



Variation 2: Aquaculture  
PROPOSED AUCKLAND REGIONAL  
PLAN: COASTAL

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## **1.0 Introduction**

### **1.1 Aquaculture Management Areas**

In response to significant pressure on coastal space for aquaculture at various locations around the country, central government has announced its intention to introduce an amendment to the Resource Management Act. The key purpose of the amendment is to ensure aquaculture is managed in an appropriate and effective manner within Aquaculture Management Areas.

The main aquaculture reforms proposed follow on from the Resource Management (Aquaculture Moratorium) Amendment Act 2002 that was passed on 25 March 2002. This legislation imposes a two-year moratorium on new aquaculture in the coastal marine area and applies retrospectively from 28 November 2001. Applications that were publicly notified as of this date are not included in the moratorium. The purpose of the moratorium is to allow regional councils, whose plans do not provide strong policies and defined areas for aquaculture, to begin developing these without the risk of there being a significant number of applications that would pre-empt and complicate that process. The Act also empowers regional councils to create Aquaculture Management Areas (AMAs). AMAs are zones where aquaculture can be undertaken with a coastal permit. Outside AMAs, aquaculture activities are prohibited.

The Auckland Regional Council (ARC) considers that provision should be made for aquaculture in the Auckland Region but in an appropriate manner that will not undermine the sustainable management of fisheries, undermine Treaty settlements, or allow adverse effects on the environment including restricting the public's use and enjoyment of the coastal environment. The ARC supports regional councils being given the opportunity to include rules in their regional coastal plans to appropriately manage aquaculture within AMAs. In particular, in the Auckland Region there are approximately 100,000 recreational vessels and significant commercial fishing and transport demands, and as a result the ARC is eager to take the opportunity to put in place a management framework for aquaculture activities that can cope with such competing interests of the coastal marine area. Therefore, the ARC proposes to provide for aquaculture in the Auckland Region within Aquaculture Management Areas that have been defined by way of appropriate size, location and management to avoid, remedy or mitigate the adverse effects of aquaculture.

While the overarching framework for providing for aquaculture across the country has been established by central government with the introduction of the moratorium legislation and will be further advanced with the proposed main aquaculture reforms, the actual definition of Aquaculture Management Areas and their implementation is addressed by regional councils at the regional coastal plan level. Variations 2 – 6 to the Proposed Regional Plan: Coastal contain details of how the Auckland Regional Council proposes to provide for aquaculture in the Auckland Region.

## **1.2 Policy Framework**

The policy and regulatory framework governing aquaculture in the Auckland Region is provided for in the Resource Management Act 1991 and the Hauraki Gulf Marine Park Act 2000. There are three key statutory documents within this legislative framework that contain provisions relating to aquaculture:

- New Zealand Coastal Policy Statement (NZCPS) – contains policies regarding the preservation of the natural character of the coastal environment, protection of the coastal environment from inappropriate subdivision, use and development, maintenance and enhancement of public access to and along the coastal marine area, and the protection of characteristics of the coastal environment of special value to tangata whenua.
- Auckland Regional Policy Statement (ARPS) – contains policies to preserve the natural character of the coastal environment; to preserve and protect areas of special value; and to maintain and enhance amenity values, public open space, and public access to and along the coastal marine area. It also contains policies that support a precautionary approach when providing for subdivision, use and development, and that provide for recreational activities. The ARPS also outlines the importance of recognising and providing for the relationship of Tangata Whenua with ancestral taonga and the principles of the Treaty of Waitangi. These policies follow the lead given in the NZCPS. The Proposed Regional Plan: Coastal must not be inconsistent with the Regional Policy Statement.
- Proposed Auckland Regional Plan: Coastal (PARP:C) – contains provisions relating to the management of the coastal environment. Chapter 22 of the PARP:C provides for aquaculture. These provisions are augmented by policies within relevant chapters of Part 3: Values and Part 4: Use and Development.

## **1.3 Scope of Variation**

This document contains Variation 2 to the Proposed Auckland Regional Plan: Coastal regarding aquaculture. This variation comprises amendments to Chapter 22, and consequential amendments to Chapters 2, 10 and 11, the Definitions section and the Schedules. These amendments are set out in the Appendices to this document.

Accompanying documents contain Variations 3 – 6 to Proposed Auckland Regional Plan: Coastal. These Variations comprise the addition of Aquaculture Management Areas within Map Series 7 of the Planning Maps. These management areas have been divided into separate variations by location within the Auckland Region. The purpose of this approach is to streamline the process towards operative AMAs in light of the moratorium expiring in March 2004. The variations are divided as follows:

- Variation 3 - Kaipara Harbour
- Variation 4 - Mahurangi Harbour, Matakana River and Kawau Island
- Variation 5 - Great Barrier Island

## Variation 6 - Waiheke Island and Wairoa Bay

Variations 3 – 6 support the objectives, policies and rules set out in Variation 2 to the Proposed Auckland Regional Plan: Coastal. Variations 3 – 6 should be read in conjunction with Variation 2.

It should be noted that more research is required before Aquaculture Management Areas can be defined in the Firth of Thames.

The variations have two main purposes:

- 1) to define Aquaculture Management Areas in each of the areas specified above; and
- 2) to develop a policy framework to manage development within Aquaculture Management Areas.

Readers should note that a variation has effect from the day it is notified so amendments made can be taken into account in subsequent resource consent processes. Although readers should also note that aquaculture development can only occur in operative Aquaculture Management Areas.

## **2.0 Varied Version of the Proposed Auckland Regional Plan: Coastal**

Each item of the variation is referenced with a letter in square brackets, for example [A]. For each of these referenced items of the variation, explanatory text is provided below, outlining the reasons for the variations. Where appropriate, supporting technical documents are referenced. A list of the technical documents supporting these variations is contained in Appendix Five. Copies of these reports are available from the ARC upon request.

### **2.1 Variation to the Plan Text – Chapter 22**

The amended version of Chapter 22 of the Plan is attached as Appendix One. New text is underlined and deleted text is ~~struck-out~~.

#### **Variation Item [A]**

Section 68A of the Resource Management Act states that a regional coastal plan may include Aquaculture Management Areas where the provisions of the plan (including the size and location of the area) will avoid, remedy, or mitigate the adverse effects (including the cumulative effects) of aquaculture activities on the environment, including fishing and other uses of the coastal marine area. Outside these areas aquaculture activities are prohibited.

In accordance with the moratorium legislation, Variations 2- 6 provide for aquaculture activities within Aquaculture Management Areas and prohibit aquaculture in areas where any adverse effects (including the cumulative effects) of aquaculture activities

on the environment, including impacts on fishing, public access, amenity and other uses of the coastal marine area, cannot be avoided, remedied or mitigated.

It is anticipated that defining management areas for aquaculture activities will provide certainty to the industry and the community at large, and will reduce transaction costs by addressing all issues through the variation process, rather than on a case-by-case basis through the consent process.

The process followed by the ARC for defining Aquaculture Management Areas is contained in the technical reports, "Mapping Constraints to Future Aquaculture in the Auckland and Waikato Regions – Stage 1", Auckland Regional Council, and "Mapping Potential Aquaculture Management Areas in the Auckland Region – Stage 2", Auckland Regional Council.

**Variation Item [B]**

This paragraph has been amended to clarify the sections of the RMA that regulate aquaculture activities, and to be consistent with section 68A of the RMA regarding the moratorium.

**Variation Item [C]**

These two paragraphs have been included to highlight the new roles that these two key agencies have in providing for aquaculture activities under the proposed aquaculture amendment to the Resource Management Act.

**Variation Item [D]**

This paragraph has been included to recognise that iwi are pursuing common law and Treaty claims on areas of the foreshore and seabed in the Auckland Region to recognise customary title to the foreshore and seabed.

**Variation Item [E]**

This paragraph identifies the Hauraki Gulf Marine Park Act 2000. As it was not introduced until 2000 it was not included in the notified version of the Proposed Regional Plan: Coastal.

**Variation Item [F]**

This paragraph highlights the extent of competing demands for the use, development and protection of coastal space, and the cumulative effects of the occupation of coastal space on the environment. It emphasizes the importance of managing these competing demands within the coastal marine area, a finite resource.

**Variation Item [G]**

These paragraphs recognise the potential adverse effects of aquaculture activities on the coastal marine area. Amendments have been made to the notified version of the Plan to clarify this and to highlight the potential impact of land uses above Mean High Water Springs on water quality within the coastal marine area.

**Variation Item [H]**

This paragraph introduces the precautionary approach as a necessary concept to apply to the provision of some aquaculture where information is lacking and where there is a potential threat of significant adverse effect on the coastal environment.

**Variation Item [I]**

These paragraphs highlight that marine ecosystems do not recognise jurisdictional boundaries and note the importance of integrated management when providing for

aquaculture activities within Aquaculture Management Areas, both above Mean High Water Springs and across regional boundaries.

#### **Variation Item [J]**

These paragraphs identify existing aquaculture activities in the Auckland Region and refer to the anticipated demand for aquaculture activities in the future. These variations recognise there is likely to be demand for farming different aquatic species in the Auckland Region in the future. The policy framework indicates a commitment to research with relevant agencies into the potential effects on the coastal environment from farming new aquatic species. By determining these effects, new species can be provided for in appropriate locations and at an appropriate scale that will avoid, remedy or mitigate adverse effects on the coastal environment.

#### **Variation Item [K]**

Aquaculture can be a sustainable use of the coastal marine area if it is managed appropriately. There are many competing uses and values, such as recreational boating, shipping routes, areas of high ecological value, and fishing activities in the coastal marine area that need to be considered when providing for aquaculture. The coastal marine area is a finite resource and, with increasing pressure on coastal space and a rising population, it is imperative that competing interests be managed effectively.

Aquaculture can have adverse effects, including cumulative effects, on the coastal environment. These effects include degradation of natural character, amenity and landscape values, loss of public access, impacts on marine ecology and coastal processes, and impacts on cultural, recreational and aesthetic values. Aquaculture is being provided for in the Auckland Region within Aquaculture Management Areas that have been defined to avoid, remedy, or mitigate the adverse effects of aquaculture. Where more information is available on aquatic species such as bivalve culture, more certainty is given in the provisions by assigning conventional methods for bivalve culture a limited discretionary status. Where there is a lack of information, a more cautious approach has been taken by assigning these activities a discretionary status (the precautionary approach adopted is explained further below).

#### **Variation Item [L]**

As aquaculture is provided for only within Aquaculture Management Areas it is necessary that these areas can function appropriately for the primary purpose of carrying out aquaculture activities. Structures that compromise the use of Aquaculture Management Areas for carrying out aquaculture activities will be considered inappropriate.

Some landward activities and uses of the coastal marine area may adversely affect aquaculture, particularly in terms of water quality and infrastructure on adjoining land, for example, sewage treatment plants. It is appropriate that the effects of subdivision, use and development on areas where aquaculture is established be assessed, particularly in terms of maintaining water quality. ARC will liaise with territorial authorities and submit on consent applications and proposed plan changes to ensure that District Plans appropriately protect water quality and make provision for infrastructure necessary for carrying out aquaculture activities.

#### **Variation Item [M]**

Coastal tendering is used in the chapter as a method of efficiently allocating space within Aquaculture Management Areas. The tendering process only applies to space within Aquaculture Management Areas that is not already the subject of existing consent applications placed on hold under section 150B of the Resource

Management Act. By assigning priority to existing applications that are located within Aquaculture Management Areas, recognition is given to those applicants who have invested resources into their applications and provides certainty to those applicants. In addition, recognition is given to investment that has been made by existing aquaculture farmers by providing a single preferential right for existing coastal permit holders to apply for a new coastal permit on the expiry of the existing permit.

Tendering for new coastal space provides an equitable platform for all applicants to begin from and will ensure the efficient allocation of coastal space within Aquaculture Management Areas. The tendering process is provided for in the further aquaculture amendments proposed for the Resource Management Act.

It is proposed that the legislative provisions governing the tendering process be those stipulated in section 247E of the Local Government Act 1974:

Section 247E. Contracts and tenders

- (1) Where any local authority is contemplating entering into any contract for the supply of goods or services that is likely to involve the local authority in expenditure or financial commitment that the local authority considers significant, the local authority shall consider whether or not the matter shall be put to tender.
- (2) Where any local authority decides not to put out to tender a contract to which subsection (1) of this section applies, the local authority shall ensure that the reasons for the decision are recorded in writing.
- (3) In considering whether or not to put any matter to tender and whether or not to accept any tender, the local authority shall have regard to its objectives as stated in its annual report to the public under section 223D of this Act.

**Variation Item [N]**

The provision of aquaculture is a relevant coastal matter of resource management significance to tangata whenua. To meet the requirements of Part II of the RMA, and to ensure that this Plan is not inconsistent with the provisions of the New Zealand Coastal Policy Statement and the Auckland Regional Policy Statement, provision for these issues of significance to tangata whenua has been made.

Specifically, recognition has been given to iwi in Treaty and common law claims to ownership of the foreshore and seabed in the Auckland Region (limiting the resource consent term for aquaculture activities to ten years has been agreed to by the Court in Golden Bay Marine Farmers et al v Tasman District Council W42/2001), provision has been made for the participation of tangata whenua in decision making on matters that affect the relationship of iwi and hapu and their traditions with their ancestral lands, water, sites and other taonga, and provision has been made for the positive social, economic and cultural benefits of aquaculture for local iwi and hapu.

**Variation Item [O]**

There is a limited amount of information available on the adverse effects, including cumulative effects, of aquaculture in many parts of the coastal marine area. The provisions in this variation adopt a precautionary approach for new development of aquaculture within Aquaculture Management Areas.

Specifically, an adaptive management technique involving the staging of development of aquaculture activities has been adopted within Aquaculture Management Areas within the Kaipara Harbour, as these are areas where aquaculture does not currently exist. Further development of aquaculture in the

Kaipara Harbour is dependent on the results of environmental monitoring demonstrating that aquaculture activities from the first stage of development are not causing any actual or potential adverse cumulative effects. If monitoring shows development is causing an adverse effect then actions will need to be taken to avoid, remedy or mitigate those adverse effects. This could be achieved by reviewing consent conditions, not allowing the next stage of development to occur, or reducing the area zoned for the activity through a plan change.

An adaptive management technique has not been proposed for Aquaculture Management Areas in the other locations in the Auckland Region as expansion in these areas is on a relatively small scale and there is existing aquaculture in these areas.

The introduction of a farmed species, particularly a species which is not naturally occurring, or has not been previously farmed in the Region, may adversely affect the ecology and natural values of the coastal marine area. New types of farming which have not previously been undertaken in the Region may also have different, and possibly adverse impacts.

To ensure that new species are recognised it is appropriate that the Plan contain provisions that require an assessment of any actual or potential adverse effects. A precautionary approach is again taken where these effects are not fully known or understood, and where there is a high potential risk of significant adverse effects.

#### **Variation Item [P]**

Aquaculture activities can only occur within Aquaculture Management Areas. The majority of existing aquaculture activities in the Auckland Region were established under a marine farming lease or licence under the Marine Farming Act 1971. These marine farming leases and licences will become deemed coastal permits under the proposed aquaculture legislative reforms. The Explanation following Objective 22.3.6 of Chapter 22 in this Variation is based on what has been proposed for the future aquaculture amendments to the Resource Management Act 1991 and describes how these existing leases and licences are provided for in the new regime.

#### **Variation Item [Q]**

Existing aquaculture activities within Aquaculture Management Areas at Waiheke Island and Wairoa Bay have been provided for (Refer Variation 6 to the Proposed Regional Plan: Coastal). Expansion of aquaculture activities has been provided for at Wairoa Bay, Awaawaroa Bay, Putiki Bay and on the eastern end of Waiheke Island off Waikopua Bay.

The expansion of the existing marine farm on the eastern side of Putiki Bay (Aquaculture Management Area 6C, Variation 6) will be provided for by relocating aquaculture activities to Aquaculture Management Area 6B and subsequently closing Aquaculture Management Area 6C. There is considerable siltation around existing aquaculture at Aquaculture Management Area 6C. Te Matuku Bay has been identified as a proposed Marine Reserve by the Department of Conservation so no expansion has been provided for there.

The expansion of aquaculture activities at Waiheke Island and Wairoa Bay has been provided for on a small scale and in close proximity to existing aquaculture operations to avoid, remedy or mitigate the adverse effects on the coastal environment. With a small-scale level of expansion and with existing aquaculture in

these areas, it was considered that an adaptive management technique was not necessary in these locations.

Currently unallocated space, that is, space not subject to existing applications (as detailed in explanation [M]) or occupied by existing marine farms, will be allocated through the tendering process. Successful tenders will be subject to the resource consent process.

#### **Variation Item [R]**

Existing aquaculture activities within Aquaculture Management Areas at Mahurangi Harbour have been provided for (Refer to Variation 4 to the Proposed Regional Plan: Coastal). Aquaculture in the Mahurangi Harbour is largely at full capacity. Some of the existing marine farm leases and licences issued under the Marine Farming Act 1971 are affected by siltation and are no longer operational. To clean up unused structures and to increase productivity of existing operations, it is proposed that new aquaculture only occur in the Mahurangi Harbour at locations where existing authorisations, of the same or larger scale, are relinquished, structures are removed and any disturbance remedied. This applies to Aquaculture Management Areas 2A-E, 2G-J defined in the Mahurangi Harbour. Area 2F is the only area in the Mahurangi Harbour which provides for small-scale expansion.

#### **Variation Item [S]**

These policies provide a series of assessment criteria which will be used to assess resource consent applications for aquaculture activities where the applicant has obtained a right to apply either: (i) by having an application on hold under section 150B of the Resource Management Act; or (ii) by being a successful tenderer through the tender process described in section 22.5 of the chapter.

#### **Variation Item [T]**

Management of the effects of the use of land within the areas notated on the planning maps above Mean High Water Springs is through the provisions of the relevant district plan, or other management plans where the land is designated.

Aquaculture activities often require access from land to the coastal marine area, and often establish washing and processing facilities on the adjoining landward area. These activities may involve the use of public boat ramps or landing areas, require buildings and facilities adjoining the coastal marine area and discharges into the coastal marine area from processing activities. The relevant resource consents must be obtained from the relevant local authority.

The effects of aquaculture activities can have strategic implications for territorial authorities. In order to achieve integrated management a consistent and cooperative approach to the development of aquaculture activities is important.

#### **Variation Item [U]**

Rules in this variation apply to structures, activities and occupation necessary for carrying out aquaculture activities in terms of sections 12(1), (2) and (3) of the Resource Management Act, and to discharges of contaminants in terms of section 15 of the Resource Management Act.

The controlled activity rules provide for existing aquaculture activities and alteration of existing aquaculture activities. The matters ARC will have control over relate to the potential adverse effects that aquaculture activities may have on the coastal environment.

The limited discretionary activity rules provide for conventional long line aquaculture activities for bivalve culture within Aquaculture Management Areas, for conventional inter-tidal aquaculture activities for oysters within Aquaculture Management Areas excluding the Mahurangi Harbour, and for conventional inter-tidal aquaculture activities for oysters within Aquaculture Management Areas specifically within the Mahurangi Harbour and Waiheke Island. A separate rule has been provided for this to reflect the relinquishing strategy adopted for the Mahurangi Harbour and parts of Waiheke Island.

The discretionary activity rules provide for new species and technologies where the effects on the coastal marine area are unknown and the need to carry out a more thorough assessment of effects is necessary. The discretionary activity rules also provide for those aquaculture activities which do not meet the standards and terms of the limited discretionary rules.

The restricted coastal activity rule reflects the requirements of the New Zealand Coastal Policy Statement.

The prohibited activity rules prohibit aquaculture activities outside Aquaculture Management Areas. They also prohibit, within Aquaculture Management Areas, those structures necessary for carrying out activities other than aquaculture, excluding navigational aids, to ensure Aquaculture Management Areas can be used for the primary purpose for which they were defined. A rule also prohibits further development of parts of Aquaculture Management Areas which were once existing authorisations in the Mahurangi Harbour and Waiheke Island but have since been relinquished.

#### **Variation Item [V]**

In some circumstances Aquaculture Management Areas cross-jurisdictional boundaries. To ensure a coordinated and consistent approach to the management of aquaculture activities commitment to integrated management across regional and territorial jurisdictional boundaries is essential. For example, the Hauraki Gulf Marine Park, administered by the Hauraki Gulf Forum, requires the integrated management of Environment Waikato and Auckland Regional Council for the Firth of Thames.

Integrated management involves sharing information between different agencies such as territorial authorities, Department of Conservation, Ministry of Fisheries, iwi, Maritime Safety Authority, Ministry of Health, research institutions, and the aquaculture industry. In addition, compatibility of various administrative documents held by these various agencies is important and recognising these links when assessing proposals for subdivision, use and development in the coastal marine area.

## ***2.2 Variation to the Plan Text – Chapter 2***

The amended version of Chapter 2 of the Plan is attached as Appendix Two. New text is underlined and deleted text is ~~struck-out~~.

The amendments made to Chapter 2 include a new paragraph introducing Aquaculture Management Areas, detailing their location in the Proposed Regional Plan: Coastal, and outlining their purpose. Other amendments to this chapter include minor consequential amendments.

### **2.3 Variation to the Plan Text – Chapter 10**

The amended version of Chapter 10 of the Plan is attached as Appendix Two. New text is underlined and deleted text is ~~struck-out~~.

The amendments made to Chapter 10 include the addition of a new policy to highlight the management areas in the Plan and emphasise that regard should be had to the purpose of specific management areas in assessing a proposal within the coastal marine area.

### **2.4 Variation to the Plan Text – Chapter 11**

The amended version of Chapter 11 of the Plan is attached as Appendix Two. New text is underlined and deleted text is ~~struck-out~~.

The amendments made to Chapter 11 include minor consequential amendments.

### **2.5 Variation to the Plan – Definitions**

Variation 2 introduces a range of new terms that were not defined in the Plan as notified. To provide clarity and certainty, additional definitions have been developed and inserted into the Definitions' section of the Plan. These are attached as Appendix Three.

### **2.6 Variation to the Plan Text – Schedules**

A new schedule (Schedule 9) contains the coordinates for the Aquaculture Management Area boundaries. Schedule 9 is entirely new, but to make it easier to read it is not underlined. Schedule 9 is attached as Appendix Four.

# APPENDIX ONE

## VARIATION 2

### PROPOSED AUCKLAND REGIONAL PLAN: COASTAL

#### CHAPTER 22: AQUACULTURE

New text is underlined and deleted text is ~~struck-out~~

**NOTE: The provisions in this Plan have been drafted based on cabinet and policy papers proposed for the Resource Management (Aquaculture) Amendment Bill as of August 2002. Should any provisions in the proposed legislation change in a way that does not give the ARC jurisdiction to include any of the provisions below an amendment to the variation will be necessary. By the time submissions are heard on this variation it is anticipated that the legislation will have been introduced and there will be a clear mandate for decision-making.**

## **Aquaculture – 22**

*This chapter contains objectives, policies and rules relating to aquaculture. Aquaculture includes the activity itself and any structures and discharges of contaminants associated with it. Rules in this chapter apply to structures and activities in terms of sections 12(1)(b), 12(2) and 12(3) of the RMA, and to discharges of contaminants in terms of section 15 of the RMA. Therefore the provisions of Chapter 12: Structures and Chapter 20: Discharges do not apply. However other chapters may be relevant.*

*Any application for aquaculture activities needs to consider the relevant chapters of Part IV: Use and Development and the matters contained in Part III: Values in the assessment of effects on the environment.*

### **22.1 INTRODUCTION**

Part I, Clause 2(a) of the Second Schedule of the RMA states that a regional coastal plan may, where appropriate, provide for the recognition of opportunities for aquaculture. Section 68A of the Resource Management Act states that a regional coastal plan may include Aquaculture Management Areas where the provisions of the plan (including the size and location of the area) will avoid, remedy, or mitigate the adverse effects (including the cumulative effects) of aquaculture activities on the environment, including fishing and other uses of the coastal marine area. Outside these areas aquaculture activities are prohibited. [A]

Aquaculture Management Areas have been defined in the Auckland Region to provide for aquaculture. The locations of these Aquaculture Management Areas are identified in Map Series 7 of the Planning Maps and include: Kaipara Harbour, Mahurangi Harbour, Matakana River, Kawau Island, Great Barrier Island, Waiheke Island and Wairoa Bay. Tendering is used to efficiently allocate space within these Aquaculture Management Areas that is not already allocated. The tendering process is detailed in section 22.5 Rules of this Chapter. [A]

Aquaculture involves activities that are regulated by sections 12 and 15 of the RMA. This control extends to such activities as the placement or erection of structures or other equipment, the disturbance or deposition of

matter on the foreshore and seabed, occupation and use of the coastal marine area, and the discharge of contaminants. Those activities are relevant to the breeding, hatching, cultivating, rearing, or ongrowing of fish, aquatic life, including spat, or seaweed, for harvest. The rules of this Plan require that, in most cases, these activities or works require resource consent. [B]

~~Aquaculture usually involves activities which are controlled by sections 12 and 15 of the RMA. These include control over such activities as the placement or erection of structures or other equipment, the disturbance or deposition of matter on the foreshore and seabed, and the occupation and use of the seabed or water in the coastal marine area. Such activities are part of the breeding, collection, cultivation, growing, or harvesting of fin fish, shellfish, marine vegetation or other forms of aquatic life. The rules of this Plan require that in most cases these activities or works require a resource consent. However, the activities of collection, breeding, cultivation, growing or harvesting of fish and shellfish are controlled by Minister of Fisheries under Fisheries legislation.~~

The ARC, when providing for aquaculture, is required to consider all environmental effects, including the impact of aquaculture on the environment and the use and sustainability of fisheries resources. [C]

The Ministry of Fisheries is required to consider the impact of aquaculture on the access to the fisheries resource. [C]

It is noted that some iwi are pursuing common law and Treaty claims on areas of the foreshore and seabed to recognise Maori customary title to the foreshore and seabed. The ARC recognises that any decision of the Courts and direction from central government with respect to these claims will have to be complied with, insofar as it concerns the Resource Management Act. The outcome of any claim may impact on the management of aquaculture. [D]

The Hauraki Gulf Marine Park Act 2000 encompasses the coastal marine area on the east coast of the Auckland Region and the Waikato Region and is therefore a key piece of legislation for considering aquaculture in this part of the Auckland Region. The purpose of this Act is to integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments which together comprise the Hauraki Gulf Marine Park, and to establish objectives that recognise the historic, traditional, cultural, and spiritual relationship of tangata whenua with the Hauraki Gulf and its islands. [E]

Aquaculture is an industry of growing social and economic importance in New Zealand, both locally and nationally, and can be a sustainable use of natural and physical resources if it is appropriately located and managed. It is a rapidly ~~an~~ expanding industry that provides economic benefits such as employment, as well as social and cultural benefits. ~~, particularly as farms are often located in the coastal marine area adjoining rural areas where there are few employment opportunities.~~ The presence of aquaculture may ~~can~~ also enhance recreational fishing and provide a focus of interest for tourists.

~~In addition to social and economic benefits,~~ Aquaculture provides an important alternative source of fish and shellfish, which assists in reducing pressure on the natural fish and shellfish stock. It is an industry that is continuing to evolve, developing using methods and species not previously used in aquaculture.

While the benefits of aquaculture are many and varied, it should be recognised that other uses of the coastal marine area, such as recreational boating and commercial shipping, also provide social and economic benefits. It is necessary to provide for the various activities within the coastal marine area in a way that maximises the benefits they provide. [F]

Aquaculture requires the occupation of coastal space which, for the most part, is currently deemed to be crown owned public space. Coastal space is utilised for a wide variety of activities and has significant values such as natural character, landscape, ecological, cultural and recreational values. In effectively and efficiently providing for aquaculture development in the Auckland Region, competing demands for the use, development and protection of coastal space, and the cumulative effects of the occupation of coastal space on the environment, particularly public access and amenity, need to be carefully considered. In a region with approximately 100, 000 recreational vessels and significant commercial fishing and transport demands, and a population that is predicted to double in size over the next fifty years, there is a strong need for the Auckland Region to adopt a framework for managing aquaculture activities that can cope with intensifying pressure on resources within the coastal marine area. [F]

Aquaculture activities can ~~also~~ have adverse effects on the coastal marine area. ~~although the significance of these effects may be able to be avoided, remedied or mitigated by appropriate site selection, choice of farming operation and farm management practices. The adverse effects associated with aquaculture~~ These may include the alteration of natural coastal processes resulting from the location of structures associated with aquaculture; or from the deposition of shell and waste material beneath farms; the smothering, starvation or displacement of marine species living directly beneath aquaculture operations; degradation of natural character, amenity and landscape values; disturbance of the foreshore and seabed wading bird species; and adverse effect to ecology from access to or use of landing areas; impacts on amenity values; degradation of water quality from organic waste and antibiotics; degradation of cultural or heritage values; restriction of public access; and conflicts with other uses of the coastal marine area such as navigation and boat mooring and anchorage areas. However the significance of these effects may be able to be avoided, remedied or mitigated by appropriate site selection, choice of farming operation and farm management practices. [G]

Land uses above Mean High Water Springs can also have an adverse effect on coastal water quality and influence the ability of an area to sustain aquaculture activities. The Ministry of Health undertakes regular water quality monitoring and can prohibit the further operation of aquaculture if discharges from heavy rainfall cause a risk to human health through the consumption of shellfish from these areas. [G]

~~The washing down and cleaning of aquatic species in the coastal marine area can also result in the discharge of silt and the deposition of shell and debris. This in turn may result in the discoloration of water and the smothering of benthic organisms. Littering may also occur from associated debris such as wood, shell, and plastics.~~

~~Aquaculture requires a high standard of water quality to enable the farmed species to be sold for consumption. However some forms of aquaculture, such as fish farming, which introduce artificial food, antibiotics and high levels of organic waste, can adversely affect water quality.~~

~~Aquaculture may adversely affect the relationship of Tangata Whenua with their ancestral taonga, particularly by restricting their access to and use of resources. However Tangata Whenua are increasingly involved in aquaculture because of its potential social, economic, and cultural benefits.~~

~~Aquaculture usually involves activities which are undertaken both in the coastal marine area and on adjoining land, as there is often a need for land based access, processing, and waste disposal facilities. Aquaculture is also affected by land uses in the adjoining catchment, which can have an adverse effect on water quality and influence the ability of an area to sustain aquaculture activities. There is therefore a need for co-ordination with territorial authorities in making provision for and considering proposals to establish aquaculture.~~

There is limited information available on the cumulative effects of aquaculture on marine ecosystems. In these situations, the New Zealand Coastal Policy Statement and the Auckland Regional Policy Statement advocate that a precautionary approach be adopted to avoid the effects of activities on the coastal environment. This chapter takes a precautionary approach to the provision of aquaculture. [H]

Most aquaculture operations have associated requirements for land based facilities e.g. wharf facilities, processing and disposal of waste, transport and communication links (roading, telephone and power), plant and equipment requirements, moorings and water supply. Approval for these activities where they are located above MHWS is the responsibility of the relevant territorial authority (TA). The ARC is responsible for managing aquaculture activities below MHWS. In order to achieve integrated management, the ARC and the TAs need to ensure that a consistent and co-operative approach to managing aquaculture is adopted. [I]

The importance of integrated management also extends to regional authorities. The Firth of Thames and the Kaipara Harbour are areas of particular importance in terms of integrated management as they are key areas of interest for aquaculture activities and they are marine ecosystems that do not recognise jurisdictional boundaries between Auckland and Waikato and Auckland and Northland respectively. Integration and co-ordination between all agencies with aquaculture responsibilities is important to ensuring a consistent management approach to promote the sustainable management of coastal resources.

[I]

The majority of the existing marine farms in the Auckland Region were established prior to the introduction of the RMA under leases or licences granted by the Ministry of Fisheries under the Marine Farming Act 1971. The future proposed amendment to the Resource Management Act on aquaculture will deem leases and licences issued under the Marine Farming Act 1971 to be coastal permits for the purposes of use (section 12(1)) and occupation of coastal space (section 12(2)). Only three resource consents for marine farms have been granted by the ARC under the RMA. [P]

Mussel and oyster farming predominate in the Auckland Region. Oyster farming occurs on intertidal racks in the Mahurangi Harbour, Waiheke Island and Wairoa Bay and mussel farming occurs on long lines around Great Barrier Island, Waiheke Island and the Firth of Thames. There is also interest in farming other species such as kingfish, seaweed, snapper and seahorses. Provision for the farming of new species and the introduction of innovative technologies is recognised as an important component of providing for aquaculture in the Auckland Region in the future. [J]

~~Most of the farms in the Auckland Region have been established prior to the introduction of the RMA under leases or licences granted by the Minister of Fisheries under the Marine Farming Act 1971. Oyster farming on intertidal racks is the main type of aquaculture, with the Mahurangi Harbour being the most significantly developed area. Deep water mussel farming on long lines is also undertaken in part of the Region.~~

~~Parts of the Hauraki Gulf, including the Mahurangi Harbour, are subject to Gazette Notices issued by the Minister of Fisheries under the provisions of the Marine Farming Act 1971. These Gazette Notices set aside areas as not available for "marine farming leases or licences". The Notices form part of the Transitional Regional Coastal Plan, but the rules of this Plan will replace these Gazette Notices when the Plan becomes operative.~~

## **22.2 ISSUES**

22.2.1 Aquaculture within the coastal marine area of the Auckland Region is recognised as being an important industry, contributing social, economic, and cultural benefits to the local, regional and national economy. However, there are also other uses of the coastal marine area, such as recreational boating and commercial shipping, which provide a wide range of benefits. While aquaculture is an appropriate industry and should be provided for, there are competing uses, values and cumulative environmental effects, particularly on public access and amenity, that need to be recognised when providing for aquaculture. [K]

22.2.2 Aquaculture can be impacted on by activities on the land, such as urban intensification which can adversely affect water quality, and activities in the water, such as discharges from boating activities. Population growth in the Auckland Region is contributing to the pressure on resources in the coastal marine area. Without integrating the management of land use and

the coastal environment issues such as reverse sensitivity are likely to arise. [L]

22.2.3 Aquaculture requires the occupation of coastal space. The coastal marine area is a finite resource. Space for, and within, Aquaculture Management Areas needs to be appropriately allocated to ensure that efficient use is made of these areas and that the balance of the coastal marine area can be sustainably managed for other subdivision, use, development and protection purposes. [M]

22.2.4 Iwi and hapu have maintained a special association with their ancestral lands, water, sites and waahi tapu, and other taonga. The coastal environment is an important source of kaimoana contributing to the health and well-being of Maori. This special relationship must be recognised and provided for. [N]

22.2.5 There is limited information regarding the ecological effects of aquaculture in the coastal environment of the Auckland Region. Aquaculture may cause adverse effects in the water, such as depletion of phytoplankton, zooplankton, and fish eggs, and on the seabed, for example by smothering other organisms. It may also cause remote effects such as altering food availability for birds and fish. Unless a precautionary approach is taken there may be significant adverse effects on the coastal environment. [O]

~~Aquaculture is an industry of increasing social and economic importance to the local, regional, and national economy. The farming of fish or shellfish also provides an important food resource, and assists in reducing pressure on the natural fish and shellfish stock.~~

~~22.2.2 A high standard of water quality and its continued maintenance is necessary to achieve the sustainable management of the coastal marine area and is required for the establishment and carrying out of aquaculture.~~

~~22.2.3 Aquaculture is a developing and dynamic industry, where considerable potential exists to cultivate a variety of marine fauna and flora. The effects of farming "new species", or new types of farming methods, are to a significant extent unknown or untested in the Auckland Region.~~

~~22.2.4 The structures associated with aquaculture, and the changes that often result to the foreshore or seabed beneath farmed areas, can detract from the natural character, ecology and landscape quality of the coastal marine area. The space occupied by these structures may also conflict with other users of the area, particularly where farms are located in water which is used intensively for recreational purposes.~~

~~22.2.5 The washing down and cleaning of harvested aquatic species in the coastal marine area can have an adverse effect on water and sediment quality, and on the naturally occurring coastal flora and fauna.~~

~~22.2.6 The cumulative effect of aquaculture activities, particularly in areas where farms are concentrated, may have the potential to adversely~~

~~affect recreation, amenity, natural character and ecological values of the coastal marine area.~~

## **22.3 OBJECTIVES**

- 22.3.1 To recognise the benefits of both aquaculture and other uses of the coastal marine area and to appropriately provide for the development of aquaculture activities within Aquaculture Management Areas. [K]
- 22.3.2 To ensure, as far as is practicable, that aquaculture activities can function appropriately within Aquaculture Management Areas by managing other activities that may adversely affect them. [K]
- 22.3.3 To recognise that there is significant competition for space in the coastal marine area and to ensure the coastal space for, and within, Aquaculture Management Areas is allocated in an efficient and equitable manner. [M]
- 22.3.4 To protect the relationship of iwi and hapu and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga when providing for aquaculture in the coastal marine area. [N]
- 22.3.5 To take a precautionary approach in determining an appropriate scale and quantity of aquaculture activities, and in determining species to be farmed, within the Aquaculture Management Areas in the Auckland Region to ensure that the adverse effects (including cumulative effects) on the coastal environment are avoided, remedied or mitigated. [O]
- 22.3.6 To enable existing aquaculture activities to continue to operate within Aquaculture Management Areas where appropriate. [P]

### Explanation

*The future proposed amendment to the Resource Management Act on aquaculture deems leases and licences issued under the Marine Farming Act 1971 to be coastal permits for the purposes of use (section 12(1)) and occupation of coastal space (section 12(2)) only. Coastal permit holders for aquaculture activities are required to register their aquaculture operations with the Ministry of Fisheries so they can be recorded on the fish farm register for information purposes. The term of the deemed permits is the balance of the current term plus one renewal of 14 years subject to the total period not exceeding 20 years from the date of translation. Upon expiry lease or licence holders are given a single preferential right of renewal provided that the existing marine farm is within an Aquaculture Management Area.*

*Marine farm permits issued under Section 67J of the Fisheries Act 1983 shall be deemed registered fish farms by the Ministry of Fisheries and recorded on the fish farm register for information purposes.*

*Upon the deeming of existing marine farm leases and licences issued under the Marine Farming Act 1971 as coastal permits, an assessment is made of the actual site location to ensure that it aligns with the permit. If the marine farm is causing an adverse effect in its current location, Council may make a decision to move the marine farm. The permit will be*

amended and the Ministry of Fisheries advised. The Ministry of Fisheries should then update the fish farm register. This will be done within two years of enactment of the aquaculture amendment to the Resource Management Act 1991.

NOTE: These provisions have come directly from the proposed aquaculture amendment to the Resource Management Act.

~~22.3.1 To provide for appropriate aquaculture in the coastal marine area while avoiding, remedying, or mitigating adverse effects on the coastal environment.~~

## **22.4 POLICIES**

~~2.4.1 Aquaculture shall be avoided where it will modify, damage, or destroy:~~

- ~~a any Coastal Protection Area 1 identified on the Plan maps; or~~
- ~~b any site, building, place or area scheduled for preservation in Cultural Heritage Schedule 1.~~

~~22.4.3 Notwithstanding Policy 22.4.2 conventional oyster and mussel farming is considered appropriate where the farm:~~

- ~~a is subject to a current lease or licence under the Marine Farming Act 1971; and~~
- ~~b has been established in accordance with the lease or licence; and~~
- ~~c complies with all the terms and conditions of the lease or licence.~~

~~(NB: This policy gives particular recognition to existing lawful farms which may seek a coastal permit rather than apply for a extension of term to their lease or licence.)~~

~~22.4.4 Aquaculture shall generally be considered inappropriate where it is proposed to be located within;~~

- ~~a significant mooring and anchorage areas or in the recognised routes of travel, or navigation channels which are used to access these areas; and~~
- ~~b areas which have a high recreational use and amenity value; and~~
- ~~c areas which will interfere with public access particularly to highly used areas.~~

22.4.1 Aquaculture activities shall be considered appropriate only within Aquaculture Management Areas. [K]

- 22.4.2 Aquaculture Management Areas shall generally be for the primary purpose of carrying out aquaculture activities. Other activities may be appropriate within Aquaculture Management Areas but only to the extent that they do not compromise the primary purpose of the area. (Other appropriate activities shall be considered in terms of Rules 11.5 in Chapter 11 Activities of this Plan) [L]
- 22.4.3 New subdivision, use and development on land in the coastal environment adjoining Aquaculture Management Areas, shall have regard to the need to maintain water quality in the coastal marine area for aquaculture activities within Aquaculture Management Areas, and any land-based infrastructure which is integral to carrying out aquaculture activities. [L]
- 22.4.4 Existing consent applications held by the ARC that have been placed on hold by section 150B of the Resource Management Act and which relate to locations within Aquaculture Management Areas will be processed in order of receipt. All other coastal space within Aquaculture Management Areas that is not subject to existing consent applications at the date this variation becomes operative will be allocated by tendering (as outlined in Introduction 22.5.1). [M]
- 22.4.5 Existing aquaculture activities authorised by a Marine Farming Authorisation or Marine Farming Lease or Licence that are located within an Aquaculture Management Area will have a single preferential right to apply for a new coastal permit for occupation on expiry of the deemed coastal permit and will not be subject to the tendering process. [M]
- 22.4.6 The development of new aquaculture activities within Aquaculture Management Areas located at Waiheke Island (6A, D-G) and Wairoa Bay (7A) shall be provided for only by the expansion of existing marine farms. The development of aquaculture activities within the Aquaculture Management Area located at Waiheke Island (6C) shall only be provided for by the closure of the Aquaculture Management Area located at Waiheke Island (6B). [Q]
- 22.4.7 The development of new aquaculture activities within Aquaculture Management Areas located in the Mahurangi Harbour (2A-J) shall be provided for only by the closure of another existing marine farm of the same or larger size, scale and intensity, except for Aquaculture Management Area 2F which provides for the expansion of an existing marine farm. [R]
- 22.4.8 A precautionary approach shall be taken in the assessment and management of aquaculture:
- a that which proposes using species or techniques of cultivation which have not been previously farmed ~~tried~~ in the Auckland Region ~~previously~~; and
  - b where any actual or potential effects are not fully known.
- Note: An adaptive management technique (see definitions) has been applied in this chapter of the Plan to manage the risk of actual or

potential cumulative effects on the environment. (See policy 22.4.9 below). [O]

22.4.9 The development of aquaculture within Aquaculture Management Areas in the Kaipara Harbour shall be staged to avoid, remedy or mitigate the adverse cumulative environmental effects of aquaculture. The initial allocation shall allow for 50% of each coastal permit for aquaculture activities approved to be developed. Once environmental monitoring demonstrates that there are no significant adverse environmental effects from that 50% of development, a further 25% of the coastal permit shall be entitled to be developed. Once environmental monitoring demonstrates that there are no significant adverse environmental effects from this 75% of development, the final 25% of the coastal permit for aquaculture activities approved shall be entitled to be developed. [O]

Note: Environmental monitoring will be carried out by marine farmers and the ARC.

Note: In accordance with the proposed amendment legislation, aquaculture development can only proceed in areas that either have no “undue adverse effect” (as defined in the Fisheries Act 1983) on commercial fishing, or if they do, then it must be shown that a voluntary agreement has been reached between the prospective marine farmer and those entities that own or hold the long-term commercial harvesting rights in affected fisheries. (See Other Method 22.6.9)

22.4.10 The duration of resource consents for aquaculture activities will be limited to a maximum of 10 years to protect the interests of iwi in Treaty and common law claims to ownership of the foreshore and seabed. [N]

22.4.11 The relevant provisions of Part III: Values, Chapters 3 to 9 shall be considered in the assessment of any discretionary activity ~~any aquaculture proposals~~ to undertake aquaculture activities within Aquaculture Management Areas. [S]

22.4.12 Any proposal for aquaculture activities within an Aquaculture Management Area shall demonstrate that:

a the aquaculture activity shall be established in accordance with the Maritime Safety Authority’s Guidelines on Applications for Coastal Permits Relating to Marine Farming, 2001 (As contained in Appendix G);

b any discharge of contaminants from the aquaculture activity shall comply with the provisions of Chapter 20: Discharges of Contaminants;

c adverse effects from the aquaculture activity on the sustainability of marine ecology, including the benthic environment, shall be avoided, remedied or mitigated;

d all structures relating to the aquaculture activity shall, as far as practicable, be of an appropriate scale, design, colour, and location so as to avoid, remedy or mitigate adverse effects on the coastal environment;

e any disturbance to the foreshore and seabed shall be avoided, remedied or mitigated; and

f any waste or other material resulting from the aquaculture activity shall be appropriately disposed of. [S]

22.4.13 Any application for a coastal permit for aquaculture activities shall be required to demonstrate that any ~~associated~~ land-based activities associated with the marine farm which are to be located in the coastal environment (including access from the water to the land, processing facilities, and waste disposal, including shell) are permitted by the relevant district plan, or that the necessary resource consent applications have been sought or obtained. **[T]**

~~22.4.6 Any proposal to farm Pacific Oysters shall demonstrate as far as practicable that the farming operation will not initiate, or exacerbate any existing problems, with their uncontrolled colonisation of surrounding natural areas.~~

22.4.14 The use of vehicles along the foreshore as the means of attaining access to an area used for aquaculture activities, shall be considered inappropriate unless it can be demonstrated that there are no land or water based alternatives, and that the adverse effects are minor and temporary. **[S]**

~~22.4.9 Any discharges to the coastal marine area associated with aquaculture, including waste or wash water, shall ensure after reasonable mixing that the following adverse effects, are avoided as far as practicable:~~

~~a the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; and~~

~~b any conspicuous change in the colour or visual clarity of the receiving water; and~~

~~c any emission of objectionable odour; and~~

~~d any significant adverse effects on aquatic life.~~

22.4.15 The deliberate disposal of shell, racks, or other material associated with aquaculture activities in the coastal marine area shall be avoided. **[S]**

~~**22.4.13** Aquaculture activities should generally be consolidated within parts of the coastal marine area, particularly in areas where aquaculture activities are established, unless the number of farms or activities located within an area will result in an adverse cumulative effect.~~

~~**22.4.14** Notwithstanding Policy 21.4.11, new aquaculture or significant expansion of existing aquaculture shall be considered inappropriate in the Mahurangi Harbour.~~

~~**22.4.15** In assessing the cumulative effects of aquaculture proposals, regard shall be had to:~~

- ~~a — the actual or potential effects from existing areas leased or licensed under the Marine Farming Act 1971, regardless of whether these areas have been developed or not, in addition to other development or use of the coastal marine area; and~~
- ~~b — whether the cumulative visual impacts from the aquaculture proposal are less, by concentrating development in the same locality as other aquaculture developments rather than having a number of farms scattered throughout a locality or the coastal marine area.~~
- ~~c — whether the actual or potential cumulative physical and ecological effects of concentrated aquaculture in any one area can be mitigated through alternative methods or locations in the coastal marine area.~~

## **22.5 RULES**

### **22.5.1 Introduction**

For rules pertaining to the maintenance and repair of any existing lawful structure, the erection, placement, extension, maintenance, repair or reconstruction of navigational aids, or the removal or demolition of structures refer to Chapter 12: Structures.

The ARC will tender the right to apply for a coastal permit to occupy coastal space within Aquaculture Management Areas to carry out aquaculture activities that are not the subject of applications placed on hold by section 150B of the Resource Management Act. No applications for the occupation of space for aquaculture will be received unless that applicant has first obtained the right to apply for a coastal permit by winning a tender through the tender process. The criteria for deciding upon the successful tender will be stated in the tender documents. The provisions for tendering are those contained in section 247E of the Local Government Act 1974.

Following the receipt of an authorisation, the successful tenderer must go through the normal consents process under the RMA whereby the application is dealt with by the ARC under the requirements of the Plan. Authorisations are transferable, upon written notice to the Minister of Conservation and the ARC. Authorisations will have a limited life – from the time that an authorisation is granted up to a specified limit stated in the tender documents.

The ARC will give at least six months notice of its intention to tender an area within an Aquaculture Management Area before the tender documents are issued. Tender documents will contain the block size and location within the Aquaculture Management Area, the term of the resource consent, the lumpsum and/or annual payments, and the criteria for deciding upon the tender in addition to value, eg. efficiency of resource use, benefit to local community. Tenders relating to Aquaculture Management Areas subject to an “undue adverse effects” test (as defined in the Fisheries Act 1983) on commercial fisheries shall require that a

voluntary agreement be obtained between the applicant and the commercial fishers.

The successful tenderer can lodge an application for resource consent. Any tender money will be returned to the applicant if its application for resource consent is not granted. If the application for resource consent is granted, ARC will retain 50% of the successful tender money (net of administrative costs of the tender) derived from allocation of space within Aquaculture Management Areas to contribute to the management of the coastal marine area. The remaining 50% will go to the Crown.

## **Controlled Activities**

22.5.2 The alteration of any existing lawful structure within an Aquaculture Management Area necessary for carrying out conventional long line or inter-tidal aquaculture activities for bivalve culture, subject to the following standards and terms:

a the aquaculture activity does not exceed the area for which it is authorised to occupy. [U]

22.5.3 The ARC will have control over the following matters in Rule 22.5.2:

a the condition and maintenance of any structure;

b adverse effects arising from disturbance of the foreshore and seabed;

c adverse effects arising from deposition of material in the coastal marine area;

d methods required to remedy or mitigate adverse effects of the marine farm;

e any discharge of contaminants;

f whether approval has been given for necessary land-based activities;

g navigation and safety matters;

h the duration, monitoring and review of the consent; and

i environmental monitoring. [U]

Applications for resource consent under this rule will be considered without notification or the need to obtain the written approval of affected persons, in accordance with section 94(1)(b) of the RMA, unless in the opinion of the ARC there are special circumstances justifying notification or written approval. [U]

## **Limited Discretionary Activities**

~~22.5.1 Conventional oyster or mussel farms holding a current lease or licence which seek a resource consent (rather than an extension of term to their lease or licence under the Marine Farming Act) subject to the following standards and terms:~~

~~a the farm has a current lease or licence under the Marine Farming Act 1971; and~~

- ~~b — the farm is established in accordance with any lease or licence;  
and~~
- ~~c — the farm complies with all terms and conditions of any lease or licence under the Marine Farming Act at the time of making a resource consent application under the RMA.~~

~~22.5.1.1 — The ARC will restrict the exercise of its discretion under Rule 22.5.1 to the following matters:~~

- ~~a — the condition and maintenance of any structures; and~~
- ~~b — the effects of sedimentation or accumulation of organic or inorganic matter associated with the farm; and~~
- ~~c — Policies 22.4.5, 22.4.9 and 22.4.10 of this chapter; and~~
- ~~d — navigation and safety matters; and~~
- ~~e — the duration of the consent; and~~
- ~~f — monitoring of the consent.~~

~~An application for a resource consent will be considered without notification or the need to obtain the written approval of affected persons, in accordance with section 94(1A) of the RMA unless, in the opinion of the ARC, there are special circumstances justifying notification.~~

22.5.4 — To reapply for an expired coastal permit or a deemed coastal permit, for the use of, and occupation of space by any structure necessary for carrying out aquaculture activities within an Aquaculture Management Area shown in Map Series 7 of the Planning Maps, and associated discharges to water, and disturbance of the foreshore and seabed and deposition of material in the coastal marine area, subject to the following standards and terms:

- a — the deemed coastal permit is being renewed for no more than fourteen years, subject to the total period, from the date it became a deemed coastal permit, not exceeding twenty years;
- b — the structure complies with all the terms and conditions of the coastal permit or deemed coastal permit;
- c — the structure is in the location approved in the coastal permit or deemed coastal permit and it has not been extended or relocated from this location.
- d — the owner of the structure shall provide a bond in favour of and to the satisfaction of Auckland Regional Council in respect of the likely costs of the removal of the structure in the event of default by the owner.

e any coastal permit issued under this Rule for aquaculture activities shall include a consent condition requiring re-surveying every 7 years to ensure records remain accurate. [U]

22.5.5 The erection, placement, use of, and occupation of space by any structure necessary for carrying out **conventional long line aquaculture activities for bivalve culture** within an Aquaculture Management Area shown in Map Series 7 of the Planning Maps, and associated discharges to water, and disturbance of the foreshore and seabed and deposition of material in the coastal marine area (excluding that covered by Rule 22.5.4), subject to the following standards and terms:

a the applicant either:

- i has an application on hold under section 150B of the Resource Management Act; or
- ii has obtained the right to apply for a coastal permit to carry out aquaculture activities through the tendering process (as outlined in Introduction 22.5.1);

b development of the aquaculture activity has commenced within two years of the approval of the coastal permit, or such other time as stated on the coastal permit, failing either of these the coastal permit shall lapse;

c the applicant shall include with the application a management plan that details the following:

- i the proposed marine farm site (including surveyed grid references);
- ii marine farm layout (including number of buoys and lines);
- iii species to be farmed;
- iv type and placement of navigational markings and compliance with the Maritime Safety Authority's Guidelines on Applications for Coastal Permits Relating to Marine Farming, 2001;
- v anticipated development programme in accordance with Policy 22.4.9 regarding staged development);
- vi methods to be used for the collection and disposal of non-biodegradable material;
- vii method to be used for harvesting the crop and accessing the farm;
- viii methods to be used for the disposal of non-saleable crop;
- ix on-shore facility requirements;
- x environmental monitoring programme to meet the requirements of staged development;
- xi nature of operation and operating times;
- xii additional mooring requirements;

d the applicant shall provide a bond in favour of and to the satisfaction of Auckland Regional Council in respect of the likely costs of the removal of the structure in the event of default by the owner;

e any coastal permit issued under this Rule for aquaculture activities shall include a consent condition requiring re-surveying every 7 years to ensure records remain accurate;

f any coastal permit issued under this Rule for aquaculture activities shall include a consent condition requiring development of the aquaculture activities to be undertaken using a staged approach in accordance with Policy 22.4.9 of this chapter. [U]

22.5.6 The erection, placement, use of, and occupation of space by any structure necessary for carrying out **conventional inter-tidal aquaculture activities for oysters** within an Aquaculture Management Area shown in Map Series 7 of the Planning Maps, and associated discharges to water, and disturbance of the foreshore and seabed and deposition of material in the coastal marine area, (excluding that covered by Rule 22.5.4 and Rule 22.5.7), subject to the following standards and terms:

a the applicant either:

- i has an application on hold under section 150B of the Resource Management Act; or
- ii has obtained the right to apply for a coastal permit to carry out aquaculture activities through the tendering process (as outlined in Introduction 22.5.1);

b development of the aquaculture activity has commenced within two years of the approval of the coastal permit, or such other time as stated on the coastal permit, failing either of these the coastal permit shall lapse;

c the applicant shall include with the application a management plan that details the following:

- i the proposed marine farm site (including surveyed grid references);
- ii marine farm layout (including number of buoys and lines);
- iii type and placement of navigational markings and compliance with the Maritime Safety Authority's Guidelines on Applications for Coastal Permits Relating to Marine Farming, 2001;
- iv anticipated development programme in accordance with Policy 22.4.9 regarding staged development);
- v methods to be used for the collection and disposal of non-biodegradable material;
- vi method to be used for harvesting the crop and accessing the farm;
- vii methods to be used for the disposal of non-saleable crop;
- viii on-shore facility requirements;
- ix environmental monitoring programme to meet the requirements of staged development;
- x nature of operation and operating times;
- xi additional mooring requirements;

d the applicant shall provide a bond in favour of and to the satisfaction of Auckland Regional Council in respect of the likely costs of the removal of the structure in the event of default by the owner;

e any coastal permit issued under this Rule for aquaculture activities shall include a consent condition requiring re-surveying every 7 years to ensure records remain accurate;

f any coastal permit issued under this Rule for aquaculture activities shall include a consent condition requiring development of aquaculture activities to be undertaken using a staged approach in accordance with Policy 22.4.9 of this chapter. [U]

22.5.7 The erection, placement, use of, and occupation of space by any structure necessary for carrying out **conventional inter-tidal aquaculture activities for oysters** within an Aquaculture Management Area in:

- i **Mahurangi Harbour 2A-J, or**
- ii **Waiheke Island 6B and C**

as shown in Map Series 7 of the Planning Maps, and associated discharges to water, and disturbance of the foreshore and seabed and deposition of material in the coastal marine area, (excluding that covered by Rule 22.5.4), subject to the following standards and terms:

a the development of new aquaculture activities within Aquaculture Management Areas 2A-E, 2G-J shall only occur with the closure of an existing marine farm of the same or larger size, scale and intensity, except for Aquaculture Management Area 2F which provides for the expansion of the existing marine farm;

*Note: Standards and terms c and d of this Rule do not apply to the expansion of aquaculture activities at 2F;*

b the development of new aquaculture activities within the Aquaculture Management Area 6B shall only occur with the closure of Aquaculture Management Area 6C.

c the area being applied for is of the same or smaller size, scale and intensity as the area being relinquished;

d all structures associated with the area being relinquished shall be removed and appropriately disposed of and any consequential disturbance to the foreshore and seabed shall be remedied;

e the applicant either:

- i has an application on hold under section 150B of the Resource Management Act; or
- ii has obtained the right to apply for a coastal permit to carry out aquaculture activities through the tendering process (as outlined in Introduction 22.5.1);

f development of the aquaculture activity has commenced within two years of the approval of the coastal permit, or such other time as stated on the coastal permit, failing either of these the coastal permit shall lapse;

g the applicant shall include with the application a management plan that details the following:

- i the proposed marine farm site (including surveyed grid references);
  - ii marine farm layout (including number of buoys and lines);
  - iii type and placement of navigational markings and compliance with the Maritime Safety Authority's Guidelines on Applications for Coastal Permits Relating to Marine Farming, 2001;
  - iv anticipated development programme in accordance with Policy 22.4.9 regarding staged development);
  - v methods to be used for the collection and disposal of non-biodegradable material;
  - vi method to be used for harvesting the crop and accessing the farm;
  - vii methods to be used for the disposal of non-saleable crop;
  - viii on-shore facility requirements;
  - ix environmental monitoring programme to meet the requirements of staged development;
  - x nature of operation and operating times;
  - xi additional mooring requirements;
- h the applicant shall provide a bond in favour of and to the satisfaction of Auckland Regional Council in respect of the likely costs of the removal of the structure in the event of default by the owner;
- i any coastal permit issued under this Rule for aquaculture activities shall include a consent condition requiring re-surveying every 7 years to ensure records remain accurate;
- i any coastal permit issued under this Rule for aquaculture activities shall include a consent condition requiring development of aquaculture activities to be undertaken using a staged approach in accordance with Policy 22.4.9 of this chapter. [U]

22.5.8 The ARC will restrict the exercise of its discretion under Rules 22.5.4 to 22.5.7 to the following matters:

- a navigation and safety, including lighting;
- b ecological effects;
- c extent and nature of disturbance to the foreshore and seabed;
- d whether approval has been given for necessary land-based activities;
- e monitoring;
- f duration and review of consent;
- g methods required to remedy or mitigate any adverse effects of the marine farm;
- h cumulative effects;
- i mooring requirements. [U]

NB: A note shall be added to the resource consent that registration with the Ministry of Fisheries' Register of Fish Farms is compulsory once consent to farm fish aquatic life or seaweed has been obtained.

If taking and farming of spat requires structures and/or occupation then it will be treated as marine farming in this Variation. If it doesn't require

structures and/or occupation then it will be authorised via a spat catching permit granted by Ministry of Fisheries under the Fisheries Act 1996.

Applications for resource consent under Rules 22.5.4 to 22.5.7 will be considered without notification or the need to obtain the written approval of affected persons, in accordance with section 94(1A) of the RMA unless, in the opinion of the ARC, there are special circumstances justifying notification.

### **Discretionary Activities**

22.5.9 The erection and placement of any structure and/or use of and occupation of space necessary for carrying out **aquaculture activities within an Aquaculture Management Area** shown in Map Series 7 of the Planning Maps, and associated discharges to water, and disturbance of the foreshore and seabed and deposition of material in the coastal marine area that is **not provided for in Rules 22.5.2 to 22.5.7, or Rules 22.5.10 – 22.5.14** of this chapter. [U]

22.5.10 The erection and placement of any structure and/or use of and occupation of space necessary for carrying out **aquaculture activities within an Aquaculture Management Area** shown in Map Series 7 of the Planning Maps, and associated discharges to water, and disturbance of the foreshore and seabed and deposition of material in the coastal marine area **which does not meet the standards and terms of Rules 22.5.2 to 22.5.7** of this chapter. [U]

~~22.5.2 Aquaculture which is not provided for as a Limited Discretionary Activity and which is not a prohibited activity.~~

### **Restricted Coastal Activity**

22.5.11 Any limited discretionary or discretionary activity involving occupation of the coastal marine area which:

a would exclude or effectively exclude public access from areas of the coastal marine area over 10 hectares;

b would exclude or effectively exclude the public from more than 316 metres along the length of the foreshore ; or

c would involve occupation or use of areas greater than 50 hectares of the coastal marine area and such occupation or use would restrict public access to or through such areas. [U]

### **Prohibited Activities**

22.5.12 The erection and placement of any structure and/or use of and occupation of space necessary for carrying out **aquaculture activities outside an Aquaculture Management Area** shown in Map Series 7 of the Planning Maps. [U]

22.5.13 The erection, placement, use of, and occupation of space by any structure necessary for carrying out **any activity other than aquaculture activities, excluding navigational aids, within an Aquaculture Management Area** shown in Map Series 7 of the Planning Maps. [L] & [U]

22.5.14 The erection and placement of any structure and/or use of and occupation of space necessary for carrying out **aquaculture activities within any part of an Aquaculture Management Area that has been relinquished by Rule 22.5.7 of this chapter.** [U]

~~22.5.3~~ Aquaculture in any Coastal Protection Area 1.

~~22.5.4~~ Aquaculture that would modify, other than for the purpose of maintaining intrinsic heritage values, damage, or destroy any site, building, place or area scheduled for preservation in Cultural Heritage Schedule 1.

## **22.6 OTHER METHODS**

~~22.6.1~~ The ARC will liaise with the Ministry of Fisheries, DOC and the Maritime Safety Authority in respect of farms subject to leases and licences under the Marine Farming Act 1971, and in processing consents for aquaculture.

22.6.21 The ARC will liaise with appropriate representatives of aquaculture shellfishing and fishing industry organisations in respect of aquaculture issues. [M]

~~22.6.32~~ The ARC will liaise with Northland Regional Council, Environment Waikato and territorial authorities to facilitate integrated management of aquaculture activities, particularly in terms of access, waste disposal and land-based facilities. [M]

22.6.3 The ARC will submit on District Plan reviews and plan change applications to ensure the ability to carry out aquaculture activities is not compromised by any proposed subdivision, use and development. [L]

22.6.4 The ARC will consult with the Hauraki Gulf Forum and Environment Waikato to develop a consistent and integrated approach to the management of aquaculture in the Hauraki Gulf Marine Park. [M]

22.6.5 To enable Tangata Whenua to act as kaitiaki and take an active role in the management of aquaculture throughout the Auckland Region, the ARC will:

- a carry out a preliminary investigation of options for Tangata Whenua to have greater participation in aquaculture management, including the option of a transfer of specific powers to iwi authorities pursuant to section 33 of the RMA;

b consult with relevant iwi regarding the location of new Aquaculture Management Areas. [N]

22.6.6 The ARC will protect the interests of tangata whenua by promoting the utilisation of aquaculture to facilitate the social, economic and cultural wellbeing of current and future generations of iwi, hapu and whanau by:

a recognising that Tangata Whenua can obtain positive, social, economic and cultural benefits from opportunities to develop aquaculture activities within Aquaculture Management Areas; and

b having regard to the cultural association of iwi, hapu and whanau through the allocation of space within Aquaculture Management Areas. [N]

~~22.6.4 The ARC will, as needed, conduct recreational boat surveys to establish the intensity and timing of recreational boat use in the Hauraki Gulf, and will monitor the effects of aquaculture on recreational use and navigation, particularly at Great Barrier Island where a number of new marine farms are being established. The ARC may, as necessary, undertake surveys in conjunction with DOC and territorial authorities.~~

22.6.57 The ARC will liaise with the Ministry of Fisheries, the Aquaculture Industry, research institutions, and other regional councils on studies being undertaken, and will undertake research on the effects of aquaculture on the coastal marine area. [O]

22.6.8 The ARC will undertake research which can be used as the basis for appropriate provisions to be included in both regional and district plans to avoid, remedy, or mitigate the adverse effects of land use on water quality. This is particularly relevant in areas where aquaculture is an established activity, ~~such as in the Mahurangi Harbour~~. The ARC will liaise with territorial authorities on the outcomes of any research and the effects of land-based activities on water quality. [L]

22.6.9 The ARC will liaise with the Ministry of Fisheries to assist with the establishment of a voluntary agreement between a prospective marine farmer and those entities that own or hold the long-term commercial harvesting rights in affected fisheries in the case where it has been proven that an Aquaculture Management Area will have an “undue adverse effect” (as defined in the Fisheries Act 1983) on commercial fishing. [V]

~~22.6.7 The ARC will seek the opportunity to comment on applications to the Minister of Fisheries for extensions of term of existing leases and licences granted under the Marine Farming Act 1971. The ARC will generally oppose the extension of term of leases or licenses where:~~

~~a the leased or licensed site has not been developed within 2 years of the lease or licence being granted; or~~

~~b — substantial progress has not been made on developing the farm;  
or~~

~~c — the farm has been poorly maintained or managed, and is having significant adverse effects on the environment.~~

~~22.6.87 — Where an aquaculture proposal requires a resource consent for associated activities on land in the coastal environment and a hearing is required, a joint hearing with the appropriate territorial authority will be sought.~~

~~22.6.8 — Where an aquaculture proposal requires a resource consent for associated activities on land in the coastal environment and a hearing is required, a joint hearing with the appropriate territorial authority will be sought.~~

22.6.10 The ARC will promote joint hearings for aquaculture proposals that require resource consents for activities on the land and in the coastal marine area. [V]

22.6.911 The ARC will advise the Hydrographic Office of all new aquaculture approved in the coastal marine area. [V]

~~22.6.40~~12 The Maritime Safety Authority will be notified of all new aquaculture applications that are received by the ARC. [V]

22.6.13 The ARC recognises that the demand for farming other aquatic species, eg. fish farming in the coastal marine area of the Auckland Region may increase in the future. The ARC will liaise with the Ministry of Fisheries, the aquaculture industry, research institutions, and other regional councils to keep up-to-date on progress made in other areas of aquaculture, including research into the effects of other aquatic species on the coastal environment, so that if necessary, other aquatic species can be provided for at an appropriate scale and in an appropriate location in the future. [O]

## **22.7 PRINCIPAL REASONS FOR ADOPTING**

**22.7.1 Issue 22.2.1, Objectives 22.3.1, 22.3.2, 22.3.6, Policies 22.4.1- 22.4.3, 22.4.6, 22.4.7, 22.4.11 – 22.4.15, Rules 22.5.2 – 22.5.14, Other Methods 22.6.1, 22.6.2, 22.6.7 – 22.6.13**

Aquaculture can be a sustainable use of the coastal marine area if it is provided for at an appropriate scale and in an appropriate location. There are many competing uses and values in the coastal marine area that need to be considered when providing for aquaculture. It is necessary to manage the increasing pressures on the coastal resource from these competing interests, as coastal space is a finite resource.

Aquaculture can have social, economic, and cultural benefits but can also have adverse effects, including cumulative effects, on the coastal environment. These effects include degradation of natural character, amenity and landscape values, loss of public access, impacts on marine ecology and coastal processes, and impacts on cultural, recreational and

aesthetic values. Aquaculture is being provided for in the Auckland Region within Aquaculture Management Areas which have been defined to avoid, remedy, or mitigate the adverse effects of aquaculture. Where more information is available on aquatic species such as bivalve culture, more certainty is given in the provisions by assigning conventional methods for bivalve culture a limited discretionary status. Where there is a lack of information (a precautionary approach is explained further below) a more cautious approach has been taken by assigning these activities a discretionary status.

As aquaculture is provided for only within Aquaculture Management Areas it is necessary that these areas can function appropriately for aquaculture activities. Landward activities and use of the coastal marine area may adversely impact on aquaculture, particularly in terms of water quality. It is appropriate that the effects of subdivision, use and development on areas where aquaculture is established be assessed, particularly in terms of maintaining water quality. It is necessary that the ARC liaise with territorial authorities on this issue. For these reasons it is appropriate for the Plan to contain objectives, policies, rules and other methods that enable the effects of proposed aquaculture to be assessed.

**22.7.2 Issue 22.2.3, Objective 22.3.3, Policy 22.4.4 and 22.4.5, Rules 22.5.5 – 22.5.10**

Coastal tendering is used as a method to efficiently allocate the space within Aquaculture Management Areas that is not already the subject of existing consent applications placed on hold under section 150B of the Resource Management Act. Allowing existing applications that are located within Aquaculture Management Areas to proceed recognises the investment that has been made by existing applicants and provides certainty to these applicants. Tendering for new space provides an equitable platform for all applicants to begin on and will ensure the efficient use and development of coastal space within Aquaculture Management Areas. The tendering process is provided for in the proposed aquaculture amendment to the Resource Management Act.

**22.7.3 Issue 22.2.2, Objective 22.3.1, Policies 22.4.3, 22.4.13, Other Methods 22.6.1 - 22.6.4, 22.6.9 - 22.6.11**

Management of the effects of the use of land within the areas notated on the planning maps above Mean High Water Springs is through the provisions of the relevant district plan, or other management plans where the land is designated. Ecological and natural components of the coastal marine area extend across Mean High Water Springs. The maintenance of their values and their ability to function is dependent on the consideration of the whole area and the maintenance of the link across Mean High Water Springs. This involves sharing information between different agencies such as territorial authorities, Department of Conservation, Ministry of Fisheries, iwi, Maritime Safety Authority, Ministry of Health, research institutions, and the aquaculture industry. Compatibility of various administrative documents held by these various agencies is important and recognising these links when assessing proposals for subdivision, use and development in the coastal marine area.

Aquaculture activities often require access from land to the coastal marine area, and often establish washing and processing facilities on the adjoining landward area. These activities may involve the use of public boat ramps or landing areas, require buildings and facilities adjoining the coastal marine area and discharges into the coastal marine area from processing activities. The effects of aquaculture activities can have strategic implications for territorial authorities. In order to achieve integrated management a consistent and cooperative approach to the development of aquaculture activities is important.

**22.7.4 Issue 22.2.4, Objective 22.3.4, Policy 22.4.10, Other Methods 22.6.5 and 22.6.6**

To address relevant coastal matters of resource management significance to tangata whenua, to give effect to the requirements of Part II of the RMA, and to ensure that this Plan is not inconsistent with the provisions of the New Zealand Coastal Policy Statement and the Auckland Regional Policy Statement.

To recognise iwi in Treaty and common law claims to ownership of the foreshore and seabed in the Auckland Region, to provide for the participation of tangata whenua in decision making on matters that affect the relationship of iwi and hapu and their traditions with their ancestral lands, water, sites and other taonga, and to promote the positive social, economic and cultural benefits of aquaculture for local iwi and hapu.

**22.7.5 Issue 22.2.5, Objective 22.3.5, Policies 22.4.8, 22.4.9, Rules 22.5.5 – 22.5.10, Other Methods 22.6.7, 22.6.8, 22.6.13**

These provisions are consistent with Policy 10.4.11 of the Plan by adopting the precautionary approach.

There is a limited amount of information available on the adverse effects, including cumulative effects, of aquaculture on the coastal marine area. These provisions provide for a precautionary approach to be adopted for the development of aquaculture within Aquaculture Management Areas. Specifically, an adaptive management technique involving the staging of the development of aquaculture activities within Aquaculture Management Areas has been adopted to apply caution to the development of aquaculture. Further development of aquaculture activities is dependent on the results of environmental monitoring demonstrating that the aquaculture activities are not causing any actual or potential adverse cumulative effects on the coastal marine area from the first stage of development. If monitoring shows adverse effects are occurring, options to address that issue include: reviewing consent conditions, not allowing the next stage of development to occur, or reducing the area zoned for the activity through a plan change.

The introduction of a farmed species, particularly a species that is not naturally occurring, or has not been previously farmed in the Region, may adversely affect the ecology and natural values of the coastal marine area. New types of farming which have not previously been undertaken in the Region may also have different, and possibly adverse impacts.

To ensure that new species are recognised it is appropriate that the Plan contain provisions which require any actual or potential adverse effects of these activities to be assessed. A precautionary approach should again be taken where these effects are not fully known or understood, and where there is a high potential risk of significant adverse effects.

**~~Objective, Policies 22.4.1, 22.4.2, 22.4.4, 22.4.9, 22.4.10 and Rules 22.5.1 to 22.5.4 and Other Methods 22.6.2, 22.6.5, 22.6.6, 22.6.9 and 22.6.10.~~**

~~The location of aquaculture and the associated activities can adversely impact on the coastal environment. Part III: Values of the Plan identifies the key values of the coastal marine area and the most vulnerable and important areas. It is appropriate that aquaculture be avoided where it will adversely impact on key areas, such as Coastal Protection Areas 1 and sites, buildings, places or areas identified in Cultural Heritage Schedule 1. The presence of structures can adversely impact on mooring and anchorage areas, navigation, recreation, natural character, landscape and amenity values. The ARC is required to notify the Maritime Safety Office of all new aquaculture applications and to advise the Hydrographic Office of all approved farms.~~

~~Landward activities and use of the coastal marine area may adversely impact on aquaculture, particularly in terms of water quality. It is appropriate that the effects of subdivision, use and development on areas where aquaculture is established be assessed, particularly in terms of maintaining water quality, and that the ARC liaise with territorial authorities on this issue. For these reasons it is appropriate for the Plan to contain objectives, policies and rules which enable the effects of proposed aquaculture to be assessed.~~

**~~22.7.2 Objective, Policy 22.4.3, Rule 22.5.1 and Other Methods 22.6.1 and 22.6.7~~**

~~Aquaculture is an established activity in the coastal marine area of the Auckland Region and it is appropriate that the Plan recognise this.~~

~~All but two of the conventional oyster and mussel farms in the Auckland Region have been established under a lease or licence under the Marine Farming Act 1971. While extensions of the term of existing leases and licences can be applied for under the Marine Farming Act, it is appropriate that recognition and specific provision be made for appropriately established and managed farms, in terms of the RMA. It is also appropriate that the social and economic importance of established aquaculture be recognised.~~

~~Extensions to the term of a lease or licence for a marine farm established under the Marine Farming Act are required to meet certain conditions. These include ensuring that the area has in fact been developed and is being managed in accordance with the conditions of the lease or licence. This requirement is considered to be in the~~

~~interest of other potential users of an area and the sustainable management of the coastal marine area.~~

~~**22.7.3 Objective, Policy 22.4.5 and Other Methods 22.6.3, 22.6.4 and 22.6.8**~~

~~Aquaculture activities require access from land to the coastal marine area, and often establish washing and processing facilities on the adjoining landward area. These activities may involve the use of public boat ramps or landing areas, require buildings and facilities adjoining the coastal marine area and discharges into the coastal marine area from processing activities.~~

~~It is therefore appropriate for an integrated approach to be taken with the adjoining territorial authority and for all the impacts to be assessed in a comprehensive manner.~~

~~**22.7.4 Policies 22.4.6 and 22.4.7, Rules 22.5.2 to 22.5.4 and Other Method 22.6.6**~~

~~Pacific Oysters are having an adverse effect on the natural and amenity values of the Manukau Harbour and other parts of the coastal marine area of the Auckland Region, particularly through its uncontrolled spread and shell build up. For this reason it is appropriate to address the issue of the likely consequential effects of its uncontrolled spread on surrounding natural areas. This is particularly important if this spread could occur into parts of the Region where this species is not already established and in areas that have been identified in the Plan as having high natural values.~~

~~The introduction of a farmed species, particularly a species which is not naturally occurring, or has not been previously farmed in the Region, may adversely effect the ecology and natural values of the coastal marine area. New types of farming which have not previously been undertaken in the Region may also have different, and possibly adverse impacts.~~

~~To ensure that the above matters are addressed it is appropriate that the Plan contain an objective and policies which require any actual or potential adverse effects of these activities to be assessed. A precautionary approach should be taken where these effects are not fully known or understood, and where there is a high potential risk of significant adverse effects.~~

~~**22.7.5 Policies 22.4.11 to 13, Rule 22.5.2 and Other Methods 22.6.3, 22.6.5 and 22.6.7**~~

~~The concentration of aquaculture in parts of the coastal marine area may result in lesser impacts on the values of other parts. However at the same time the cumulative effects of aquaculture can have adverse effects. It is appropriate that the Plan contain a policy which enables any positive or adverse effects of aquaculture to be assessed.~~

~~The Mahurangi Harbour has a large area covered by aquaculture, established under the Marine Farming Act 1971. It is generally~~

~~recognised that the Harbour is “fully developed” in terms of the Gazette Notice provision that applies to the Harbour, and in terms of the level of aquaculture that it can sustainably manage. In addition the Mahurangi Harbour has a range of values which are recognised by its Coastal Protection Area 2 status. It is also significantly used as a recreational area. At the same time it is recognised that existing farms may seek minor changes or extensions to their farmed areas, and this may be appropriate.~~

~~For the reasons discussed it is appropriate that the Plan indicate that new farms, or the significant expansion of existing farms in the Mahurangi Harbour is generally considered to be inappropriate.~~

## **22.8 ANTICIPATED ENVIRONMENTAL RESULTS**

- 22.8.1 The development of appropriate aquaculture activities to provide sustainable social, cultural and economic benefits to the Auckland Region.
- 22.8.2 The continuation of appropriate conventional oyster and mussel farming in the Auckland Region within Aquaculture Management Areas.
- 22.8.3 The establishment of aquaculture activities in locations, and with methods that do not adversely affect ~~impact on~~ the natural and physical resources of the coastal marine area.
- 22.8.4 The establishment of aquaculture activities in locations, and with methods, that ensures the preservation of the natural character, and the maintenance of ~~the~~ landscape, navigation, recreation and amenity values of the coastal environment.

## **APPENDIX TWO**

### **VARIATION 2**

#### **PROPOSED AUCKLAND REGIONAL PLAN: COASTAL**

##### **CHAPTER 2: MANAGEMENT AREAS**

##### **CHAPTER 10: GENERAL**

##### **CHAPTER 11: ACTIVITIES**

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**APPENDIX G: MARITIME SAFETY  
AUTHORITY GUIDELINES ON APPLICATIONS  
FOR COASTAL PERMITS RELATING TO  
MARINE FARMING, 2001**

# MANAGEMENT AREAS AND AREAS OF SIGNIFICANT CONSERVATION VALUE - 2

## 2.1 INTRODUCTION

For the purpose of promoting sustainable management, this Plan has divided the coastal marine area into a number of Management Areas. Areas of Significant Conservation Value are also included as required by the Minister of Conservation.

The Management Areas are:

Ports;  
Airport;  
Aquaculture;  
Defence;  
Marina;  
Moorings;  
Special Activity Areas;  
Coastal Protection Areas;  
Tangata Whenua;  
General.

The Ports, Airport, Aquaculture, Defence, Marina, Moorings and Special Activity Areas primarily provide for these activities. The provisions relating to these areas are generally contained within specific chapters, that is they are designed to be as 'stand alone' as possible. The primary purpose of the Coastal Protection Areas and Tangata Whenua Management Area is to 'protect' significant natural resources and to recognise and provide for the special relationship that Tangata Whenua have with certain parts of the coastal marine area, respectively.

Other activities may also occur in specific management areas where they do not affect the functioning of the area for its primary purpose. An example is recreational activities covered by section 12(3) of the RMA. Many of these activities occur within specific management areas with no detriment to their primary function. Accordingly the provisions of the plan apply generally to all of the coastal marine area unless otherwise specified in the individual chapters.

Areas of Significant Conservation Value are explained in 2.11. These areas are also mapped in Volume 2 of the Plan.

## 2.4 AQUACULTURE MANAGEMENT AREAS

Aquaculture Management Areas define those parts of the coastal marine area which are used primarily for the activities and structures associated with aquaculture. The purpose of Aquaculture Management Areas is to provide for the effective and efficient functioning of aquaculture activities within defined locations and to ensure efficient use is made of the coastal marine area. Aquaculture Management Areas recognise existing aquaculture activities and provide for appropriate future expansion of aquaculture in the

Auckland Region. Aquaculture activities located outside Aquaculture Management Areas are prohibited.

Aquaculture Management Areas are defined in Map Series 7 of the Planning Maps. The objectives, policies and rules relating to Aquaculture Management Areas are contained in Chapter 22 Aquaculture of Part IV: Use and Development.

## GENERAL - 10

10.4.16 In assessing the appropriateness of proposals for use and development, regard shall be had to the effects that any proposal may have or may potentially have on the activities provided for within the following management areas:

- Port Management Areas;
- Other Port Facility Management Area;
- Auckland Airport Management Area;
- Aquaculture Management Areas;
- Defence Management and Exercise Area;
- Marina Management Area;
- Mooring Management Area;
- Special Activity Management Area; and
- Tangata Whenua Management Areas.

Where a proposal for use and development may have a significant adverse effect on the activities provided for in the particular Management Areas specified above, it shall generally be considered inappropriate.

NB: Coastal Protection Areas are not included here as Policy 10.4.7 covers these areas.

# ACTIVITIES - 11

*Section 12(3) of the RMA states no person may carry out any activity in the coastal marine area in a manner that contravenes a rule in this Plan unless it is expressly allowed by a resource consent, or allowed by section 20 (certain existing lawful activities allowed). This chapter only deals with activities covered by section 12(3) and any associated occupation under section 12(2).*

*Other chapters in this Plan specifically deal with use and development which requires approval under section 12(1) of the RMA, which relates with the undertaking of works, and any associated occupation under section 12 (2). As an example, the erection of a wharf or jetty requires consent pursuant to section 12(1) and is dealt with in Chapter 12: Structures, whereas the **use** of that wharf or jetty is dealt with by this chapter. The Plan also has separate Use and Development chapters dealing with specific types of use and development such as Aquaculture, ~~and management areas for~~ Marinas, Moorings, Ports, the Airport and Defence. These chapters are generally stand-alone and section 12 (1), (2) and (3) matters are addressed in each chapter.*

## 11.5 **RULES**

### **Permitted Activities**

Rule 11.5.1 applies within all management areas, unless it conflicts with an activity listed as a permitted activity within the following management areas - Port, Airport, Aquaculture, Defence, Marina, Mooring, or within a Special Activity Area.

Rule 11.5.1 is not intended to restrict people's reasonable enjoyment of the coastal marine area.

District plan requirements (above Mean High Water Springs) and any relevant bylaws or other requirements under other legislation associated with the activity also need to be met in addition to the requirements of this Plan.

# APPENDIX THREE

## VARIATION 2

### PROPOSED AUCKLAND REGIONAL PLAN: COASTAL

#### DEFINITIONS

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# DEFINITIONS

## **Aquaculture Management Area (AMA)**

means an operative Aquaculture Management Area and an area that has been defined in the coastal marine area for the primary purpose of carrying out aquaculture activities. Aquaculture activities outside an Aquaculture Management Area are prohibited.

## **Adaptive Management Technique**

means staging the development of aquaculture within Aquaculture Management Areas to allow any actual or potential adverse cumulative effects to be determined by environmental monitoring. Further aquaculture development will be dependent on whether or not there are adverse environmental effects from the first stage of development.

## **Aquaculture Activity(ies)**

means marine farming or spat catching or both.

## **Conventional inter-tidal aquaculture activities**

means the carrying out of inter-tidal aquaculture activities on racks or in cages.

## **Conventional oyster farming**

~~The inter-tidal farming of oysters on racks.~~

## **Conventional mussel farming**

~~The deep water farming of mussels on long lines.~~

## **Conventional long line aquaculture activities**

means the carrying out of aquaculture activities on long lines.

## **Deemed coastal permit**

means a current marine farming lease or licence granted under the Marine Farming Act 1971.

## **Entities that own or hold the long-term commercial harvesting rights in affected fisheries**

means quota owners in Quota Management Area (as defined under the Fisheries Act 1983) fisheries and fishing permit holders in non-Quota Management System (as defined under the Fisheries Act 1983) fisheries.

## **Aquaculture**

~~For the purposes of this Plan any activity associated with the breeding, collection, cultivation, growing or harvesting of fin fish, shellfish, marine vegetation or other forms of aquatic life for sale and/or consumption, which~~

~~are controlled by section 12 and 15 of the Act and may include: – the placement or erection of structures or other equipment; the disturbance of the foreshore and seabed (other than for the purpose of lawfully harvesting any plant or animal), the deposition of any matter on the foreshore or seabed; the occupation and use of the seabed or water in the coastal marine area, in order to facilitate and/or control the breeding, collection, including spat catching, cultivation, growing and/or harvesting of finfish, shellfish, marine vegetation, or other forms of aquatic life.~~

~~This definition does not include any lawful collection or harvesting of any plant or animal controlled by MoF under Fisheries Act legislation.~~

### **Marine Farming**

means:

- a) breeding, hatching, cultivating, rearing, or on-growing of fish, aquatic life, or seaweed for harvest; and
- b) includes any operation in support of, or in preparation for, marine farming; but
- c) does not include any of the things in paragraph (a):
  - i done under regulations made under section 301 of the Fisheries Act 1996; or
  - ii if the fish, aquatic life, or seaweed are not within the exclusive and continuous possession or control of the holder of a marine farming permit; or
  - iii if the fish, aquatic life, or seaweed cannot be distinguished or kept separate from naturally occurring fish aquatic life, or seaweed.

### **Marine Farming Authorisation**

means an authorisation to carry out marine farming activities issued by the Ministry of Fisheries under the Marine Farming Act 1971.

### **Marine Farming Lease or Licence**

means a lease or licence to carry out marine farming issued by the Ministry of Fisheries under the Marine Farming Act 1971.

### **Spat**

means any lifecycle stage or size-range of any fish, aquatic life, or seaweed that is declared by the chief executive of the Ministry of Fisheries by notice in the Gazette to be spat for the purposes of the Fisheries Act 1983.

### **Spat catching**

means the taking of spat

### **Taking**

in relation to spat catching, has the same meaning as in the Fisheries Act 1996.

# **APPENDIX FOUR**

## **VARIATION 2**

### **PROPOSED AUCKLAND REGIONAL PLAN: COASTAL**

#### **SCHEDULES**

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# **SCHEDULE 9: AQUACULTURE MANAGEMENT AREA COORDINATES**

These coordinates relate to the Aquaculture Management Areas defined in Map Series 7 of the Planning Maps. In the table below, AMA Area relates to the Sheet Number within Map Series 7, AMA NUM relates to the specific AMA on that Sheet, and the x coordinates (easting) and y coordinates (northings) relate to the New Zealand Map Grid and identify each corner of the Aquaculture Management Area boundary.

<b>AMA NAME</b>	<b>AMA AREA</b>	<b>AMA NUM</b>	<b>X COORD</b>	<b>Y COORD</b>
Kaipara Harbour	1	A	2621973.79	6529399.34
Kaipara Harbour	1	A	2622245.51	6529252.13
Kaipara Harbour	1	A	2623265.76	6527490.65
Kaipara Harbour	1	A	2622848.93	6527256.09
Kaipara Harbour	1	A	2621693.06	6529228.08
Kaipara Harbour	1	B	2623920.00	6526745.00
Kaipara Harbour	1	B	2624440.00	6525891.00
Kaipara Harbour	1	B	2624184.00	6525735.00
Kaipara Harbour	1	B	2623664.00	6526589.00
Kaipara Harbour	1	C	2624469.90	6525309.01
Kaipara Harbour	1	C	2624873.02	6525648.99
Kaipara Harbour	1	C	2625956.40	6524815.73
Kaipara Harbour	1	C	2625229.04	6524611.06
Kaipara Harbour	1	D	2630040.00	6528947.00
Kaipara Harbour	1	D	2629758.00	6528534.00
Kaipara Harbour	1	D	2628106.00	6529662.00
Kaipara Harbour	1	D	2628388.00	6530075.00
Kaipara Harbour	1	E	2630109.55	6527901.97
Kaipara Harbour	1	E	2630109.55	6525895.07
Kaipara Harbour	1	E	2629610.60	6525895.07
Kaipara Harbour	1	E	2629610.60	6527901.97
Kaipara Harbour	1	E	2629610.60	6527901.97
Kaipara Harbour	1	F	2634732.47	6542662.95
Kaipara Harbour	1	F	2634722.86	6542543.78
Kaipara Harbour	1	F	2634438.02	6542560.35
Kaipara Harbour	1	F	2634444.44	6542680.05
Kaipara Harbour	1	G	2635622.44	6543475.65
Kaipara Harbour	1	G	2635460.36	6543054.65
Kaipara Harbour	1	G	2635405.31	6543177.99
Kaipara Harbour	1	G	2635129.06	6543287.07
Kaipara Harbour	1	G	2635259.54	6543614.29
Mahurangi Harbour	2	A	2664010.25	6526570.00
Mahurangi Harbour	2	A	2664168.75	6527078.50
Mahurangi Harbour	2	A	2664359.00	6527013.50
Mahurangi Harbour	2	A	2664200.50	6526504.50
Mahurangi Harbour	2	B	2664052.25	6526236.00
Mahurangi Harbour	2	B	2664198.50	6526179.50

Mahurangi Harbour	2	B	2664375.00	6526219.50
Mahurangi Harbour	2	B	2664551.50	6525331.00
Mahurangi Harbour	2	B	2664031.50	6525226.50
Mahurangi Harbour	2	B	2663881.50	6526008.50
Mahurangi Harbour	2	C	2664604.00	6525048.50
Mahurangi Harbour	2	C	2664305.00	6525021.50
Mahurangi Harbour	2	C	2664241.50	6525122.00
Mahurangi Harbour	2	C	2664556.25	6525269.00
Mahurangi Harbour	2	D	2665496.63	6526436.33
Mahurangi Harbour	2	D	2665591.88	6526170.42
Mahurangi Harbour	2	D	2665480.76	6525999.77
Mahurangi Harbour	2	D	2665262.48	6525968.02
Mahurangi Harbour	2	D	2665071.97	6526138.67
Mahurangi Harbour	2	D	2664933.07	6526452.21
Mahurangi Harbour	2	D	2665028.32	6526626.83
Mahurangi Harbour	2	D	2665171.19	6526686.36
Mahurangi Harbour	2	D	2665337.88	6526599.05
Mahurangi Harbour	2	E	2664128.50	6524096.50
Mahurangi Harbour	2	E	2664259.50	6524106.50
Mahurangi Harbour	2	E	2664295.75	6524097.50
Mahurangi Harbour	2	E	2664385.00	6523994.50
Mahurangi Harbour	2	E	2664479.96	6523877.13
Mahurangi Harbour	2	E	2664480.28	6523462.97
Mahurangi Harbour	2	E	2664372.25	6523396.00
Mahurangi Harbour	2	E	2664094.25	6523404.00
Mahurangi Harbour	2	E	2664095.75	6523596.00
Mahurangi Harbour	2	E	2664195.75	6523593.50
Mahurangi Harbour	2	E	2664195.75	6523624.50
Mahurangi Harbour	2	E	2664188.25	6523636.50
Mahurangi Harbour	2	E	2663998.75	6523731.00
Mahurangi Harbour	2	E	2664034.75	6523931.00
Mahurangi Harbour	2	E	2664038.25	6523940.50
Mahurangi Harbour	2	F	2663332.00	6523532.00
Mahurangi Harbour	2	F	2663288.20	6523204.61
Mahurangi Harbour	2	F	2663048.55	6523239.05
Mahurangi Harbour	2	F	2663094.25	6523565.50
Mahurangi Harbour	2	G	2663556.50	6522271.50
Mahurangi Harbour	2	G	2663575.75	6522391.00
Mahurangi Harbour	2	G	2663635.25	6522380.50
Mahurangi Harbour	2	G	2663616.00	6522261.00
Mahurangi Harbour	2	H	2663554.00	6522102.00
Mahurangi Harbour	2	H	2663612.00	6522120.00
Mahurangi Harbour	2	H	2663674.00	6521949.50
Mahurangi Harbour	2	H	2663616.25	6521932.00
Mahurangi Harbour	2	I	2666515.50	6523117.00
Mahurangi Harbour	2	I	2666508.14	6523105.57
Mahurangi Harbour	2	I	2666650.50	6523016.50
Mahurangi Harbour	2	I	2666508.25	6522793.00

Mahurangi Harbour	2	I	2666366.00	6522885.00
Mahurangi Harbour	2	I	2666441.35	6523001.94
Mahurangi Harbour	2	I	2666424.17	6523012.38
Mahurangi Harbour	2	I	2666349.25	6522895.50
Mahurangi Harbour	2	I	2666116.59	6523045.64
Mahurangi Harbour	2	I	2666344.75	6523396.00
Mahurangi Harbour	2	I	2666481.75	6523308.00
Mahurangi Harbour	2	I	2666402.66	6523186.55
Mahurangi Harbour	2	J	2666202.75	6522650.00
Mahurangi Harbour	2	J	2666213.81	6522667.22
Mahurangi Harbour	2	J	2666125.84	6522723.44
Mahurangi Harbour	2	J	2666114.88	6522706.58
Mahurangi Harbour	2	J	2665960.50	6522806.00
Mahurangi Harbour	2	J	2666083.91	6522995.25
Mahurangi Harbour	2	J	2666573.00	6522680.50
Mahurangi Harbour	2	J	2666448.25	6522492.00
Matakana River	3	A	2666440.50	6534366.00
Matakana River	3	A	2666399.00	6534398.50
Matakana River	3	A	2666475.00	6534461.00
Matakana River	3	A	2666529.25	6534375.50
Matakana River	3	A	2666477.25	6534303.50
Kawau Island	4	A	2673512.43	6529920.30
Kawau Island	4	A	2673500.58	6529939.42
Kawau Island	4	A	2673516.04	6529949.83
Kawau Island	4	A	2673527.60	6529931.09
Great Barrier Island	5	A	2721984.05	6560962.54
Great Barrier Island	5	A	2722013.56	6561172.48
Great Barrier Island	5	A	2722247.40	6561118.49
Great Barrier Island	5	A	2722188.67	6560915.31
Great Barrier Island	5	B	2722416.30	6560873.19
Great Barrier Island	5	B	2722265.39	6560894.83
Great Barrier Island	5	B	2722294.48	6561097.62
Great Barrier Island	5	B	2722445.39	6561075.97
Great Barrier Island	5	C	2721947.01	6560712.15
Great Barrier Island	5	C	2721974.84	6560910.20
Great Barrier Island	5	C	2722169.71	6560865.21
Great Barrier Island	5	C	2722098.89	6560647.68
Great Barrier Island	5	D	2721417.47	6556247.76
Great Barrier Island	5	D	2721267.47	6556247.72
Great Barrier Island	5	D	2721267.43	6556447.72
Great Barrier Island	5	D	2721417.43	6556447.76
Great Barrier Island	5	E	2721447.13	6555586.68
Great Barrier Island	5	E	2721297.13	6555586.65
Great Barrier Island	5	E	2721297.09	6555786.65
Great Barrier Island	5	E	2721447.09	6555786.68
Great Barrier Island	5	F	2721454.53	6555295.53
Great Barrier Island	5	F	2721318.53	6555295.53
Great Barrier Island	5	F	2721347.60	6555363.33

Great Barrier Island	5	F	2721303.52	6555532.79
Great Barrier Island	5	F	2721453.52	6555532.79
Great Barrier Island	5	G	2721909.08	6554629.33
Great Barrier Island	5	G	2721909.08	6554779.33
Great Barrier Island	5	G	2722109.08	6554779.33
Great Barrier Island	5	G	2722109.08	6554629.33
Great Barrier Island	5	H	2718609.70	6554164.92
Great Barrier Island	5	H	2718684.70	6554294.83
Great Barrier Island	5	H	2718857.91	6554194.83
Great Barrier Island	5	H	2718782.91	6554064.92
Great Barrier Island	5	I	2718844.08	6554038.18
Great Barrier Island	5	I	2718971.24	6554011.15
Great Barrier Island	5	I	2718923.25	6553785.39
Great Barrier Island	5	I	2718796.09	6553812.42
Waiheke Island	6	A	2691811.66	6486837.14
Waiheke Island	6	A	2691889.16	6486722.94
Waiheke Island	6	A	2691792.08	6486660.94
Waiheke Island	6	A	2691726.82	6486771.07
Waiheke Island	6	B	2693041.48	6486353.46
Waiheke Island	6	B	2693001.86	6486280.09
Waiheke Island	6	B	2692834.23	6486320.46
Waiheke Island	6	B	2692886.05	6486399.15
Waiheke Island	6	C	2693447.89	6486455.20
Waiheke Island	6	C	2693408.28	6486381.82
Waiheke Island	6	C	2693240.65	6486422.20
Waiheke Island	6	C	2693292.47	6486500.89
Waiheke Island	6	D	2697572.11	6482562.79
Waiheke Island	6	D	2697591.43	6482356.65
Waiheke Island	6	D	2697529.50	6482356.60
Waiheke Island	6	D	2697489.58	6482356.60
Waiheke Island	6	D	2697469.52	6482562.48
Waiheke Island	6	D	2697512.98	6482562.63
Waiheke Island	6	E	2698724.14	6483480.78
Waiheke Island	6	E	2698538.18	6483305.70
Waiheke Island	6	E	2698250.34	6483582.66
Waiheke Island	6	E	2698144.60	6483582.79
Waiheke Island	6	E	2698144.83	6483756.62
Waiheke Island	6	E	2698405.64	6483743.90
Waiheke Island	6	F	2700035.57	6482243.50
Waiheke Island	6	F	2699959.01	6482155.06
Waiheke Island	6	F	2699774.21	6482462.61
Waiheke Island	6	F	2699936.57	6482605.17
Waiheke Island	6	G	2704144.73	6486941.15
Waiheke Island	6	G	2704144.42	6486662.64
Waiheke Island	6	G	2704138.18	6486107.31
Waiheke Island	6	G	2703857.40	6486116.67
Waiheke Island	6	G	2703848.04	6486578.40
Waiheke Island	6	G	2703838.35	6486941.65

Wairoa Bay	7	A	2698642.47	6471530.00
Wairoa Bay	7	A	2698367.47	6471130.00
Wairoa Bay	7	A	2697487.68	6471303.28
Wairoa Bay	7	A	2697457.69	6471705.20
Wairoa Bay	7	A	2697814.61	6471733.19

NB: The coordinates in this schedule relating to existing marine farm boundaries (existing at the date this Variation was notified) are not completely accurate and should not solely be relied upon for determining the exact location of these existing marine farms. These points have been calculated at the scale of the maps provided in Map Series 7 of the Planning Maps. To obtain exact survey points readers should refer to the survey plan contained within the relevant marine farming lease or licence. Marine farming leases and licences are held by the Ministry of Fisheries.

# **SCHEDULE 9: AQUACULTURE MANAGEMENT AREA COORDINATES**

These coordinates relate to the Aquaculture Management Areas defined in Map Series 7 of the Planning Maps. In the table below, AMA Area relates to the Sheet Number within Map Series 7, AMA NUM relates to the specific AMA on that Sheet, and the x coordinates (easting) and y coordinates (northings) relate to the New Zealand Map Grid and identify each corner of the Aquaculture Management Area boundary.

<b>AMA NAME</b>	<b>AMA AREA</b>	<b>AMA NUM</b>	<b>X COORD</b>	<b>Y COORD</b>
Kaipara Harbour	1	A	2621973.79	6529399.34
Kaipara Harbour	1	A	2622245.51	6529252.13
Kaipara Harbour	1	A	2623265.76	6527490.65
Kaipara Harbour	1	A	2622848.93	6527256.09
Kaipara Harbour	1	A	2621693.06	6529228.08
Kaipara Harbour	1	B	2623920.00	6526745.00
Kaipara Harbour	1	B	2624440.00	6525891.00
Kaipara Harbour	1	B	2624184.00	6525735.00
Kaipara Harbour	1	B	2623664.00	6526589.00
Kaipara Harbour	1	C	2624469.90	6525309.01
Kaipara Harbour	1	C	2624873.02	6525648.99
Kaipara Harbour	1	C	2625956.40	6524815.73
Kaipara Harbour	1	C	2625229.04	6524611.06
Kaipara Harbour	1	D	2630040.00	6528947.00
Kaipara Harbour	1	D	2629758.00	6528534.00
Kaipara Harbour	1	D	2628106.00	6529662.00
Kaipara Harbour	1	D	2628388.00	6530075.00
Kaipara Harbour	1	E	2630109.55	6527901.97
Kaipara Harbour	1	E	2630109.55	6525895.07
Kaipara Harbour	1	E	2629610.60	6525895.07
Kaipara Harbour	1	E	2629610.60	6527901.97
Kaipara Harbour	1	E	2629610.60	6527901.97
Kaipara Harbour	1	F	2634732.47	6542662.95
Kaipara Harbour	1	F	2634722.86	6542543.78
Kaipara Harbour	1	F	2634438.02	6542560.35
Kaipara Harbour	1	F	2634444.44	6542680.05
Kaipara Harbour	1	G	2635622.44	6543475.65
Kaipara Harbour	1	G	2635460.36	6543054.65
Kaipara Harbour	1	G	2635405.31	6543177.99
Kaipara Harbour	1	G	2635129.06	6543287.07
Kaipara Harbour	1	G	2635259.54	6543614.29
Mahurangi Harbour	2	A	2664010.25	6526570.00
Mahurangi Harbour	2	A	2664168.75	6527078.50
Mahurangi Harbour	2	A	2664359.00	6527013.50
Mahurangi Harbour	2	A	2664200.50	6526504.50
Mahurangi Harbour	2	B	2664052.25	6526236.00
Mahurangi Harbour	2	B	2664198.50	6526179.50

Mahurangi Harbour	2	B	2664375.00	6526219.50
Mahurangi Harbour	2	B	2664551.50	6525331.00
Mahurangi Harbour	2	B	2664031.50	6525226.50
Mahurangi Harbour	2	B	2663881.50	6526008.50
Mahurangi Harbour	2	C	2664604.00	6525048.50
Mahurangi Harbour	2	C	2664305.00	6525021.50
Mahurangi Harbour	2	C	2664241.50	6525122.00
Mahurangi Harbour	2	C	2664556.25	6525269.00
Mahurangi Harbour	2	D	2665496.63	6526436.33
Mahurangi Harbour	2	D	2665591.88	6526170.42
Mahurangi Harbour	2	D	2665480.76	6525999.77
Mahurangi Harbour	2	D	2665262.48	6525968.02
Mahurangi Harbour	2	D	2665071.97	6526138.67
Mahurangi Harbour	2	D	2664933.07	6526452.21
Mahurangi Harbour	2	D	2665028.32	6526626.83
Mahurangi Harbour	2	D	2665171.19	6526686.36
Mahurangi Harbour	2	D	2665337.88	6526599.05
Mahurangi Harbour	2	E	2664128.50	6524096.50
Mahurangi Harbour	2	E	2664259.50	6524106.50
Mahurangi Harbour	2	E	2664295.75	6524097.50
Mahurangi Harbour	2	E	2664385.00	6523994.50
Mahurangi Harbour	2	E	2664479.96	6523877.13
Mahurangi Harbour	2	E	2664480.28	6523462.97
Mahurangi Harbour	2	E	2664372.25	6523396.00
Mahurangi Harbour	2	E	2664094.25	6523404.00
Mahurangi Harbour	2	E	2664095.75	6523596.00
Mahurangi Harbour	2	E	2664195.75	6523593.50
Mahurangi Harbour	2	E	2664195.75	6523624.50
Mahurangi Harbour	2	E	2664188.25	6523636.50
Mahurangi Harbour	2	E	2663998.75	6523731.00
Mahurangi Harbour	2	E	2664034.75	6523931.00
Mahurangi Harbour	2	E	2664038.25	6523940.50
Mahurangi Harbour	2	F	2663332.00	6523532.00
Mahurangi Harbour	2	F	2663288.20	6523204.61
Mahurangi Harbour	2	F	2663048.55	6523239.05
Mahurangi Harbour	2	F	2663094.25	6523565.50
Mahurangi Harbour	2	G	2663556.50	6522271.50
Mahurangi Harbour	2	G	2663575.75	6522391.00
Mahurangi Harbour	2	G	2663635.25	6522380.50
Mahurangi Harbour	2	G	2663616.00	6522261.00
Mahurangi Harbour	2	H	2663554.00	6522102.00
Mahurangi Harbour	2	H	2663612.00	6522120.00
Mahurangi Harbour	2	H	2663674.00	6521949.50
Mahurangi Harbour	2	H	2663616.25	6521932.00
Mahurangi Harbour	2	I	2666515.50	6523117.00
Mahurangi Harbour	2	I	2666508.14	6523105.57
Mahurangi Harbour	2	I	2666650.50	6523016.50
Mahurangi Harbour	2	I	2666508.25	6522793.00

Mahurangi Harbour	2	I	2666366.00	6522885.00
Mahurangi Harbour	2	I	2666441.35	6523001.94
Mahurangi Harbour	2	I	2666424.17	6523012.38
Mahurangi Harbour	2	I	2666349.25	6522895.50
Mahurangi Harbour	2	I	2666116.59	6523045.64
Mahurangi Harbour	2	I	2666344.75	6523396.00
Mahurangi Harbour	2	I	2666481.75	6523308.00
Mahurangi Harbour	2	I	2666402.66	6523186.55
Mahurangi Harbour	2	J	2666202.75	6522650.00
Mahurangi Harbour	2	J	2666213.81	6522667.22
Mahurangi Harbour	2	J	2666125.84	6522723.44
Mahurangi Harbour	2	J	2666114.88	6522706.58
Mahurangi Harbour	2	J	2665960.50	6522806.00
Mahurangi Harbour	2	J	2666083.91	6522995.25
Mahurangi Harbour	2	J	2666573.00	6522680.50
Mahurangi Harbour	2	J	2666448.25	6522492.00
Matakana River	3	A	2666440.50	6534366.00
Matakana River	3	A	2666399.00	6534398.50
Matakana River	3	A	2666475.00	6534461.00
Matakana River	3	A	2666529.25	6534375.50
Matakana River	3	A	2666477.25	6534303.50
Kawau Island	4	A	2673512.43	6529920.30
Kawau Island	4	A	2673500.58	6529939.42
Kawau Island	4	A	2673516.04	6529949.83
Kawau Island	4	A	2673527.60	6529931.09
Great Barrier Island	5	A	2721984.05	6560962.54
Great Barrier Island	5	A	2722013.56	6561172.48
Great Barrier Island	5	A	2722247.40	6561118.49
Great Barrier Island	5	A	2722188.67	6560915.31
Great Barrier Island	5	B	2722416.30	6560873.19
Great Barrier Island	5	B	2722265.39	6560894.83
Great Barrier Island	5	B	2722294.48	6561097.62
Great Barrier Island	5	B	2722445.39	6561075.97
Great Barrier Island	5	C	2721947.01	6560712.15
Great Barrier Island	5	C	2721974.84	6560910.20
Great Barrier Island	5	C	2722169.71	6560865.21
Great Barrier Island	5	C	2722098.89	6560647.68
Great Barrier Island	5	D	2721417.47	6556247.76
Great Barrier Island	5	D	2721267.47	6556247.72
Great Barrier Island	5	D	2721267.43	6556447.72
Great Barrier Island	5	D	2721417.43	6556447.76
Great Barrier Island	5	E	2721447.13	6555586.68
Great Barrier Island	5	E	2721297.13	6555586.65
Great Barrier Island	5	E	2721297.09	6555786.65
Great Barrier Island	5	E	2721447.09	6555786.68
Great Barrier Island	5	F	2721454.53	6555295.53
Great Barrier Island	5	F	2721318.53	6555295.53
Great Barrier Island	5	F	2721347.60	6555363.33

Great Barrier Island	5	F	2721303.52	6555532.79
Great Barrier Island	5	F	2721453.52	6555532.79
Great Barrier Island	5	G	2721909.08	6554629.33
Great Barrier Island	5	G	2721909.08	6554779.33
Great Barrier Island	5	G	2722109.08	6554779.33
Great Barrier Island	5	G	2722109.08	6554629.33
Great Barrier Island	5	H	2718609.70	6554164.92
Great Barrier Island	5	H	2718684.70	6554294.83
Great Barrier Island	5	H	2718857.91	6554194.83
Great Barrier Island	5	H	2718782.91	6554064.92
Great Barrier Island	5	I	2718844.08	6554038.18
Great Barrier Island	5	I	2718971.24	6554011.15
Great Barrier Island	5	I	2718923.25	6553785.39
Great Barrier Island	5	I	2718796.09	6553812.42
Waiheke Island	6	A	2691811.66	6486837.14
Waiheke Island	6	A	2691889.16	6486722.94
Waiheke Island	6	A	2691792.08	6486660.94
Waiheke Island	6	A	2691726.82	6486771.07
Waiheke Island	6	B	2693041.48	6486353.46
Waiheke Island	6	B	2693001.86	6486280.09
Waiheke Island	6	B	2692834.23	6486320.46
Waiheke Island	6	B	2692886.05	6486399.15
Waiheke Island	6	C	2693447.89	6486455.20
Waiheke Island	6	C	2693408.28	6486381.82
Waiheke Island	6	C	2693240.65	6486422.20
Waiheke Island	6	C	2693292.47	6486500.89
Waiheke Island	6	D	2697572.11	6482562.79
Waiheke Island	6	D	2697591.43	6482356.65
Waiheke Island	6	D	2697529.50	6482356.60
Waiheke Island	6	D	2697489.58	6482356.60
Waiheke Island	6	D	2697469.52	6482562.48
Waiheke Island	6	D	2697512.98	6482562.63
Waiheke Island	6	E	2698724.14	6483480.78
Waiheke Island	6	E	2698538.18	6483305.70
Waiheke Island	6	E	2698250.34	6483582.66
Waiheke Island	6	E	2698144.60	6483582.79
Waiheke Island	6	E	2698144.83	6483756.62
Waiheke Island	6	E	2698405.64	6483743.90
Waiheke Island	6	F	2700035.57	6482243.50
Waiheke Island	6	F	2699959.01	6482155.06
Waiheke Island	6	F	2699774.21	6482462.61
Waiheke Island	6	F	2699936.57	6482605.17
Waiheke Island	6	G	2704144.73	6486941.15
Waiheke Island	6	G	2704144.42	6486662.64
Waiheke Island	6	G	2704138.18	6486107.31
Waiheke Island	6	G	2703857.40	6486116.67
Waiheke Island	6	G	2703848.04	6486578.40
Waiheke Island	6	G	2703838.35	6486941.65

Wairoa Bay	7	A	2698642.47	6471530.00
Wairoa Bay	7	A	2698367.47	6471130.00
Wairoa Bay	7	A	2697487.68	6471303.28
Wairoa Bay	7	A	2697457.69	6471705.20
Wairoa Bay	7	A	2697814.61	6471733.19

NB: The coordinates in this schedule relating to existing marine farm boundaries (existing at the date this Variation was notified) are not completely accurate and should not solely be relied upon for determining the exact location of these existing marine farms. These points have been calculated at the scale of the maps provided in Map Series 7 of the Planning Maps. To obtain exact survey points readers should refer to the survey plan contained within the relevant marine farming lease or licence. Marine farming leases and licences are held by the Ministry of Fisheries.

## **APPENDIX FIVE**

### **VARIATION 2**

## **PROPOSED AUCKLAND REGIONAL PLAN: COASTAL**

### **LIST OF TECHNICAL DOCUMENTS**

New text is underlined and deleted text is ~~struck-out~~

## LIST OF TECHNICAL DOCUMENTS

- Mapping Constraints to Future Aquaculture in the Auckland and Waikato Regions – Stage 1, Auckland Regional Council
- Mapping Potential Aquaculture Management Areas in the Auckland Region – Stage 2, Auckland Regional Council
- The Kaipara Harbour and the Firth of Thames Natural Character Assessment and Aquaculture Management Advice: Investigations and Findings, Auckland Regional Council, September 2002
- Natural Character Assessment: Field Assessment Sheets for Firth of Thames, Auckland Regional Council, August 2002
- Natural Character Assessment: Field Assessment Sheets for Kaipara Harbour, Auckland Regional Council, August 2002
- Natural Character Study: Firth of Thames and Kaipara Harbour, Photographs and Way Points, Auckland Regional Council, September 2002
- Factors Relating to the Sustainability of Shellfish Aquaculture Operations in the Firth of Thames: A Preliminary Analysis, Environment Waikato Technical Report 2002/09, Auckland Regional Council Technical Publication 182.