



Submission to: Proposed Waikato Regional Coastal Plan, notified for on 18 August 2023.

14 November 2023

Contact:

Katina Conomos

Kaihautū / Programme Director

katina.conomos@reviveourgulf.org.nz

About us

1. The Revive Our Gulf project is an initiative to restore the seabed kūtai / green-lipped mussel (*Perna canaliculus*) reefs of Tīkapa Moana / Te Moananui-ā-Toi / Hauraki Gulf.
2. The project vision is a Hauraki Gulf ecosystem with restored mauri / life essence and returned to a state of natural biodiversity and abundance.
3. The project has three core collaborative partners: the Mussel Reef Restoration Trust (MRRT), a NZ registered charity; The Nature Conservancy (TNC), a global environmental organisation; and the University of Auckland (UoA). The Revive Our Gulf projects are delivered in partnership with iwi / hapū across Tīkapa Moana / Te Moananui ā Toi / Hauraki Gulf.
4. The opinions expressed in this submission are those of the MRRT backed up by science from the UoA Institute of Marine Science. This submission does not reflect the views of TNC or all our Tangata Whenua partners.
5. MRRT is a member of The Hauraki Gulf Alliance – a collaboration of over 90 environmental and recreational fishing organisations – calling for an end to destructive mobile bottom contact fishing methods that impact the seabed in the Hauraki Gulf Marine Park (HGMP).

Our Interests

6. The Revive Our Gulf project is a long-term, intergenerational programme to restore the mussel beds of the Hauraki Gulf at scale.
7. The project is in a 'discovery phase', meaning that our focus is on building the knowledge necessary to understand *a winning long-term restoration formula* for restoration at scale. During this discovery phase, our mussel deployments serve the experimental needs of the science and mātauranga goals. In our work there are a number of habitat considerations. We are particularly interested in locations where:
 - mussel once thrived;
 - conditions are not too degraded;
 - there are high larval densities;
 - there are good current flows; and
 - existing ecological value is low compared to the restored state.
8. We look to a sensible, low-friction, regulatory environment for mussel reef restoration in the Hauraki Gulf, both for our work today and how we see it developing in the future. Our interests include:
 - Protecting seafloor habitats from any further damage (learning from the lessons of the past) and protecting our investment in restoration.
 - Creating a more enabling environment for active habitat restoration.
 - Enhancing collaboration, and incentivising contributions from the aquaculture industry and developing the blue restorative economy model around active habitat restoration of mussel reefs.

- Progressing over time to an increasingly 'joined-up approach' where passive restoration (rāhui and marine protected areas) reinforces and amplifies active habitat restoration efforts.

General comments

9. We support the work undertaken by WRC on the Regional Coastal Plan (RCP) and appreciate the opportunity to provide feedback.
10. In our previous submissions to the non-notified RCP we made the following requests:
 1. That Bottom Impact Fishing methods be stopped. This would allow for passive restoration throughout the Hauraki Gulf Marine Park (HGMP).
 2. Explicitly allowing the deposition of shellfish in the Coastal Marine Area (CMA) for active restoration purposes.
 3. Not duplicating biosecurity permitting processes.
 4. Creating industry incentives to support restoration activities.
11. We have submitted separately to Fisheries NZ in relation to the Bottom Impact Fishing, requesting for a complete closure of the Gulf to bottom impact fishing, and endorse the WRC's position to support the most restrictive option proposed by Fisheries NZ.
12. The recent Court of Appeal decision in the Motiti case has clarified the relationship between the Fisheries Act 1996 and the Resource Management Act 1991, elevating expectations that regional councils will play a crucial role in mitigating the detrimental impacts of fishing on indigenous biodiversity. Regional councils, armed with this legal precedent, can use their powers under the Resource Management Act and enforce measures aimed at protecting the indigenous biodiversity, including the protection of the seabed and the effects of Bottom Impact Fishing.
13. Our interpretation of the notified RCP is that it specifically allows for deposition of shellfish through policies set out in Section 11 - Ecosystems and indigenous biodiversity.
14. The integrated management objectives outlined in the RCP are commendable and align well with the goal of protecting, restoring, and enhancing the Gulf's 'life supporting capacity' and mauri. The commitment to cross-agency management and a mountains-to-sea approach reflects a holistic understanding of the complexities within the coastal ecosystem.
15. Since the notification of the RCP, we note with deep concern the further known spread of exotic *Caulerpa* in the Hauraki Gulf Marine Park. Exotic *Caulerpa* has the potential to profoundly alter the marine environment, displacing native species and significantly reducing biodiversity.
16. We therefore believe that the RCP would be strengthened by having more explicit emphasis on a precautionary approach to address the potential introduction and spread of new invasive species. Additionally, there is an opportunity to enhance the plan's responsiveness to emerging biosecurity threats by ensuring adequate allocation of resources. In light of the dynamic nature of marine ecosystems and the constant evolution of potential threats, it is essential to incorporate proactive

measures and allocate resources effectively for rapid response. We have proposed objectives and policies for your consideration.

17. We remain concerned about the duplication of permitting process, particularly regarding how the RCP and the Hauraki Gulf / Tīkapa Moana Marine Protections Bill will interact. We understand that the permitting process outlined in the Marine Protections Bill, if not streamlined, may lead to excessive administrative efforts and confusion between the Department of Conservation and Local Government, which may create delays and uncertainty for applicants. Therefore, we request that efforts be undertaken between Central and Local Government to determine a solution that upholds the primary objective of biodiversity preservation in protected areas while ensuring a pragmatic permitting process.
18. We recognise the diverse interests Māori have in fisheries, including commercial, recreational, and customary practices. We fully endorse Mana Whenua's rightful exercise of their ancestral harvesting rights for local kaimoana and their participation in the management of sacred sites. Therefore, we support Local Government's commitment to uphold the rights of Tangata Whenua concerning fisheries and customary practices. You will note we express explicit support for several policies within the RCP for this purpose.

Objectives, Policies and Rules – Submission points

Provision number	Provision	Do you support or oppose the provision?	Comment
6 – IM – Integrated management Whakahaere rawa pāhekoheko			
IM-P1 Ki uta ki tai (Mountains to the Sea)	Recognise and provide for ki uta ki tai - the interconnectedness between resources, activities and their effects on water quality, sedimentation, indigenous biodiversity and coastal hazards in the coastal environment.	Support	<p>We expressly endorse this policy for acknowledging the interdependence of land and water ecosystems. Sedimentation has already proven to be a significant obstacle to our shellfish restoration initiatives, with excessive sediment smothering shellfish beds, diminishing their habitat quality, hindering their growth and survival, and presently influencing our decisions on where we can effectively concentrate restoration efforts.</p> <p>As documented widely, including in Council's own technical reports¹, various fishing activities can lead to the depletion of seabed habitats and communities, causing issues such as the loss of complex ecosystems, direct harm to marine life, diminished biodiversity, alterations to sediment-dwelling communities, reduced reproduction of certain species, negative impacts from elevated suspended sediments, changes in sediment chemistry and natural processes, as well as alterations in water currents and the dispersal of sediment and larvae.</p>
IM-P4 Ko te Pataka kai o Tikapa Moana	Protect, restore and enhance the mauri, the life supporting capacity of the environment and the	Support	We submit that the text in this policy be expanded to include Te Moananui-ā-Toi , which

¹ <https://www.waikatoregion.govt.nz/assets/WRC/TR202304.pdf>

Provision number	Provision	Do you support or oppose the provision?	Comment
Te Moananui a Toi/ Hauraki Gulf	associated human values of Tīkapa Moana/Hauraki Gulf and ensure activities are managed in an integrated manner, so that marine habitats and their fisheries support the pātaka kai for customary, recreational and commercial uses.		is a recognised name of the Hauraki Gulf by Māori and aligns with the Hauraki Gulf Marine Park Act. ²
IM-P8 Kaitiakitanga	Enable tangata whenua to exercise kaitiakitanga and the restoration, protection and enhancement of the mauri of coastal resources and ecosystems, marine habitats and marine life for present and future generations.	Support.	We expressly endorse the mention of restoration in this policy.
IM-P9 Mātauranga Māori	Recognise and provide for, where practicable, the importance of mātauranga Māori and customary knowledge, in accordance with tikanga Māori, to: 1. Improve and safeguard the coastal environment for future generations 2. Monitor the state of the environment and impacts of activities 3. Enhance resources or degraded areas 4. Contribute to decision-making.	Support	We expressly endorse the mention of “enhancing resources” in this policy.
IM-P17 Adaptive management	Apply an adaptive management approach to the management of coastal resources, including but not limited to:	Support	We expressly endorse the mention of Point 5 in this policy.

² The Hauraki Gulf Marine Park Act, Preamble (3) states that “While tangata whenua have no single name for the Gulf, the names Tīkapa Moana and Te Moananui-ā-Toi are recognised as referring to the Gulf.”

Provision number	Provision	Do you support or oppose the provision?	Comment
	<p>1. Using evidence-based decision-making that assesses whether the environmental risk and consequences and the degree of uncertainty can be addressed through consent conditions, in a way that reduces risk and uncertainty</p> <p>2. Requiring monitoring to address:</p> <ul style="list-style-type: none"> a. baseline information on the effects of the activity (or multiple activities) on the receiving environment b. effects that are unknown but where the risk of the activity proceeding is considered to be acceptable <p>3. Setting thresholds or boundaries and adaptation actions or decisions to be taken, if potential adverse effects arise</p> <p>4. Specifying the circumstances when a review of consent conditions will be undertaken, including to ensure best management practices are undertaken</p> <p>5. Enabling indigenous biodiversity habitats affected by climate change, including marine acidification, to be remedied, restored or relocated</p>		
8 - AQA Aquaculture / Ahumoana			
AQA-P1 Benefits of aquaculture to communities	<p>Recognise the benefits that existing and new aquaculture activities can provide to local communities, tangata whenua and the region, by taking the following potential benefits into account when considering aquaculture activities:</p> <p>1. Local employment opportunities</p>	Support, with addition	<p>In general, we support this policy and note additional benefits as being:</p> <ul style="list-style-type: none"> • Several mussel farms have been very supportive of our mussel reef restoration work, and we rely on their goodwill to continue restoration. The ability to translocate kūtai from the aquaculture

Provision number	Provision	Do you support or oppose the provision?	Comment
	<p>2. Opportunities for enhancing Māori economic and social development, particularly in areas where alternative opportunities are limited</p> <p>3. Research and training opportunities that would grow the community's knowledge base and upskill the labour force</p> <p>4. The provision of improved information about the region's coastal marine area, including water quality and marine biological processes</p> <p>5. Opportunities to restore, supplement or complement natural fish, shellfish or seaweed stocks.</p> <p>6. The contribution to primary and secondary industries and the overall regional and national economy.</p>		<p>farms currently underpins mussel restoration initiatives and is presently fundamental to the success of restoration endeavours.</p> <ul style="list-style-type: none"> ● In some instances, aquaculture habits are providing effective nursery habitats for young fish by providing food and physical structure for shelter.³ ● In some instances, a positive relationship between wild and aquacultural populations of kūtai / green-lipped mussels has been established.⁴ ● The Spotted Shag / kawau tikitiki make extensive use of offshore kūtai / mussel farms in the Firth of Thames as a feeding ground.⁵ <p>We are supportive of WRC's plan to increase shellfish aquaculture space inline with Sea Change – Tai Timu Tai Pari recommendations. WRC could escalate restoration efforts by requiring restoration activities be undertaken to remedy or mitigate any identified impacts of new marine farms.</p>

³ Underwood LH, Jeffs AG (2023) Settlement and recruitment of fish in mussel farms. *Aquacult Environ Interact* 15:85-100. <https://doi.org/10.3354/aei00454>

⁴ Norrie et al 2020. 18 June 2020. Spill-over from aquaculture may provide a larval subsidy for the restoration of mussel reefs.

⁵ <https://gulfbjournal.org.nz/2023/10/kawau-tikitiki-canary-in-the-coalmine-of-a-declining-gulf/>

Provision number	Provision	Do you support or oppose the provision?	Comment
AQA-P7 Marae-based aquaculture	Enable tangata whenua to undertake marae-based aquaculture in accordance with tikanga Māori.	Support	We expressly endorse this policy.
9 – BIO- Biosecurity Ārai taiao			
Biosecurity – objectives and policies	Section 9 in entirety.	Support but requires strengthening.	<p>We submit that the RCP would be strengthened by having more explicit emphasis on a precautionary approach to address the potential introduction and spread of new invasive species. Additionally, there is an opportunity to enhance the plans’ responsiveness to emerging biosecurity threats by ensuring adequate allocation of resources, and while that allocation is undertaken in the Long Term Plan (LTP), we submit that the inclusion of policies in the RCP would be advantageous to the LTP process.</p> <p>Include new Objectives as follows:</p> <p>BIO-O2 Precautionary Approach to Biosecurity Ensure a precautionary approach is applied to the management of marine ecosystems in relation to the introduction and spread of new invasive species. This includes proactive measures to minimise the ecological, economic, and social impacts of invasive species on marine ecosystems, even in the absence of conclusive scientific evidence.</p> <p>BIO-O3 Rapid Response and Resource Allocation</p>

Provision number	Provision	Do you support or oppose the provision?	Comment
			<p>Establish a framework for the rapid response to emerging biosecurity threats in the coastal marine area. Allocate sufficient resources to effectively detect, assess, and address new invasive species to prevent or minimise their impact on marine ecosystems.</p> <p>Include new Policies as follows:</p> <p>BIO-P6 Pre-emptive Measures for Emerging Threats Implement pre-emptive measures to address the potential introduction and spread of new invasive species. This may include restrictions on activities known to pose a high risk of introducing such species, pending further scientific evaluation.</p> <p>BIO-P7 Surveillance and Early Detection Develop and implement a robust surveillance and early detection program to identify potential biosecurity threats at an early stage. Allocate resources for regular monitoring and the prompt investigation of any unusual occurrences or species not previously documented in the coastal marine area.</p> <p>BIO-P8 Collaborative Response Framework Establish collaborative frameworks with relevant agencies, research institutions, and community groups to coordinate responses to emerging biosecurity threats. Ensure effective</p>

Provision number	Provision	Do you support or oppose the provision?	Comment
			communication and resource-sharing mechanisms are in place to address new invasive species promptly and efficiently.
10 - DD – Disturbances and deposition Whakararutanga me ngā waipara			
DD-P1 Recognition of dredging, disturbance and deposition activities	Recognise that dredging, disturbance and deposition activities may be necessary or beneficial: 1. For the continued operation of existing infrastructure; or 2. For the establishment, operation, maintenance, upgrade or development of regionally significant infrastructure; or 3. To maintain or improve access and navigational safety within the coastal marine area; or 4. For beach re-nourishment or replenishment activities; or 5. To protect, restore or rehabilitate ecological or recreational values; or 6. For the restoration or enhancement of natural systems and features that contribute towards reducing the impacts of coastal hazards.	Support	We expressly endorse DD-P1 which recognises that deposition activities may be necessary or beneficial for the restoration or rehabilitation of ecological values.
11 – Ecosystems and indigenous biodiversity.			
CO-O1 Protect and restore ecosystems and indigenous biodiversity	Ecosystems and indigenous biodiversity in the coastal marine area are maintained, and enhanced and restored where appropriate, and areas of significant indigenous biodiversity are protected	Support	We expressly endorse this objective, and the necessity of protecting and restoring.

Provision number	Provision	Do you support or oppose the provision?	Comment
<p>ECO-P6 Promote enhancement and restoration of indigenous biodiversity values</p>	<p>Promote enhancement and restoration of indigenous biodiversity values, including by:</p> <ol style="list-style-type: none"> 1. Enhancing water quality, for example by reducing the amount of sediments, nutrients or other contaminants entering the coastal marine area 2. Removing derelict and redundant structures, where structures are having adverse effects on indigenous biodiversity values 3. Restoring or enhancing natural elements including dunes, saline wetlands, inter-tidal saltmarsh, riparian margins and other natural coastal features or processes 4. Restoring or enhancing indigenous species, habitats and ecosystems (using local genetic stock where practicable) including restoring habitats of species that are important for cultural purposes (such as mahinga kai, kaimoana or raranga areas) identified in collaboration with tangata whenua 5. Supporting the natural regeneration of indigenous species, including effective weed and animal pest management 6. Identifying ecological and culturally appropriate sites for enhancement and restoration 7. Declaiming land where it will restore the natural character of the coastal marine area. 8. Recognising the importance of some indigenous species that provide a buffer for coastal processes causing erosion including inundation and enable carbon sequestration 	<p>Support</p>	<p>As a practitioner in marine restoration, we wholeheartedly support this policy statement, particularly its commitment to promoting the enhancement and restoration of indigenous biodiversity values in the coastal marine area.</p> <p>The measures outlined, such as improving water quality, restoring natural elements and habitats, and collaborating with local communities and tangata whenua, are essential steps in safeguarding our coastal ecosystems and ensuring their resilience in the face of environmental challenges.</p> <p>This policy particularly aligns with the purpose of the Revive Our Gulf project.</p>

Provision number	Provision	Do you support or oppose the provision?	Comment
	<p>9. Taking a collaborative approach to enhancing and restoring indigenous biodiversity through engagement with territorial authorities, tangata whenua and local communities</p> <p>10. Minimising sediment deposition from direct and indirect sources.</p>		
<p>Restricted discretionary activity ECO-R5 Restoration of indigenous species or habitats</p>	<p>Activity status: RDA</p> <p>The deposition and disturbance of any natural material for the purpose of restoring and/or enhancing indigenous biodiversity and ecosystems. Where:</p> <ol style="list-style-type: none"> 1. The natural material is not placed on any habitat identified as a significant indigenous biodiversity area in Schedule 7 2. The natural material must be sourced locally 3. The natural material does not contain any marine pests or harmful aquatic organisms at the time of placement 4. The disturbance is not within a site of significance to tangata whenua or wāhi tapu 5. No contaminants are discharged from any vehicles. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> 1. The location and scale of the activity 2. The species or habitat to be re-introduced and its source 3. The natural material to be deposited and its source 	<p>Support with amendments.</p>	<p>As a practitioner in marine restoration, we wholeheartedly support the inclusion of restoration activities in the RCP.</p> <p>We submit one adjustment to #2 as follows:</p> <p>The natural material must be sourced locally, <u>as much as practically possible</u>.</p> <p>This modification maintains the importance of sourcing natural material locally and recognises the need for a pragmatic approach to restoration activities, given that most marine restoration projects are still in the discovery phase. An example of a restoration material that may not be sourced locally is recovered shell waste or shell hash which might be used in macroalgae regeneration (“green gravel”) or mussel bed restoration.</p>

Provision number	Provision	Do you support or oppose the provision?	Comment
	<p>4. The methods used to remove any harmful aquatic organisms from the natural material and from the species to be re-introduced</p> <p>5. The time of the year when the placement is to occur</p> <p>6. Any beneficial or adverse effects on other species or ecosystems at the site of placement or in the vicinity of the placement area.</p>		
15 - NATC – Natural character Āhua tūturu			
NATC-P4 - Restoration of natural character	Promote the restoration or rehabilitation of natural character values and characteristics of the coastal environment, particularly in relation to estuaries, coastal indigenous vegetation and habitats, ecological corridors, improving coastal water quality and reducing the adverse effects of sediment on sensitive coastal receiving environments.	Support	We expressly endorse this policy for acknowledging the interdependence of land and water ecosystems. Sedimentation and poor water quality has already proven to be a significant obstacle to our shellfish restoration initiatives, with excessive sediment smothering shellfish beds, diminishing their habitat quality, hindering their growth and survival, and presently influencing our decisions on where we can effectively concentrate restoration efforts.
20 - Ngā whenua tapu a te Māori Sites and areas of significance to Māori			
SASM-O3 Restore and enhance areas of cultural significance	The restoration, rehabilitation or enhancement of areas of cultural significance to Māori.	Support	We endorse this objective, with a particular emphasis on supporting the inclusion of restoration and rehabilitation.
23 - WAQ – Water quality Kounga wai			
WAQ objectives and policies		Support	We support the objectives and policies in this section to recognise the importance of high-quality water.

Provision number	Provision	Do you support or oppose the provision?	Comment
			We would be supportive of the WRC making additional and explicit references to address sedimentation issues originating from the Hauraki Plains, recognising that the annual outflow from this area is a significant contributor to the degradation of the Hauraki Gulf.

Permitting

19. Revive Our Gulf currently undergoes a detailed section 52 permit process to assess biosecurity risks as part of our restoration activities.
20. As noted above, we have concerns regarding the duplication of permitting processes, particularly concerning the interaction between the RCP and the Hauraki Gulf / Tīkapa Moana Marine Predictions Bill.
21. To prevent administrative complexities and delays, we recommend collaborative efforts between Central and Local Government to streamline the permitting process. This collaborative approach should prioritise biodiversity preservation; balance a precautionary approach to marine biosecurity and ensure a practical and efficient process for applicants.
22. We would welcome the opportunity to discuss permitting processes in further detail with WRC staff.

Conclusion

23. In conclusion, the Waikato Regional Coastal Plan represents a commendable step forward in managing the coastal marine area, particularly for its integrated management objectives and commitment to protecting, restoring, and enhancing the Gulf's 'life supporting capacity' and mauri.
24. We support the explicit provisions to recognise and enable marine restoration as an activity in the Marine Coastal Area.
25. The recognition of a cross-agency management approach, coupled with a mountains-to-sea perspective, underscores a holistic vision for sustainability, and we are optimistic about the positive impact the Waikato Regional Coastal Plan will have on the Hauraki Gulf Marine Park and its communities.
26. We look forward to working with WRC and Pare Hauraki iwi in our efforts to "re-mussel the Gulf".