

28 September 2018

Richard Johnson  
Environmental Protection Authority  
Private Bag 63002  
Wellington 6140



Dear Mr Johnson

**Request for advice under section 56 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 regarding the Coastal Resources Limited Application – EEZ100015**

As per your request dated 14 September 2018, the Department of Conservation (DOC) is providing advice on specific marine ecology questions in relation to a marine dumping consent application lodged by Coastal Resources Limited.

**1. Please provide a list of the whale and dolphin tourist companies that are operating in or around the Northern Disposal Area?**

Below is a table of marine mammal viewing permits in the Hauraki Gulf (including Auckland), Hauraki, and Coromandel Areas. The locations in the 'location' column correspond to the locations in Appendices One and Two. These show the extent of the 'Great Mercury Island to Alderman Island' and 'Hauraki Gulf Marine Mammal Viewing Area' locations. There are no maps for the other locations.

				As at: 21 August 2018	
Permit number	Activity	Description	Location	Start Date	End Date
50509-MAR	Marine Mammal Viewing Permit - Vessel	Swimming and watching dolphins	Hauraki Gulf Marine Mammal Viewing Area	12-Jan-17	26-Jan-22
39697-MAR	Viewing of common dolphins, and opportunities viewing of other species in the Hauraki Gulf.	Swimming and watching dolphins	Hauraki Gulf Marine Mammal Viewing Area	1-Sep-15	31-Aug-20
62301-MAR	Marine Mammal Viewing Permit - Vessel	Watching whales, seals and dolphins	Great Mercury Island to the Alderman Islands	6-Aug-18	5-Aug-21
45653-MAR	Marine Mammal Viewing Permit - Vessel	Watching whales, seals and dolphins	Great Mercury Island to the Alderman Islands	16-Nov-15	15-Nov-25
39558-MAR	Marine Mammal Viewing Permit - Vessel	Watching whales, seals and dolphins	Great Mercury Island to the Alderman Islands	1-Aug-15	31-Jul-25
56611-MAR	Marine Mammal Viewing Permit - Vessel	Watching whales, seals and dolphins	Port Charles to Tairua Harbour, including islands	21-Dec-17	20-Dec-27
48687-MAR	Filming Marine Mammals	Filming of false killer whales for BBC documentary Blue Planet.	Nationwide including Auckland Harbour, Hauraki, Great Barrier	18-Mar-16	17-Mar-26
52185-MAR	Filming Marine Mammals	View, film and photograph marine mammals in Hauraki Gulf	Hauraki Gulf Marine Mammal Viewing Area	21-Jul-17	20-Jul-20

The trigger for needing a permit (as a commercial operator) is actively watching marine mammals or simply advertising that you may see marine mammals. For example, if you just do harbour cruises which don't have a marine mammal focus, but state that you might (on the odd occasion) see a dolphin, then a permit is required simply for advertising that. Companies holding these permits may rarely see marine mammals. Further, the permits are fairly cheap, and have historically been issued for ten years, so some people may hold them on the small chance they see marine mammals even if it only happens occasionally. There are also operators throughout the area that don't hold permits but legally should and are not captured in this list.

**2. Please provide references to the information or reports relied on by the Department to support its application to establish a proposed marine reserve for Great Barrier Island?**

Armitage, Don (ed). 2001: Great Barrier Island. Canterbury University Press.

Ayres, B. 2003: Analysis of written public submissions on "A Marine Reserve for Great Barrier Island? – Your Chance to Have Your Say". Report for Department of Conservation, Auckland Conservancy, Auckland.

Brook, F.J. 1982: The Scleractinian Coral Fauna of Rakitu Island, North-East New Zealand. *Tane* 28: 163-173.

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Cromarty, Pam. 1996: A Directory of Wetlands in New Zealand. Department of Conservation.

Department of Conservation. 1994: Draft Application for the Rakitu (Great Barrier Island) Marine Reserve. Department of Conservation, Auckland Conservancy, Auckland.

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Department of Conservation. 2004: Great Barrier Island Marine Reserve Proposal Boat Count Survey – December 2003 to January 2004. Department of Conservation, Auckland Conservancy, Auckland.

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Francis, M.P. and Grace, R.V. 1986: Marine algal survey of north-eastern Great Barrier Island, New Zealand. *Journal of the Royal Society of New Zealand* 16: 335-346.

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Irving, Paul, Jeffs, Andrew and Woods, Karen. 1991: A Marine Reserve for Great Barrier Island? An Analysis of Public Submissions. Department of Conservation: Auckland Conservancy Technical Report Series No. 4, Auckland.

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Kelly, Shane and Haggitt, Tim. 2002: Benthic Reef Survey of Waikaro Point to Needles Point – Great Barrier Island. Report prepared by Coastal & Aquatic Systems Limited for Department of Conservation, Auckland Conservancy, Auckland.

King, K.J., Bailey, K.N. and Clark, M.R. 1985: Coastal and Marine Ecological Areas of New Zealand. Department of Lands and Survey, Wellington.

Maori Land Court. 1998: Decision on application to determine the status of certain islands and rock outcrops in the environs of Aotea and application to investigate the title and ownership of Maori customary land in the environs of Aotea. Auckland.

Ministry of Agriculture and Fisheries. 1985: Auckland Region Marine Reserves Plan. A discussion paper. MAF, Fisheries Management Division, Auckland.

Moore, P.R. and Kenny, J.A. 1985: Geology of north-eastern Great Barrier Island (Needles Point to Rangiwahakaea Bay), New Zealand. *Journal of the Royal Society of New Zealand* 15: 235-250.

Morrison, M., Drury, J. and Shankar, U. 2001: An acoustic survey of the seafloor habitats of Tiritiri Matangi Island and of the north-eastern side of Great Barrier Island. Consultancy report prepared by NIWA for the Department of Conservation.

Roberts, L.I.N., Ward, C., and Francis, M.P. 1986: Fishes of north-eastern Great Barrier Island, New Zealand. *Journal of the Royal Society of New Zealand*. Volume 16, Number 4: 357-362.

Sivaguru, Kala and Grace, Roger. 2004: Habitat and species diversity of deep reefs and sediments at Great Barrier Island. Auckland Conservancy, Department of Conservation, Auckland.

UMR Research. 2003: Department of Conservation Omnibus Results – Favourability Rating and Support for Marine Reserves, January 2003. UMR Research, Wellington.

Walls, Kathy. 2004: Interim Nearshore Marine Classification. A tool to assist establishing a New Zealand network of protected marine areas. In preparation. Department of Conservation, Wellington.

**3. Can you please advise if any of the species protected under the Wildlife Act are located within or nearby the Northern Disposal Area?**

A variety of seabirds, predominantly procellariiformes (petrels, shearwaters and albatrosses), forage in or near the dump site. Protected fishes known from or likely to occur in or near the dump site are great white sharks (*Carcharodon carcharias*), whale shark (*Rhincodon typus*), manta rays (*Manta birostris*) and giant/spinetail devil ray (*Mobula japonica*).

**4. Please advise what information/reports are available on the marine ecosystems of the Hauraki Gulf Marine Park, Cuvier Island, Great Barrier Island and around the northern part of the Coromandel Peninsula?**

The Hauraki Gulf State of the Environment reports have a considerable amount of information on the marine ecosystems of these areas. The SeaChange Project on SeaSketch includes information on sea bird distribution, sediment types, and the extent of rocky reefs within the Hauraki Gulf Marine Park.

Link to SeaChange Project:

<https://www.seasketch.org/#projecthomepage/52322dd05d3e2c665a00d119>

The following list identifies reports and information sources which were compiled for the SeaChange Biodiversity and Biosecurity Round Table:

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Battley, P. F.; Brownell, B. (ed.) 2007. Population biology and foraging ecology of waders in the Firth of Thames - update 2007. Auckland Regional Council, Technical Publication No. 347. 90 pp.

Bentley, N.; Davies, N.M.; McNeill, S.E. 2004. A spatially explicit model of the snapper (*Pagrus auratus*) fishery in SNA1. *New Zealand Fisheries Assessment Report 2004/26*. 64 pp.

Bradford-Grieve, J.; Probert, K.; Lewis, K.; Sutton, P.; Zeldis, J.; Orpin, A. 2006. Chapter 36. New Zealand shelf region. Pp.1451-1492 in Robinson, A. R., Brink, K. H. (eds.), *The Sea: Ideas and Observations on Progress in the Study of Seas Vol. 14. Interdisciplinary Regional Studies and Syntheses*. Part B. Wiley, New York.

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Creese, R.; Hooker, S.; de Luca, S.; Wharton, Y. 1997. Ecology and environmental impact of *Musculista senhousia* (Mollusca: Bivalvia: Mytilidae) in Tamaki Estuary, Auckland, New Zealand. *New Zealand Journal of Marine and Freshwater Research* 31: 225-236.

Crossland, J. 1981. Fish Eggs and Larvae of the Hauraki Gulf, New Zealand. Fisheries Research Bulletin No. 23. Fisheries Research Division, New Zealand Ministry of Agriculture and Fisheries, Wellington. 61 pp.

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- Marine Parks Authority 2008. A review of benefits of marine protected areas and related zoning considerations. Marine Parks Authority New South Wales. 14 pp.
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- Oldman, J.; Hong, J.; Stephens, S.; Broekhuizen, N. 2007. Verification of Firth of Thames hydrodynamic model. Auckland Regional Council Technical Publication No. 326. 87 pp.
- Parsons, D. M.; Morrison, M. A.; Slater, M. J. 2010. Responses to marine reserves: decreased dispersion of the sparid *Pagrus auratus* (snapper). *Biological Conservation* 143: 2039–2048.
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- Sharples, J.; Greig, M. J. N. 1998. Tidal currents, mean flows and upwelling on the north-east shelf of New Zealand. *New Zealand Journal of Marine and Freshwater Research*, 32(2): 215-231.
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White, J. W.; Botsford, L. W.; Moffitt, E. A.; Fischer, D. T. 2010. Decision analysis for designing marine protected areas for multiple species with uncertain fishery status. *Ecological Applications*, 20(6): 1523–1541.

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**5. *Is there currently invasive marine species present on Cuvier Island? If so, what strategies is DoC using to address this situation?***

The Department of Conservation does not monitor or manage marine invasive species. The Ministry for Primary industries is responsible for this and DOC is currently unaware of any monitoring or surveying of invasive marine species which has been undertaken on or near Cuvier Island.

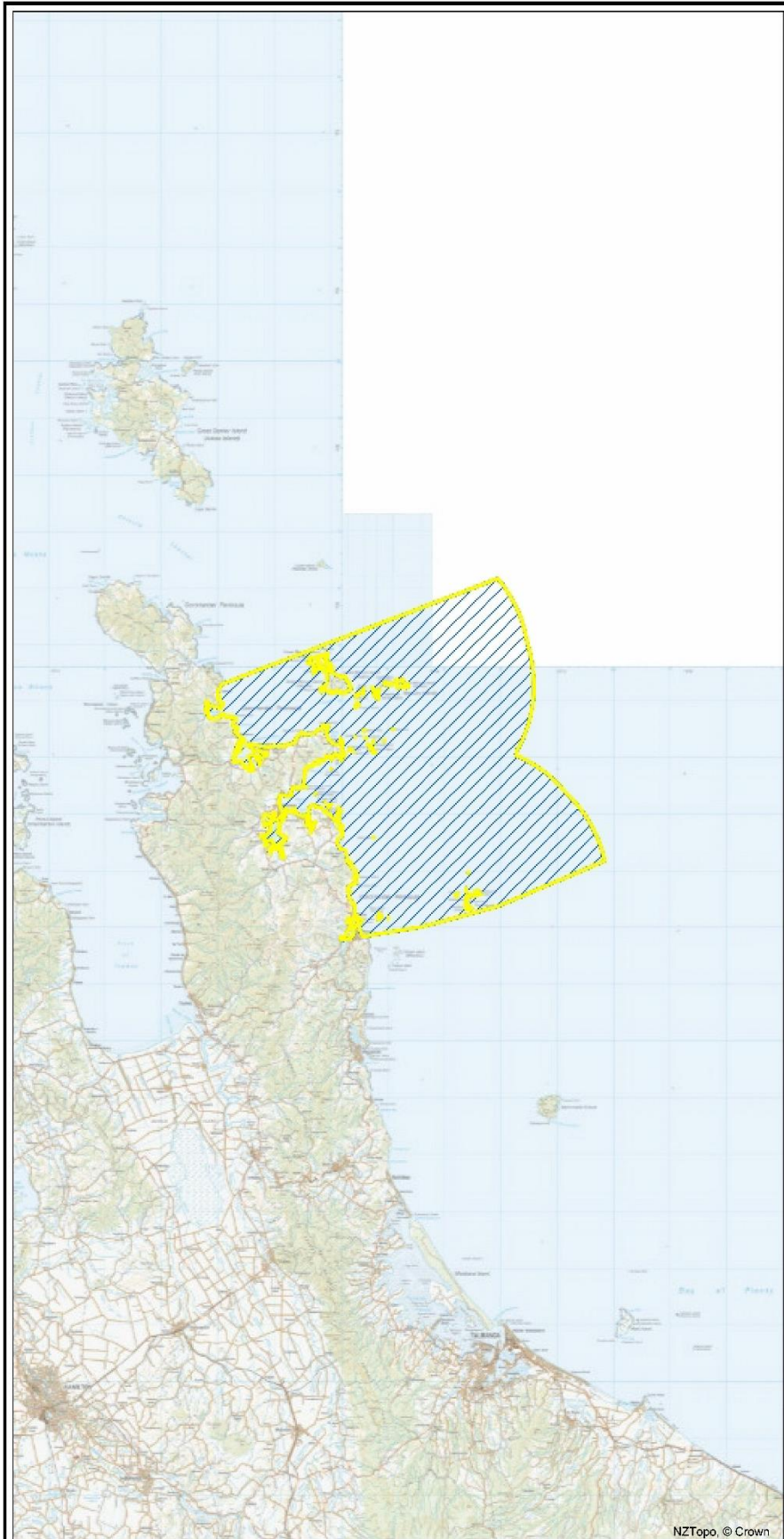
I hope this feedback is helpful and assists with the review process. If you have any queries regarding our comments please feel free to contact me.

Yours sincerely



Angus Gray  
RMA Planner  
Hamilton Shared Services Centre  
Department of Conservation


**APPENDIX ONE: Great Mercury to the Alderman Islands**



Permission Number: 62301-MAR  
 Holder Name: Cathedral Cove Cruises Limited  
 Location ID(s): 29683

Permission locations (Location IDs listed above) are highlighted in yellow on the map

**Legend**

 Marine



This map is to inform and may be unsuitable for other purposes e.g. engineering, surveying, navigation

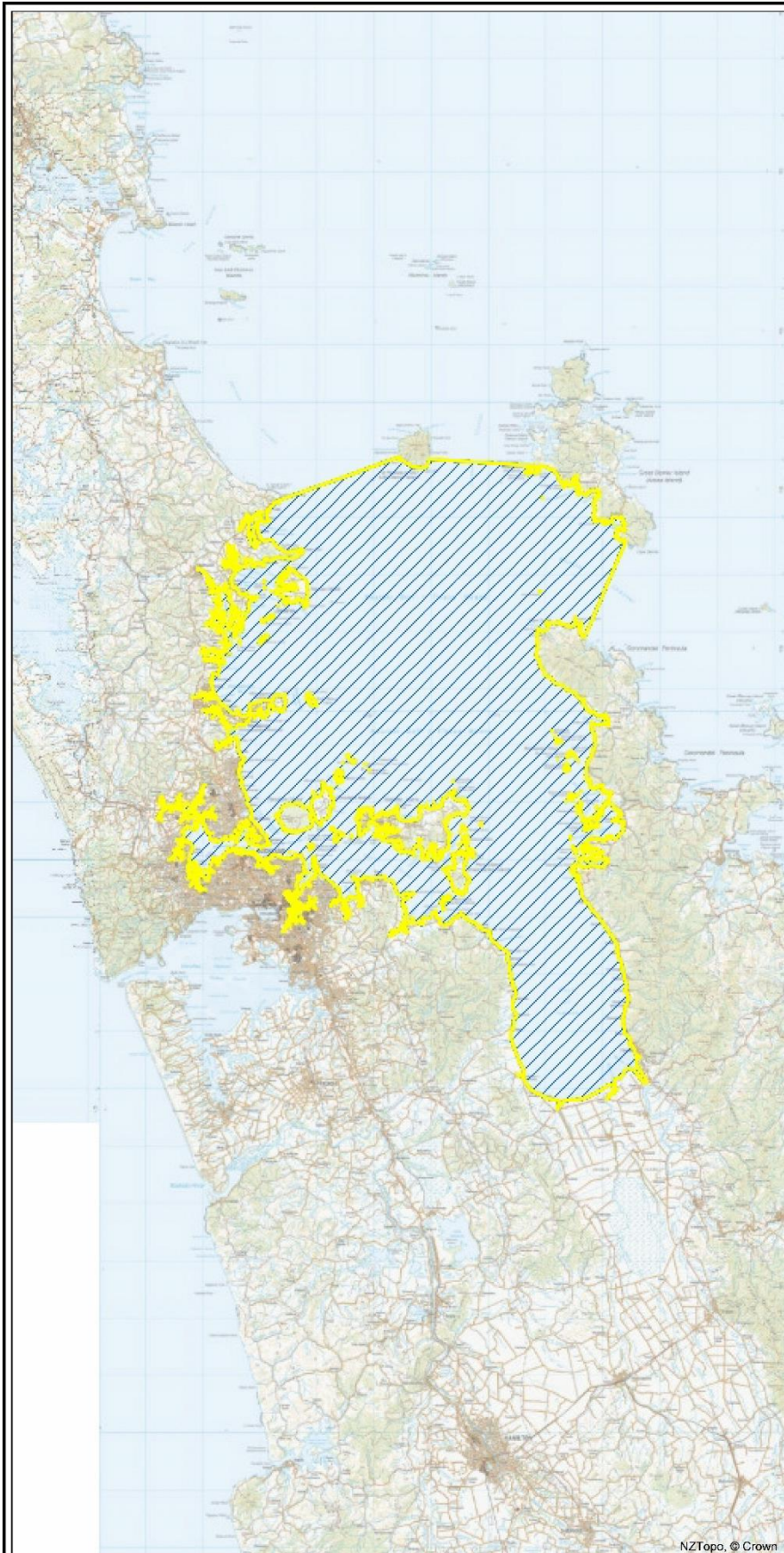


**Department of Conservation**  
*Te Papa Atawhai*

New Zealand Government



**APPENDIX TWO: Hauraki Gulf marine mammal viewing area**



Permission Number: 50509-MAR  
 Holder Name: Auckland Dolphin & Whale Safari (2005) Limited  
 Location ID(s): 10821

Permission locations (Location IDs listed above) are highlighted in yellow on the map

**Legend**

 Marine



This map is to inform and may be unsuitable for other purposes e.g. engineering, surveying, navigation

