

# Navigating the rules

Doing your bit to stop invasive marine pest species

Includes new rules as of 25 January 2021



**Auckland Council**

Te Kaunihera o Tāmaki Makaurau



# Clean hulls mean clean waters

Biofouling and invasive pest species are major threats to our marine environment. As a boat operator, you can help stop their spread by following rules contained in the Auckland Unitary Plan, the Regional Pest Management Plan 2020-2030 and the Hauraki Gulf Controlled Area Notice. This will help stop the spread of pests in two ways:

- 1** Cleaning your hull in places and in ways that stop pests getting into the sea.
- 2** Limiting fouling on your hull to stop pests 'hitch hiking' into uncontaminated areas or transferring from your vessel to others ('passive discharges').

Following the rules will help protect our precious marine ecosystems. You can expect the rules to be enforced, particularly for boats that are moving to areas such as the outer Gulf islands, west coast and other areas that are currently relatively free from marine pests.

Breaking the rules could mean bad news for the environment – and your wallet. You could be fined up to \$100,000 (or \$200,000 for corporations) for breaching them.

You can find the full details on the **Auckland Council website** under **Unitary Plan** sections F2.13, F2.19.7 and F2.21.8 and the new **Regional Pest Management Plan**.

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## Updated rules for 2021 – and how they affect you

Nine marine species are named as pests in the new Regional Pest Management Plan – *take care when cleaning your vessel to ensure pests are not released back into the sea.*

The level of fouling on the hull and in niches of any craft\* must not exceed 'light fouling' – *no more than a slime layer and scattered barnacles on the hull (see below).*

In the Auckland region, any craft entering any marine water body from the land must be free of all ballast water, bilge water, holding tank water or sea water held in any other container – *check when you're transporting a boat from another area.*

**Need more info? The Marine Biosecurity team is here to help on 09 301 0101 or [marinebiosecurity@aucklandcouncil.govt.nz](mailto:marinebiosecurity@aucklandcouncil.govt.nz)**

*\*The definition of 'craft' covers boats, pontoons and aircraft and more. See the Biosecurity Act for a full definition.*



# Light fouling – what it means under the rules

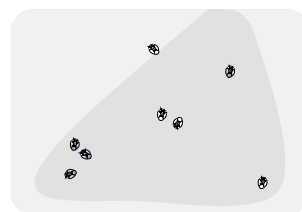
Keeping a clean hull is about more than pride or boat speed. It stops pest species hitching a ride from one place to another or spreading when you're moored or in a marina. The new rules are more strict about this and set the limit for any boat in the Auckland area – moving or not – at no more than "light fouling." Here's what that means:

**Slime:** a hull can be partially or completely covered in biofilm (aka slime). *You can "write" with your finger through slime.*

**Macro-fouling (barnacles, worms, weed etc):** can cover no more than 5% of the hull, including niches such as inlets, outlets, rudders, propellers etc... *The species of fouling doesn't matter to this measurement: total coverage must be no more than 5%. However, if pest species are present then you must not move the craft to a new location as this will involve communicating the pest.*



Slime: no limit



Barnacles and other macro-fouling: no more than 5% coverage including niches

## Cleaning smart

Cleaning your hull only helps protect our marine environment if the pest species you scrub off don't end up back in the sea. There are different rules for cleaning, depending on what sort of growth is on your hull.

## Keeping clean

Pest species spread fastest by hitching a ride on dirty hulls. They can also move from a contaminated hull to other nearby vessels or structures. The rules require you to limit your hull to no more than "light fouling" as defined above. This includes any niches such as inlets, outlets, rudders or propellers.

## Cleaning your hull? Following the rules is easy.

**Always clean on land or in a marina if possible.**

### STEP 01:

**Check whether pest species are obviously present.**

If you have pests present on your craft then you must make sure they're not released into the marine environment while cleaning. The easiest way to be sure of this is to clean out of the water.

If you think your craft is free of pests, you may be able to clean in water depending on where you are, and what kind of cleaning you need to do.

# STEP 02:

## Check your location



**Outside the high value areas noted below**  
OK if standards are met



**Outside the high values area noted below**  
Resource consent required if standards are not met



**Hauraki Gulf conservation islands**  
Prohibited

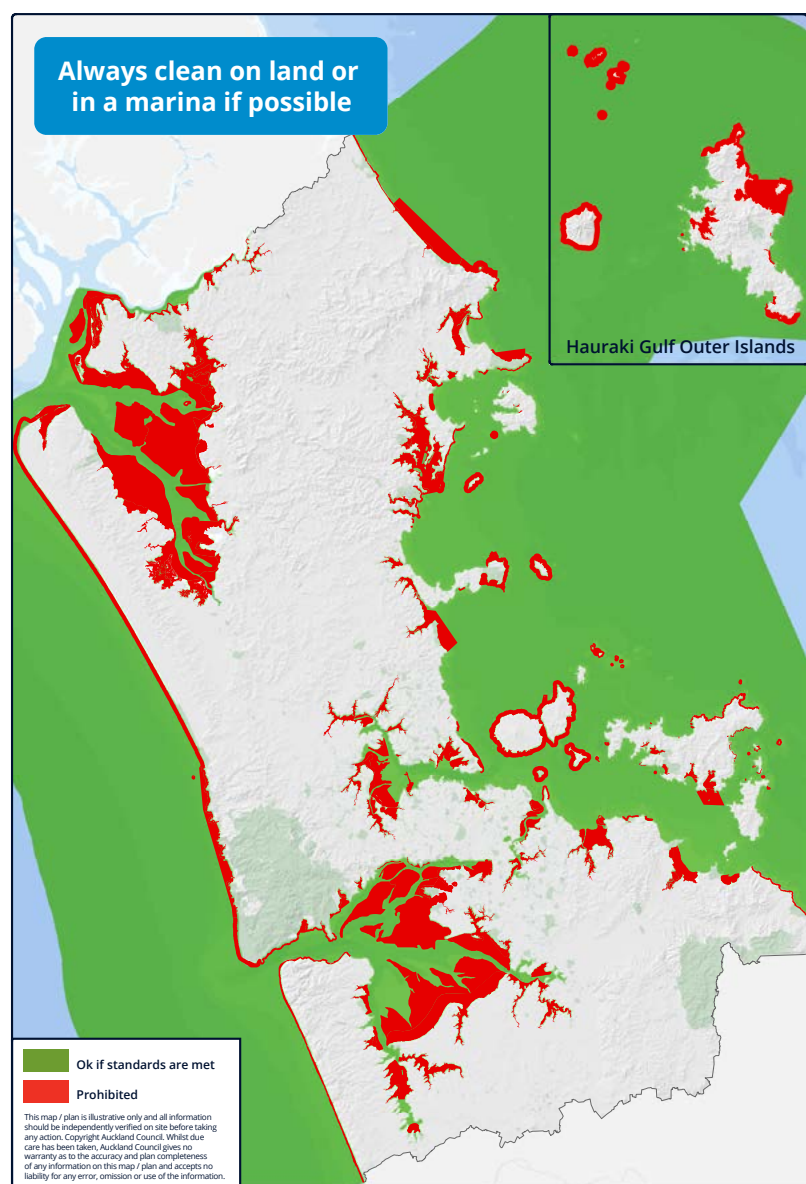


**Marine Significant Ecological areas**  
Prohibited - see map

## No-cleaning zones

Hull cleaning is prohibited within 500m of the coastline of the following Hauraki Gulf conservation islands:

- Beehive Island
- Browns Island
- Little Barrier Island
- Mokohinau Islands
- Motuihe Island
- Motuora Island
- Motutapu Island
- Rangitoto Island
- Saddle (Te Haupa) Island
- The Noises Islands
- Tiritiri Matangi Island



# STEP 03:

## Permitted Activities

Check Table A: (Permitted Activities) to identify what sort of cleaning you need to do. Each type of cleaning or fouling lists different rules to follow.

# STEP 04:

## Required Standard

Check against Table B: (Required Standard) to see what you need to do under each rule.



| TABLE A:<br>PERMITTED ACTIVITIES                                                                                                                                                                                  |            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| ACTIVITY                                                                                                                                                                                                          | STANDARDS  |
| Cleaning of a vessel with micro-fouling                                                                                                                                                                           | 1, 2, 4, 6 |
| Small scale manual cleaning (up to 5% of the hull surface area, including niche areas)                                                                                                                            | 2, 3, 4, 6 |
| Cleaning of a vessel with macro-fouling from within Auckland                                                                                                                                                      | 2, 4, 6    |
| Cleaning of a vessel with macro-fouling of domestic origin (that is less than extensive to very heavy macro-fouling) following a risk assessment that determined a relative biosecurity risk of negligible or low | 2, 4, 6    |
| Cleaning of a vessel with macro-fouling of domestic origin that is:<br>- More than low biosecurity risk,<br>- Or has not had a risk assessment,<br>- Or has extensive to very heavy macro-fouling                 | 2, 3, 4, 6 |
| Cleaning of a vessel with macro-fouling of international origin                                                                                                                                                   | 2, 3, 4, 6 |
| Treatment methods that render bio-fouling organisms non-viable                                                                                                                                                    | 2, 5, 6    |

| TABLE B:<br>STANDARDS APPLICABLE TO PERMITTED ACTIVITIES |                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NO.                                                      | REQUIRED STANDARD                                                                                                                                                                                                                                                                                                                                                                         |
| 1                                                        | Gentle non-abrasive cleaning techniques must be used.                                                                                                                                                                                                                                                                                                                                     |
| 2                                                        | The cleaning method must not compromise the existing anti-fouling coating system.                                                                                                                                                                                                                                                                                                         |
| 3                                                        | Cleaning technologies should capture debris greater than 50 micrometres in diameter. All captured debris must be collected and disposed of appropriately.                                                                                                                                                                                                                                 |
| 4                                                        | If unusual or suspected harmful aquatic organisms (or species designated as pests in the relevant pest management plan prepared under the Biosecurity Act) are found, the vessel owner or operator must take the following steps:<br>(a) all cleaning must cease;<br>(b) the Council must be immediately notified;<br>(c) cleaning may not recommence until notified by Council to do so. |
| 5                                                        | The discharge or escape of hull bio-fouling organisms or debris onto the foreshore, seabed or into the water must be collected as far as practicable and removed from the coastal marine area.                                                                                                                                                                                            |
| 6                                                        | The anti-fouling coating on the hull and niche areas to be cleaned must not have exceeded its planned service life as specified by the manufacturer.                                                                                                                                                                                                                                      |

Example correlation of permitted activities against required standards.

## Notes

The standards apply to the above activities according to the level of risk associated with the nature, origin and extent of the biofouling.

**1** Cleaning of low-level fouling, fouling of regional origin (within Auckland) and fouling of domestic (NZ) origin that has been assessed and confirmed as low-risk are considered low-risk activities and are encouraged through less stringent standards. Capture of debris is not required.

**2** Small-scale removal of any fouling is enabled but capture is required due to the relative ease of capturing small amounts of fouling (Standard 3).

**3** Fouling of international origin, or domestic (NZ) origin that has not been assessed and confirmed as low-risk species are considered highest risk and are therefore subject to the most stringent standards, including capture of all bio-fouling debris (Standard 3).

**4** Methods that render the organisms non-viable are subject to a less stringent standard for capture (Standard 5) as the organisms cannot spread after removal; however, chemical treatments may be subject to other controls within the Unitary Plan (e.g. discharges).

## Passive discharge of biofouling material

This rule requires you to limit fouling on your hull including niches such as inlets, outlets, rudders and propellers even if you don't plan to go anywhere, as invasive marine pests can spread from the affected hull to other nearby vessels or structures. As with hull-cleaning, the extent, origin and nature of the biofouling material determines the risk that invasive marine pest species can spread.

'Passive discharges' are known to occur once hull-fouling reaches 'macro-fouling' stage. Where macro-fouling is present, resource consent is required in the following circumstances:

- Light to very heavy macro-fouling of international origin (level of fouling scale 2 to 5); or
- Very heavy macro-fouling of domestic origin (level of fouling scale 4 to 5); or
- Unusual or suspected harmful aquatic organisms (or species designated as pests in the relevant pest management plan prepared under the Biosecurity Act).

In other words, it is unlawful to allow a hull to become so heavily fouled that passive discharges occur, without obtaining a resource consent. Failure to comply may result in fines and other penalties.

*Note: Commercial and military vessels are subject to different rules due to their requirements under other legislation. Refer AUP sections F2.21.8.8.*

## Defined Terms

### LEVEL OF FOULING

Expressed in the international Level of Fouling (LOF) scale - A scale used to assess the level of fouling on vessels, ranging from 1 to 5 based on the percentage of fouling cover.

To comply with the new rules you need to limit fouling to no more than "light fouling" - LOF 2 on this scale.

**LOF 0 - 1 is described as micro-fouling;**  
**LOF 2 - 5 is described as macro-fouling.**

**1. Micro-fouling** Slime layer fouling only.  
Nil macro-fouling cover.

**2. Light fouling** Hull covered in biofilm and 1 - 2 very small patches of macro-fouling.  
1 - 5% macro-fouling cover.

**3. Considerable fouling**  
Presence of biofilm, and macro-fouling still patchy but clearly visible.  
6 - 15% macro-fouling cover.

**4. Extensive fouling** Presence of biofilm, and abundant fouling assemblages consisting of more than one species.  
16 - 40% macrofouling cover.

**5. Very heavy fouling** Diverse assemblages covering most of visible hull surfaces.  
41 - 100% macro-fouling cover.

### DOMESTIC ORIGIN

Domestic origin means bio-fouling material from within New Zealand but outside the Auckland region.





## **Want to find out more?**

Visit [aucklandcouncil.govt.nz/marinepests](https://aucklandcouncil.govt.nz/marinepests),  
email [marinebiosecurity@aucklandcouncil.govt.nz](mailto:marinebiosecurity@aucklandcouncil.govt.nz)  
or call (09) 301 0101