

Report: Waikato Regional Council – Regional Coastal Plan Hearing

Hearing date: 30 April 2025

Report by: Sydney Curtis & Rowan Ashton

NZSFC attendees: Sydney Curtis (Marine Science & Fisheries Management Expert), Rowan Ashton (Legal Counsel), Scott Macindoe (President – NZSFC), Gordon McIver (Mercury Bay Game Fishing Club, Tairua/Pauanui Sport Fishing Club, Matarangi Boat & Fishing Club), Ken Hindmarsh (Mercury Bay Business Assoc.), Bob Gutsell (Waikato Sportfishing, Raglan Sport Fishing, Kawhia Sport Fishing, Counties Sport Fishing Club), Deryk Nielsen (Tauranga Sport Fishing Club), Joe Davis (Ngāti Hei).

Other hearing submitters: Matt Conway, Michael Townsend, Chris Staite, Claudia Richardson (Waikato Regional Council), Shaun lee (STET Ltd), Tallulah Parker & Tiff Bock (Seafood NZ, NZ RLIC, PIC), Dirk Sieling (Independent Submission), Katina Conomos (Mussel Reef Restoration), Tracey Turner, Shane Kelly, Dave Serjeant (Environmental Defence Society), Jacob Hore (Fisheries NZ), Sanfords, Elvisa van der Leden, Natasha Sitarz, Peter Anderson (Forest and Bird).

Background and overview:

1. Early November 2024 Sydney submitted expert evidence to Waikato Regional Council on behalf of NZSFC highlighting that mobile, bottom contact fishing methods are having an impact on indigenous biodiversity within the Waikato Coastal Marine Area.
2. Late November Sydney attended the first expert witness conferencing for ecosystems and indigenous biodiversity.
3. February 2025, EDS submitted a legal submission recommending fishing controls to be implemented through the Plan including, restrictions on mobile, bottom contact fishing methods and areas closed to all fishing (excluding customary). These recommendations were driven by the presence of urchin barrens as a result of the effect of fishing.
4. March 2025, Sydney attended the final expert conferencing.
5. April 2025, EDS submitted a legal submission (map below). The closures were refined to include specifically rocky reef habitats, areas vulnerable to kina barrens.
6. 17 April, written statements submitted by affected NZSFC club representatives. Links below.
7. 30 April nominated representatives attended for a full day hearing in Hamilton to discuss fishing controls.
8. **Comments from hearing in relation to controls on fishing in the Waikato Coastal Marine Area:**
 - a. Waikato Regional Council (WRC) addressed the Panel first, regarding the closures as proposed by EDS, WRC stated that it was not appropriate for them to implement the proposed closures. In the WRC written evidence and at the hearing it was stated that targeted management of kina barrens was required.
 - i. Noted that there had been no discussion with mana whenua or public about EDS recommendations.

- b. STET Ltd endorsed the recommendations by EDS and encouraged that there should be a closure of 30% of the Waikato marine area.
- c. EDS submission –
 - i. Recommended closures as submitted in written statement.
 - ii. Confirmed that there had been no discussions with mana whenua or public about recommendations.
 - iii. The WRC can only implement a full closure, it cannot be species-specific. In the Northland case the NRC implemented a rule that allowed for the harvest of kina only with the closed area. EDS recommended that if the closures were implemented there shouldn't be a rule that allows for the harvest of kina. This would make active restoration efforts such as removal or culling extremely difficult.
- d. Dirk and Scott presented strong, individual statements on the Sea Change process and final package, stating that if the plan had been implemented as a package, we would not be in the position that we are in now. The Sea Change Plan was a “lost opportunity”.
 - i. The Panel asked what the compliance was for the Ngāti Hei scallop rāhui – Scott indicated that there was an 100% compliance by recreational fishers in the first summer and the closure was promoted by the public.
- e. Unfortunately, due to going well over time Bob was not able to present.
- f. Rowan presented key points from his legal submission, stating that the WRC can implement a rule to restrict mobile, bottom contact fishing methods. There are measures being rolled out through the Fisheries Act to address kina barrens and therefore the closed areas promoted by EDS are not warranted under the RMA.
- g. Joe Davis presented for Ngāti Hei within the NZSFC block. It was powerful to have Joe there with us. This showed that NZSFC were able to inform mana whenua about the closure recommendations and WRC hearing.
 - i. Joe supported the NZSFC position to oppose the EDS recommendations and support restrictions on mobile, bottom contact fishing methods within the Waikato Region.
- h. Deryk and Gordon both provided clear and strong statements on behalf of their clubs. Highlighting the devastating impact the extensive closed areas would have on their members including safety, access to fish and lack of compliance for Mōtītī closure.
 - i. Gordon was the only person to mention the impact these would have on local commercial fishermen (used Sea Urchin NZ as example).
- i. Ken spoke to the impact the closures would have on local businesses. This was a position that was missing from the hearing as commercial fishing representatives only spoke to the legal aspect and not the impact on fishers themselves.
- j. Sydney provided a final statement – mobile, bottom contact fishing methods are having a significant adverse effect on indigenous biodiversity. The research paper that has been used as evidence to

highlight kina barrens and support recommended closures also indicates stabilisation across habitat types at Mercury Islands which is consistent with other northeast coast urchin barrens.

- i. It is likely that historical fishing pressure has contributed to kina barrens. Recreational fishing has been declining, and the rec daily bag limit was reduced for snapper and crays.
- ii. Although best available information states that no-take closures are the most effective tool available, that is because that is the only tool that has been used to date, there are other tools that can be used which are more progressive and have a lesser social impact i.e., rāhui, species-specific no-take.
- iii. Integrated management required i.e., culling alongside closures.
- k. [Jacob Hore presented](#) on behalf of MPI – stated the Hauraki Gulf Marine Protection Bill completed its second reading in December 2024 and is expected to complete the final stages in the next couple of months.
- l. Common themes that were raised was the lack of consultation with mana whenua or the public who would be affected by the recommended closures and compliance, who would oversee monitoring compliance, and would fishers comply with the new regulations?

Supporting documents

- November 24 – Sydney [Expert evidence](#) (Marine Science & Indigenous Biodiversity)
- November 24 – [Joint witness statement](#) – Expert conference
- February 25 – [EDS Legal submission](#), closure recommendations.
- March 25 – [Joint witness statement](#) – Expert conference
- April 25 – [EDS Legal submission](#), refined closure recommendations.
- April 25 – NZSFC statements of evidence
 - [Rowan Ashton](#) – NZSFC Legal submission
 - [Scott Macindoe](#) - NZSFC
 - [Sydney Curtis](#) - Marine Science & Indigenous biodiversity
 - [Bob Gutsell](#) - Waikato Sportfishing, Raglan Sport Fishing, Kawhia Sport Fishing, Counties Sport Fishing Club
 - [Deryk Nielson](#) - Tauranga Sport Fishing Club
 - [Gordon McIvor](#) - Mercury Bay Game Fishing Club, Tairua/Pauanui Sport Fishing Club, Matarangi Boat & Fishing Club
 - [Ken Hindmarsh](#) – Mercury Bay Business Association

Next Steps

10. The Independent Hearings Panel decision should issue in the coming months. Any submitter can appeal that decision to the Environment Court. A hearing in the Environment Court will consider the matter afresh and there is the opportunity for further evidence to be submitted and other interested parties to participate in any appeal proceedings.

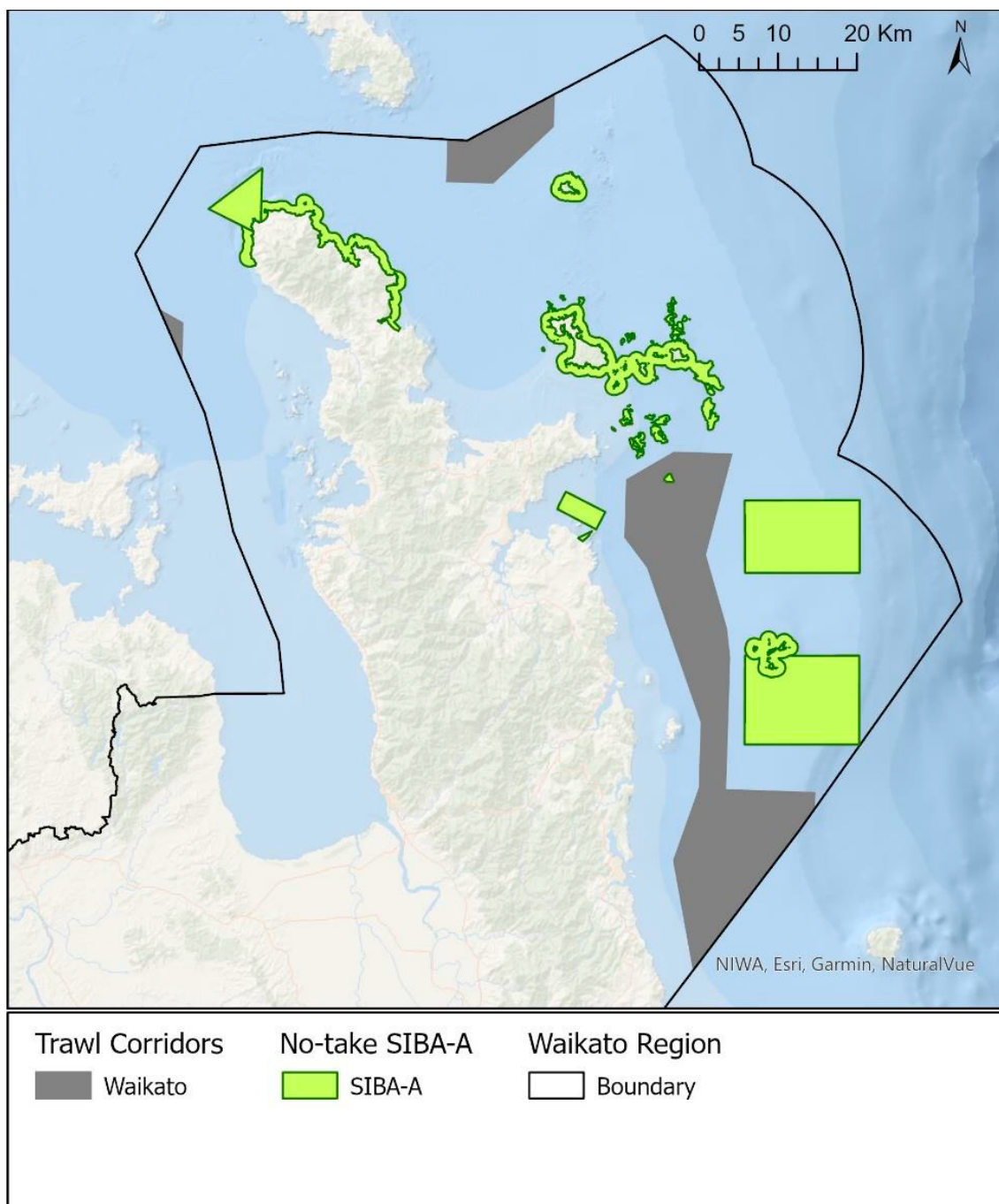


Figure 1. Map of refined recommended closures by EDS – April 2025. Alderman Is, Te Whanganui-o-Hei marine reserve extension and part of Coromandel are included in Hauraki Gulf HPA proposals.