeting. Those reports noted that sedimentation can have adverse effects on habitats and breeding ground of fish and inter-tidal shellfish.
10. Previous **Hauraki Gulf State of Environment reports** have identified decreasing fisheries health and depleted fisheries as a major concern.
11. The **Sea Change Hauraki Gulf Marine Spatial Plan (HGMSP)** details fisheries management and habitat enhancement objectives. It advocates for a broader ecosystem approach and integrated management to achieve replenished and healthier fisheries. The HGMSP includes the following themes (supported by recommendations) relevant to fisheries management and habitat restoration:
 - Rebuilding fish stocks
 - Restoring habitats
 - Restoring healthy function ecosystems
 - Protected, enhanced and restored habitats
 - Restored species diversity and abundance.

Policy responses

12. Key documents informing WRC policy responses that support fisheries health in the Hauraki Gulf Marine Park are identified below.

National policy informers	New Zealand Coastal Policy Statement 2010 NPS for Freshwater Management 2014 (updated 2017) Treaty settlement including co-governance entities for Waihou and Piako rivers and rivers and streams of the Coromandel.
Regional and local policy informers	Regional policy statement Regional Plan Change 1 (Healthy Rivers) Regional Plan and rules (under review) Regional Coastal Plan and rules (under review) Regional pest management plan Hauraki and Coromandel Plan Change (to commence 2019/20) Hauraki Gulf Marine Spatial Plan (Sea Change) Annual and Long Term Plans
Iwi policy informers	Iwi environmental and resource management plans Co-governance management agreements
Local plan informers	Coromandel Zone Plan Waihou-Piako Zone Plan Harbour catchment management plans (Coromandel Zone)

13. WRC policy work underway most relevant to supporting fisheries health in the Hauraki Gulf Marine Park is the **Regional Coastal Plan review** being undertaken as part of Council's 'Healthy Environments Plan' work. Relevant to supporting fisheries health the reviewed plan will:

- a. give effect to the NZCPS, including preserving outstanding natural character and enabling restoration, protecting outstanding natural features and natural landscapes and significant indigenous biodiversity, and reviewing the aquaculture provisions
 - b. address biosecurity risk by controlling activities in the coastal marine area that could cause the spread of harmful aquatic organisms. This will be informed by both current and future marine biosecurity surveillance that Council carries out.
14. Council is keeping a watching brief on recent court decisions involving regional council control of fishing (*Attorney-General v Trustees of the Motiti Rohe Moana Trust* [2017]). In this decision, the High Court has held that regional councils can impose planning controls over fishing to maintain indigenous biological diversity to manage the environmental effects of fishing that are not subject to a Fisheries Act 1996 control. Other controls may relate to intrinsic values, wāhi tapu, navigation, natural landscape, and non-fishing commercial or recreational activities. The Attorney-General has been granted leave to appeal this decision to the Court of Appeal.
https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11786063
15. The **Hauraki and Coromandel Catchments Plan Review** is currently being scoped for an intended notification in 2021 but may be dictated by the timing of Treaty settlement obligations. It will address the effects of diffuse and point source discharges on water quality of Hauraki and Coromandel waterways and set limits and targets for these water bodies, having regards to climate change, environmental health and biodiversity, the connections between water bodies and relationship with coastal water quality in the Hauraki Gulf.
16. Relevant recommendations in the HGMSPP are being considered as part of the **review of the Regional Plan and Regional Coastal Plan**. Notification of the first phase of topics in the coastal plan review is expected in late 2020.
17. Further information and updates on WRC planning and policy work can be viewed at:
<https://www.waikatoregion.govt.nz/council/policy-and-plans/rules-and-regulation/waikato-regional-plan-review/>

Science and monitoring responses

18. WRC coastal science and monitoring programmes relevant to supporting fisheries health in the Hauraki Gulf Marine Park are outlined below. Note that these programmes have informed previous Hauraki Gulf State of the Environment Report and will inform current and future WRC policy work.
19. In 2015 WRC undertook a **stocktake of marine biodiversity** for the region. A report provides information on the demersal and pelagic fish species associated with different habitats, identification of vulnerable life stages and sensitivities to different stressors in the region. This inventory cites available information and identifies fish surveys in estuaries and harbours in the coastal marine area. Of particular relevance to the Hauraki Gulf Forum's line of interest is Section 4, p30-47. This report can be viewed at:
<https://www.waikatoregion.govt.nz/services/publications/technical-reports/2015/tr201548/>
20. The Firth of Thames is an important coastal area for supporting coastal fisheries in the Hauraki Gulf Marine Park. WRC has undertaken a considerable amount of research over the last decade **assessing the ecosystem health of the Firth of Thames**. These reports can be viewed at:
<https://www.waikatoregion.govt.nz/services/publications/technical-reports/tr/tr201523/>
<https://www.waikatoregion.govt.nz/services/publications/technical-reports/2016/tr201607/>
21. Estuaries are important water bodies that support coastal productivity and a wide numbers of fish species; in addition to a host of other ecosystem services. WRC's **Regional Estuary Monitoring Programme**, operating since 2001, records the state of health and the biodiversity found within

several estuaries in the Hauraki Gulf Marine Park including the Firth of Thames and Tairua. Further information can be viewed at:

<https://www.waikatoregion.govt.nz/services/publications/technical-reports/tr/tr201441>

22. **Future coastal science work** of relevance to supporting fisheries health intends to look at the role of critical habitats (e.g. Atrina beds, bryozoan beds, rocky reef, seagrass, mangroves and sponge garden) for juvenile fish and other ecological functions and services. A priority is to identify these habitats to inform policy development to protect their functioning.

Operational work (biosecurity and integrated catchment management)

23. Biosecurity risks are a threat to fisheries health, including aquaculture. WRC marine biosecurity operational work focuses on detection of marine pests in high risk areas (areas that receive high vessel visitation) such as the Coromandel Peninsula. Sites include: Whangamata, Slipper Island, Tairua, Hahei, Whitianga, Opito Bay, Great Mercury Island, Red Mercury Island, Whangapoua, Kennedy Bay, Waikawau Bay and Port Charles.
24. Locations where vessels infected with Sabella (Mediterranean fanworm), have previously entered the Coromandel (Whitianga and Whangamata) are also surveyed each year to ensure they remain free from infection.
25. Annual inspections are also undertaken in marinas at Whangamata, Tairua and Whitianga where marina owners have agreed to cost share in the surveillance programme.
26. WRC operational activities in the Coromandel and Waihou-Piako catchments occur through implementation of **zone plans** and **harbour catchment management plans**. Some of this implementation work indirectly supports fisheries health, particularly for migratory fish species, through actions to improve water quality, ecosystem services, juvenile habitat and fish passage.
27. The Coromandel Zone Plan can be viewed at:
<https://www.waikatoregion.govt.nz/assets/Uploads/6018-Coromandel-Zone-Plan-booklet-WEB1.pdf>
28. The Waihou-Piako Zone Plan can be viewed at:
<https://www.waikatoregion.govt.nz/assets/WRC/Council/Policy-and-Plans/hazard-catchment-management/zone-management-plans/J000983-WRC-Piako-Zone-Plan-R4-WEB.pdf>
29. Information on harbour catchment management plans for Coromandel Peninsula can be viewed at.
<https://www.waikatoregion.govt.nz/assets/WRC/Council/Policy-and-Plans/hazard-catchment-management/HCMP-harbour-catchment-management-plans/6040-What-is-a-HCMP.pdf>

Further information

30. Contact Ben Bunting, Principal Advisor Science and Strategy at ben.bunting@waikatoregion.govt.nz.