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FISH FOR THE PEOPLE

19 February 2020

## **Submission: Response to Draft National Inshore Finfish Fisheries Plan**

### **Recommendations**

1. **Restore governance of fisheries** through reform of the Fisheries Act and restructuring of fisheries management to ensure that the maintenance of fish stock abundance and diversity is the primary purpose.
2. **The Minister acknowledges** that the changes required to restore inshore fish stocks to abundance cannot be delivered by a Fisheries Plan.
3. **The Minister acknowledges** that the changes required to restore inshore fish stocks to abundance need to include:
  - a. A review and rewrite of the Fisheries Act 1996; and
  - b. The development of legislation that mandates maintaining abundance and productivity of the marine environment.
4. **The Minister acknowledges** that the intersection between the Resource Management Act and the Fisheries Act is such a mess that it requires a legislative change to provide clarity.

### **The submitters**

5. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the draft National Inshore Finfish Fisheries Plan. Fisheries New Zealand Discussion Paper No. 2019/18. Advice was received on 19 November 2019 with submissions due 12 February, extended to 19 February 2020.

6. The New Zealand Sport Fishing Council is a recognised national sports organisation with over 36,200 affiliated members from 55 clubs nationwide. The Council has initiated LegaSea to generate widespread awareness and support for the need to restore abundance in our inshore marine environment. Also, to broaden NZSFC involvement in marine management advocacy, research, education and alignment on behalf of our members and LegaSea supporters. [www.legasea.co.nz](http://www.legasea.co.nz).
7. The New Zealand Angling and Casting Association (NZACA) is the representative body for its 35 member clubs throughout the country. The Association promotes recreational fishing and the camaraderie of enjoying the activity with fellow fishers. The NZACA is committed to protecting fish stocks and representing its members' right to fish.
8. Together we are '*the submitters*'. The submitters are committed to ensuring that sustainability measures and environmental management controls are designed and implemented to achieve the Purpose and Principles of the Fisheries Act 1996, including "maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations..." [s8(2)(a) Fisheries Act 1996].
9. The submitters note and appreciate the consultation timeframe of about 30 working days for this process. This is an improvement from the 18 working days that had become standard MPI practice. This time frame has allowed some consultation with local recreational interests, affected clubs and other representatives organisations.
10. Our representatives are available to discuss this submission in more detail if required. We look forward to positive outcomes from this review and would like to be kept informed of future developments. Our contact is Helen Pastor, [secretary@nzsportfishing.org.nz](mailto:secretary@nzsportfishing.org.nz).

## Introduction

11. New Zealanders remain concerned about the way their fisheries are being managed, and how the mismanagement of our marine environment will impact on them and future generations. That concern is based on personal and communal experiences related to the depletion of inshore fisheries, the loss of regional, small-scale commercial fisheries, and the inability of successive governments to manage the marine resources in the public interest. Radical change is required to restore public confidence and marine productivity, and to generate value for the nation from the exploitation of our marine environment.
12. Fisheries New Zealand released a draft National Inshore Finfish Fisheries Plan, with submissions due in February 2020. The Director of Fisheries Management, Stuart Anderson said New Zealand's inshore finfish resources are important to all of us. "*The Draft Plan aims to transform and improve how inshore finfish fisheries are managed, driving innovation, and advancing ecosystem-based fisheries management.*"
13. True transformation and innovation are not possible without fundamental changes to the governance and management of New Zealand's wild fish stocks. That is because the

Quota Management System has developed to the stage where quota and regulatory control have been monopolised into a few hands, and once-abundant marine resources are depleted to satisfy short-term commercial imperatives.

14. The changes required to restore inshore fish stocks to abundance cannot be delivered by a Fisheries Plan; changes need to include a review and rewrite of the Fisheries Act 1996 and the development of legislation that mandates maintaining abundance and productivity of the marine environment.
15. The submitters have developed a policy reform package for fisheries under the umbrella of '*Rescue Fish*' to address policy deficiencies and provide a pathway to restore abundance and diversity in the marine environment.

### **Draft Inshore Fisheries Plan**

16. The overwhelming impression of the National Inshore Finfish Fisheries Plan (Inshore Plan) released for comment by Fisheries New Zealand is that it is entirely aspirational containing no problem statements, no success indicators, no strategies, and no relevance to the public perceived issues confronting our inshore fisheries.
17. The public are faced with steady declines in many inshore stocks and widespread local depletion as overexploited stocks contract their range. The draft FNZ plan focuses on maximising "benefits" while precautionary principle is notable by its absence.
18. The draft FNZ Inshore Plan seeks to perpetuate the myth that current users are best placed to come together and generate detailed management plans for fisheries. This strategy has been used successfully to set rules around using public property, but not when one party holds strong rights that imply dominant and more important use rights. Ostrom describes this and other institutional features that are linked to long-term success.
19. The current collection of fisheries users and NGOs are and will be unable to agree to goals and operational plans that support the Fisheries Act – success for each group is vastly different. This means that agreement will be found only in language and topics that are largely irrelevant and aspirational. Like the Snapper (SNA1) Management Plan 2016, when it comes down to stock rebuilds and allowing for ecosystem services, the rubber never reaches the road.
20. It's as if the last 30 years never happened and we are facing a blue sky opportunity to set use rules and priorities. The failure of the Inshore Plan to recognise the past renders it ineffective. There is an elephant in the room whether Fisheries New Zealand chooses to recognise it or not. The room is being steadily trashed while the elephant continues to be ignored.
21. The policy gaps and inconsistencies that the Inshore Plan is attempting to address are covered in the submitter's *Rescue Fish* package of reforms.

## [Heading numbers reflect the section number in the draft Inshore Plan]

### 1. Purpose

The Inshore Plan states as a purpose;

*The National Inshore Finfish Fisheries Plan (the Plan) provides the overarching framework for the management of inshore finfish fisheries for the next five years. The Plan, Annual Operational Plan and Annual Review Report provide greater transparency and opportunities for Iwi and Māori, and stakeholders to participate in fisheries management planning.*

#### The problem

22. The component parts of the Inshore Plan will be objectives and strategies in support of the Purpose and Principles of the Fisheries Act. However, these already exist and are routinely ignored.
23. The New Zealand Harvest Strategy Standard has described abundance targets for decades without management setting strategies to achieve them. As seen in the Snapper (SNA1) Management Plan 2016, all the verbosity about objectives, targets, measuring progress and reporting all count for nothing if it doesn't suit the TACC shareholders – it is all simply ignored.
24. The QMS requires catch limits to be set for each quota species in each management area to ensure sustainability and meet the needs of future generations based on limited information. To effectively review and manage all stocks is an impossible task.
25. For assessment purposes there are 685 fish stocks or sub-stocks within the QMS.
  - a. 297 are nominal stocks, no significant catch.
  - b. 388 stocks are commercially used.
  - c. Of these 388 stocks –
    - i. 169 (44%) have been scientifically assessed.
    - ii. 219 (56%) have not been scientifically assessed.
    - iii. 128 (33%) are assessed as being at or above the default management target of 40% of unfished biomass.
    - iv. 260 (67%) are assessed at being below the default management target of 40% of unfished biomass, or of unknown status, usually due to a lack of available research funding.
26. The Inshore Plan commits significant new resources to engagement, aspirational goals and annual reviews while the research budget continues to decline in real terms.
27. Commercial interests have successfully capped research spending. While the number of QMS stocks has increased 3.5 times, the current fisheries research budget is about 45% of what it was in real terms in the early 1990s (wage-corrected to 1992 purchasing power). The move from resource rentals to cost recovery has been a national disaster in respect of the quantity and quality of marine fisheries research.

## **The solution - Remove the elephant in the room**

28. **Adopt the *Rescue Fish* reform package** that provides for –
  - a. The replacement of the QMS with a competitive permit regime.
  - b. Restored abundance and ecosystem services through effective co-governance by Māori and the Crown.
  - c. The development and support for low impact inshore fisheries for all users.
  - d. The restoration of resource rentals and Crown funding to support fishery independent research.

## **2.1 Scope**

*The Plan covers the management of inshore finfish species, to provide for their sustainable use and to manage the effects of fishing on the aquatic environment within the inshore area of New Zealand's exclusive economic zone.*

### **The problem**

29. There is nothing to suggest the Inshore Plan will be any more able to work the levers of management that Parts 3 and 4 of the Fisheries Act.
30. Currently best practice is routinely ignored under the Fisheries Act 1996 sections 13, 13A, 14, 14A, 14B, 14C, and stocks are permitted to languish at less than 40% of unfished biomass. What is the point of providing another layer of verbosity that can or will be similarly manipulated or ignored?
31. The Fisheries Act simply provides for the Minister to have regard to an Inshore Plan, not to implement it or comply with its content.

### **The solution**

32. **Adopt the *Rescue Fish* reform package** including legislative reform of the Fisheries Act, so the Minister is compelled to maintain stocks above 40% of the unfished biomass with a target of 50% (B50).

## 2.2 Legal status

*Section 11A of the Act provides general guidance on what a fisheries plan may contain. Section 11A(2) says a fisheries plan may relate to one or more stocks, fishing years, or areas.*

### The problem

33. It is clear that whatever the Inshore Plan contains the Minister can ‘take account’ of the Plan but is not bound to give it any effect.
34. This gives great scope for detailed aspirational plans that can serve as hope but can be easily cherry picked when a group is lobbying for their interest. Much the same as has happened with the Harvest Strategy Standard and Fisheries 2030.

### The solution

35. **Adopt the *Rescue Fish* reform package** including legislative reform of the Fisheries Act, so the Minister is compelled to maintain stocks above 40% of the unfished biomass with a target of 50% (B50).

## 3.1 A time to reshape, improve, and modernise fisheries management

*When the QMS was introduced it was seen as a bold and innovative system that set a new international standard for effective and efficient fisheries management. At the same time it is important that we don't remain static.... to deliver increased value to all New Zealanders, and do not compromise the health of the marine environment.*

### The problem

36. **The QMS has neither been effective nor efficient and suffers all the dysfunction found in overseas regimes** that applied similar instruments that depended on the theories of enclosing the commons.
37. Fisheries are not going through any significant change. Electronic monitoring and reporting are incremental changes which pose significant problems when monitoring stocks using catch per unit effort.
38. **The QMS is inflexible by design** and without challenging the known dysfunction and perverse incentives the Individual Transferable Quota (ITQ) shareholders will easily maintain the status quo – that is the strategic context.

39. The aspirational language in this section is devoid of definitive statements – improve, make it better, more responsive, better management of habitats, innovation *etc ad nauseum*.

## The solution

40. **Restore governance of fisheries** through a reformed Fisheries Act that puts the maintenance of fishstock abundance and diversity as its prime purpose.

## 3.2 Advancing ecosystem based fisheries management - EBFM

*EBFM is an integrated approach to managing the competing values and uses of fisheries resources while maintaining the ecosystems that support them. At a high level, EBFM considers a whole-of- ecosystem approach to manage the interaction between species and environmental factors in the marine space. Importantly, it also considers humans, their activities and values as integral parts of ecosystems, and aims to consider and integrate all stakeholder values, as well as ecosystem status and interactions.*

## The problem

41. **The QMS tries to manage single species** within arbitrary fisheries management areas without considering the impact of fishing down one stock on other stocks.
42. **Moving to EBFM can become stalled in complexity and watered down to deliver minimal, tangible benefits while incorporating all the jargon and aspirations.**
43. **The environmental principles in the Fisheries Act are now largely ignored** and bottom trawling remains the dominant fishing method around most of New Zealand despite its impact on benthic ecosystems.
44. *Depending on the species, it may take a substantial length of time before adverse consequences of ecosystem and habitat loss and fragmentation affect local and regional species richness (Helm et al. 2006). As Tilman et al. (1994) put it: ‘because such extinctions occur generations after fragmentation, they represent a debt—a future ecological cost of current habitat destruction’.*<sup>1</sup>
45. We don’t need to have in hand a detailed description and measurement of the component parts of the ecosystem, the services they provide or their interactions; we are preoccupied with maintaining its productivity and resilience in the face of human and climate disruption.

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<sup>1</sup> Halting indigenous biodiversity decline: ambiguity, equity, and outcomes in RMA assessment of significance - Walker, Brower, Clarkson, Lee, Myers, Shaw, Stephens, 2008

46. **Any application of EBFM will require catch reductions to prized species** and will therefore be beyond Fisheries New Zealand's ability to implement. User groups will not bring settled consensus while the QMS grants ITQ shareholders a virtual veto on policy.

## The solution

47. There are strategies immediately available to begin the journey to restored abundance, by acknowledging the current overexploitation and setting ecosystem considered stock targets of 50% of unfished biomass. Treating EBFM as a boxed process that can be simply rolled out consigns it to be a topic for endless discussion without implementation.
48. Consideration of the ecosystem is expressed through stock targets and spatial rules. **The Rescue Fish reform package** covers these and other issues -
- a. The best way to give consideration to EBFM is to set stock targets at no less than 50% of the unfished biomass.
  - b. Phase out bottom contact bulk harvesting methods including trawling from inshore waters to protect vulnerable habitats and juvenile fish. This would encourage innovation and development of low impact, selective fishing methods that land high quality product for local and high-end export markets.
  - c. Having access to productive fisheries in untrawled areas is essential for the rejuvenation of local small-scale commercial, customary and recreational fisheries.
49. It seems as if Fisheries New Zealand anticipate that users sitting around a table are going to agree what, where and how EBFM will be rolled out in New Zealand. This is an abrogation of the duty of care. **EBFM can only be implemented by a strong governance hand.**

## 4 Legislative context

### *The Fisheries Act 1996*

#### The problem

50. **Current management is focused on enabling the maximum possible catches even in the absence of adequate information.** A precautionary approach is rarely taken even with fish stocks having poor quality or missing information.
51. Currently, management is not focused on the need to manage for abundance. **A fish left in the water is seen as an opportunity cost to quota shareholders**, that doing so is compromising their interests. Such notions are asinine.
52. The biomass that will provide for the maximum sustainable yield (BMSY) is most often used as the management target, whereas BMSY ought to be the smallest biomass reference point available to the Minister, that is the minimum stock size.



## The solution

53. **A new Fisheries Act** that complies with the definition that abundance is no less than 50% of original, unfished biomass (B50), and for many species that would be a minimum of B60.
54. A new Fisheries Act that contains explicit priorities for the Minister when allocating available catch. In terms of allocation, having explicit priorities will –
  - a. Promote Māori customary non-commercial fishing as a priority catch that must be provided for.
  - b. Promote an allowance for non-commercial public fishing as a secondary priority.
  - c. Enable the balance of catch to be made available for commercial use via allocated permits.
  - d. Provide for innovation to deliver high value commercial catches from inshore waters.

## *Treaty of Waitangi (Fisheries Claims) Settlement Act 1992*

*The Crown's obligations to Iwi and Māori concerning fisheries and aquaculture arise through rights guaranteed by article 2 of the Treaty of Waitangi. Those rights are confirmed in the Deeds of Settlement between the Crown and Māori, and further reinforced through the obligations specified in legislation.*

*The Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 (the Settlement Act) –*

- gives effect to the settlement of claims about Māori fishing rights; and*
- makes better provision for Māori non-commercial traditional and customary fishing rights and interests; and*
- makes better provision for Māori participation in the management and conservation of New Zealand's fisheries.*

## The problem

55. Within the current legislation of both the Fisheries Act and the Treaty of Waitangi Fisheries Settlement Act there is scant opportunity for input beyond Te Ohu Kaimoana (TOKM). If the Iwi Fisheries Plan is expected to provide an avenue for engagement and integration of modern and traditional management principles and tools there seems little opportunity for the Inshore Plan to achieve anything beyond additional confusion.
56. We are entering the period of “the competition between plans”, Iwi plans, Inshore plans, various other spatial plans, coastal plans, and all the marine protection plans.

## The solution

57. **Adopt *Rescue Fish* that frees Māori from the contradiction the QMS places them in;** where precious revenue depends on running down the natural capital and no alternative exists.
58. **Establish effective shared co-governance** of a new independent Authority to enable Māori and the Crown to set catch limits and undertake scientific research. All activities would be guided by a strong set of principles. The Authority will exercise the highest chieftainship over fisheries by setting maximum catch levels that allow the stock to always be above 50% of its unfished, natural level.
59. Abandon the hope that's expressed through Ministers 'having regard' to these Plans. Set a clear priority and hold the Minister accountable for compliance.

*Other legislation which contributes to the management of the wider fisheries ecosystem includes the:*

- Resource Management Act 1991 which is New Zealand's primary legislation for managing the environment, including air, soil, fresh water and coastal marine areas;*
- Wildlife Act 1953 which gives partial or full protection to all but one species of seabird;*
- Marine Mammal Protection Act 1978 which makes provision for the protection, conservation, and management of marine mammals within New Zealand waters.*

## The problem

60. The territorial seas comprise most of the Inshore Plan jurisdiction and now Regional Councils are beginning to include fishing restrictions as part of their duty under the Resource Management Act. **This pushes the Inshore Plan further into irrelevance** as lately the RMA is used to limit fishing, not the Fisheries Act with or without an Inshore Plan.
61. Parties using the Courts to intervene in fisheries management reflects the poor interpretation and effect given by FNZ to administer Part 2 of the Fisheries Act. Paying lip service to the Purpose and Principles has driven disaffected parties to find a Court that will listen to their concerns.
62. **The inability of FNZ to maintain abundance** that provides for Māori customary and public wellbeing drives the confusion and conflict that now exists between the Fisheries Act 1996, The Marine Reserves Act 1971, and the Resource Management Act 1991.
63. To ignore this recent intervention while promoting the virtue of an Inshore Plan is at the least disingenuous and merely reflects the pointlessness of these obtuse and ineffective plans.

## The solution

64. The intersection between the RMA and Fisheries Acts are now a mess requiring a change in legislation to provide clarity. Fisheries need to be the domain of a Fisheries

Ministry held to high environmental standards through legislation that leaves all the competing statutes moot.

## 7 Managing individual fish stocks

*There are 197 inshore finfish stocks that are managed within the QMS. The three stock groupings are effectively arranged so that as the benefits obtained from a stock increases the management approach provides for greater levels of assurance to enable benefits to be maximised while ensuring sustainability.*

### The problem

65. *The level of benefits obtained by fishers;*

**The successful management of stocks is not measured in the level of benefits obtained by active fishers.** This is a recurring error made by FNZ throughout its policy proposals – that current users must be offered the greatest possible benefits even when to do so holds clear long term costs. This misrepresents the Purpose of the Fisheries Act - deliberately.

66. *A stock's biological productivity and vulnerability to fishing;*

How is this possible when an inshore trawl catch comprises more than 20 different species, each with a different vulnerability to that method? **It would be more accurate to state that policy largely ignores productivity and vulnerability to fishing** if the recent decisions for eastern tarakihi stocks or red snapper are a guide.

67. *The relationship to associated and dependent species;*

The relationships and interdependencies are swept aside by a policy attempting to maximise immediate catch opportunities couched in terms of *users benefits*. Reducing stocks like snapper and tarakihi to at or below 20% of the previous equilibrium biomass, while ignoring the effect on associated species including seabirds and secile species demonstrates the forces at play – **at these low levels the natural balances between species is lost with unknown consequence.**

68. *The monitoring and assessment tools available;*

The continued reliance on commercial Catch Per Unit of Effort (CPUE) since 1990 as credible measures of relative abundance is a core driver of the continued failure to maintain abundance at anything like internationally accepted levels that will provide for ecosystems and maintain productivity.

69. *The information available to inform management of the stock.*

What information is available to assess stocks and guide management is solely FNZ's to determine. It is not necessary to fall into this informational vacuum that causes commercial CPUE analyses to rise to a level of forming the best available information. To talk to this subject without transversing the incoherence of the cost recovery regime and the fatal costs it is imposing on New Zealand's fisheries resources is a clear example of how shallow this planning process really is.

## The solution

70. **Management decisions must embrace Kaitiakitanga [guardianship]** and take account of the long term social, economic and cultural benefits of rebuilding depleted stocks and the ecosystem services they provide. In so doing they must comply with a strong precautionary principle.
71. This begins with stock targets defined in Part 3 of the Fisheries Act. Typical contemporary stock targets are:
  - a. Maximum Economic Yield = 60% of Bzero
  - b. Maximum Sustainable Yield = 50% of Bzero
  - c. Soft Limit = 40% of Bzero
  - d. Hard Limit = 20% of Bzero
72. The perverse incentives of the QMS are well documented with the benefits disproportionately captured by the dominant quota shareholders and the costs externalised.
73. **Trawling and dredging in vulnerable inshore areas must be replaced by low impact fishing methods that protect benthic habitats and minimise juvenile mortality.**
74. Improvements in fishing gear, electronics and technology which have increased fishing efficiency or changed selectivity have not been recorded in any useful way. FNZ still cannot even bring themselves to require trawl fishers to record the cod end net mesh size they use. Long time series of fishery independent data using standard fishing gear or mark recapture biomass surveys are required for reliable stock assessments.
75. A hard look at why SNA 2 is left out of Group 1 is informative. Look at the attendance list and note of meeting from the Inshore Fisheries Assessment Working Group meeting that quashed the draft SNA 2 stock assessment. Commercial fishing interests stacked the meeting and introduced several new analyses at the last minute which have never been formally reviewed or reported. Yes, there was a dip in trawl CPUE when the deemed value was increased and targeting snapper decreased, but the long-term trends are still apparent. Changes in fishing gear, market demand and high grading, affect all trawl CPUE data. SNA2 is no different to TAR 2 and TRE 2 which are Group 1 stocks.
76. **Setting management targets and effective monitoring for more than the top six species is essential.** Where there is uncertainty a precautionary approach is required.

## 8 Enhancing benefits for customary, recreational and commercial fishers

*We can enhance the benefits obtained from specific fish stocks by customising the management settings to address the specific needs of customary, recreational and commercial fishers.*

*For fish stocks that are predominantly valued and caught by one sector, the management settings can be tailored to increase the benefits to that sector, with little or no impact on other sectors. For stocks that are valued by multiple sectors, the*

*management settings need to be optimised to distribute benefits between the sectors.*

## **The problem**

77. **This is completely mis-guided.** This suggests that a core function of fisheries management is to consign fishstocks to quasi-owners by ring fencing ‘benefits’ for today’s users. It is irrelevant whether a stock is fished by a single vessel or is part of a mixed fishery; current users are privileged and must never be in a position to claim access rights or privilege based on some arbitrary definition of who gets benefits.
78. What stocks are of no benefit to those not holding ITQ shares? What stocks are of no interest to the New Zealand public? The preoccupation with providing current users with maximum imagined benefits destroys long-term value.
79. The greatest benefits will flow to the sector with the greatest share of the fishery. Clearly that is the commercial sector that has been allocated 90% of the combined Total Allowable Catches (TACs) (Table 1). Some of the Group 2 and many of the Group 3 stocks do not have an allowance for non-commercial Māori customary or recreational catch. All the Group 1 stocks have a TAC and allowances set, and 72% of that is allocated to the Total Allowable Commercial Catch (TACC), and 4% to other sources of mortality. Recreational allowances are 21% of the Group 1 TAC.

**Table 1: The combined TACC and allowances by Finfish Plan Group in 2017-18.**

<b>Group</b>	<b>TACC (t)</b>	<b>Recreational Allowance (t)</b>	<b>Customary Allowance (t)</b>	<b>Other Mortality (t)</b>
1	16,975	5,064	513	1,034
2	84,282	2,922	996	1,086
3	8,527	353	245	107
<b>Total</b>	<b>109,784</b>	<b>8,339</b>	<b>1,754</b>	<b>2,227</b>

## **The solution**

80. The same as for the Legislative context.

## **8.1 Enhancing benefits to tangata whenua**

*Fisheries New Zealand, Iwi and Māori have an agreed Treaty Strategy in place to enable Iwi and Māori to express their kaitiakitanga aspirations and objectives relating to fisheries management.*

## The problem

81. Customary use has transitioned from gathering seafood from the wild to gathering seafood from a company freezer. This arises from the inability to gather local seafood due to scarcity.

## The solution

82. **Management decisions must embrace Kaitiakitanga** and take account of the long term social, economic and cultural benefits of rebuilding depleted stocks and the ecosystem services they provide.
83. Adopt *Rescue Fish* to enable the rebuilding of inshore fish stocks to provide for the needs of hapu.

## 8.2 Enhancing benefits to the commercial sector

*Enhancing benefits to the commercial sector requires an active management approach so that we can be more responsive to changes in available yield from a stock, while ensuring sustainability.*

## The problem

84. **Sustainability is not defined in the Plan.** Undoubtedly sustainability means different things to different people. Commercial fishers and TOKM clearly thought that the eastern tarakihi fishery was sustainable, because they could maintain catches in most areas. But the stock assessment showed the stock was at 16% of the unfished biomass, less than a third of the level recommended under EBFM. NGOs were adamant that an urgent rebuild was required to restore the productivity and resilience in the stock. The Minister landed somewhere in the middle with a further review of eastern tarakihi stocks in 2021–22.
85. Active management based on commercial CPUE or surveys has been tried with scallops, rock lobster and red cod, and has generally failed to deliver lasting benefits (Scallop 7, Rock lobster 1, 2, 3, Red cod 2).
86. Admittedly FNZ has been “dragging the chain” on some reviews like Snapper 1, but the New Zealand Sport Fishing Council engaged in a 2-year Snapper 1 stakeholder planning group process which deferred any cuts to the Total Allowable Catch (TAC), based on gathering new information from a tagging programme (abandoned), more catch at age data (delayed) and a new stock assessment in 2020 (deferred). A cost benefit analysis of the development and implantation of the Snapper (SNA 1) Management Plan 2016 would clearly show that largely it has been a costly failure.

## The solution

87. **Setting management targets and effective monitoring for more than the top six species is essential.** Long time series of fishery independent data using standard fishing gear or mark recapture biomass surveys is required for reliable stock assessments and management.
88. **Where there is uncertainty a precautionary approach must be demonstrated.**
89. Again, this sacrificing of long-term value for immediate gain is seen as FNZ promotes the notion of enhancing benefits for users while failing to defend the ecosystems that give rise to any surplus yield.

## 8.3 Enhancing benefits to the recreational sector

*Enhancing benefits to the recreational sector will require participation and input from a broad recreational fishing community, including representative organisations and public into the management settings for key recreational fish stocks.*

## The problem

90. **Providing for public use of fisheries resources is a matter of policy and catch settings with associated rules.** It begins with having fish available for the public to catch. The problem is not the lack of input and participation and FNZ know that (note comments re: SNA1 Plan).
91. **FNZ fails the public again by promoting a plan that deliberately frames recreational fishing as being without a voice.** Perhaps FNZ simply desire a different voice but will not publicly state such a desire.
92. The public and NZSFC have engaged in many FNZ planning processes that have promised a lot and under delivered e.g. Highly Migratory Species Fisheries Plan, Snapper 1 Strategic Planning Group, Future of Our Fisheries, Your fisheries – your say.
93. There are many passionate fishers with their own views on how fisheries can be better managed, but the ability to effectively respond to wide ranging proposals like this current draft Finfish plan in writing or through a drop-in meeting are non-existent.
94. The dilemma of adequate resourcing is a recurring theme for many fishing organisations – how to get sustainable income without being beholden to a funding body like the government or overseas groups like The Nature Conservancy.
95. Recreational fishing groups seeking to provide a representative voice have to be self-funded and offer a value proposition to gain voluntary membership. We cannot support the myth of lobby groups providing ‘services’ to FNZ that gains them any public funding.

## The solution

96. NZSFC has stepped up its engagement in a number of areas through support from member clubs, aligned organisations and LegaSea Partners and supporters. The Future of Our Fisheries process in 2016 was the beginning of our understanding that fundamental change to the fisheries management system is required to maximise the benefits from our marine resources for all New Zealanders.
97. **Restoring abundance is good for low impact commercial fishers, amateur and customary fishers and ecosystem health.** Amateur fishers will need to adapt so that the combined harvest does not increase excessively. Current practice in the kingfish and kahawai fishery shows that this is possible.
98. **Cease pandering to fringe groups** with few members and trans-national NGOs that have no legitimate interest in New Zealand fisheries.

## 8.4 Optimising benefits from high-value shared stocks

### The problem and solution are the same as for the Legislative section.

99. The public and the submitters have engaged in many FNZ planning processes that have promised a lot and under delivered e.g. Highly Migratory Species Fisheries Plan, Snapper 1 Strategic Planning Group, Future of Our Fisheries, Your fisheries – your say.
100. New Zealand Sport Fishing Council engaged in a 2-year Snapper 1 stakeholder planning group process which deferred any cuts to the Total Allowable Catch, based on gathering new information from a tagging programme (abandoned), more catch at age data (delayed) and a new stock assessment in 2020 (deferred). A cost benefit analysis of the development and implantation of the Snapper (SNA 1) Management Plan 2016 would clearly show that largely it has been a costly failure.
101. The Plan commits significant new resources to engagement, aspirational goals and annual reviews while the research budget continues to decline in real terms.

## 9. Enabling integrated multi stock management

*In (commercial) fisheries where multiple fish stocks are caught in combination, the stocks will be grouped within a Fishery Stock Complex to be managed in a coordinated and integrated manner. Managing multiple individual stocks simultaneously, will take account of the interrelationships between the fish stocks caught and the fishing activity.*

### The problem

102. **The QMS is built upon single species management** by setting the Total Allowable Catch, the Total Allowable Commercial Catch, and setting aside tonnages to allow for fishing



related mortality, Māori customary and recreational fishing interests, for each quota stock. To move to managing by a stock complex cannot be achieved with the current instruments.

### **The solution**

103. The solution is embodied in *Rescue Fish*, where we promote a species tradeoff matrix that would allow a single instrument to legalise landings of a range of species. This would remove any incentive to discard.

## **10. Improving local fisheries**

*This recognises the benefits of management at finer spatial scales, allowing Iwi and Māori, industry and local communities to work together to have an active role in determining how local fisheries are managed.*

### **The problem**

104. **The QMS enables single species management** applied over a few large Quota Management Areas. There is no provision for localised co-management initiatives, and a poor process for reducing the excessive size of QMAs.
105. The Sea Change – Tai Timu Tai Pari Hauraki Gulf Marine Spatial Plan experience, that consumed huge resources and produced only frustration, is a prime example of attempting local area management when there is a lack of institutional capacity to utilise it.

### **The solution**

106. **The *Rescue Fish* package of reforms** includes reducing the size of Quota Management Areas and providing for spatial rule making by local management groups.

## **11. Improving environmental outcomes**

*Ensure habitats of significance for inshore fisheries and the benthic environment are protected from the impacts of fishing, non-fishing activities and land-based effects.*

### **The problem**

107. Promoting the notion that the counting of catch alone, and setting a limit, is all that's required to manage fish stocks.

108. Regional Councils are not controlling the runoff from land use into the marine environment. It is convenient to externalise these costs by permitting the degradation of both fresh water and near shore environments.

**The solution**

109. Make a clear separation from responsibilities. Fish for a Fisheries Ministry, and runoff and land management under tight Resource Management Act control administered by Councils.