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New Zealand Sport Fishing Council submission on the draft Beaches Bylaw 2018

Submission

1. My name is Peter Campbell, resident of Tauranga, Vice President of the New Zealand Sport Fishing Council, and Chairman of the NZSFC Fisheries Management Sub-committee. The NZSFC is recognised by Sport NZ as a major sporting body. We have over 34,000 affiliated members nationwide. This submission is made on behalf of the Council's four clubs representing over 5000 affiliated members who have regular access to Papamoa Beach, and in the interests of thousands of LegaSea supporters.
2. The Council established LegaSea in 2012 to raise public awareness of the issues and challenges facing our fisheries and inshore marine environment. LegaSea has direct access to over 50,000 people, many of whom live near, fish in and enjoy Bay of Plenty waters.
3. Together, 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.
4. New Zealand Sport Fishing Council (NZSFC) affiliated clubs advocate public fishing access to Tauranga beaches must be maintained.
5. Fishing is an integral part of the New Zealand lifestyle. For centuries people have fished for sustenance and recreation in the Bay of Plenty. Ready access to fishing opportunities in the Bay of Plenty is the very reason why my friends and I continue to enjoy living and running businesses in Tauranga.

Submission support

6. I wish to speak to Council in support of this submission.
7. I understand the hearing will be held on 17 July 2018.
8. I understand a Council representative will contact me by phone to arrange a speaking time, and the allocated time will be 10 minutes.

Proposed Beaches Bylaws

9. **Support the purpose of the Bylaw 4.1** - to enable the safe, recreational use of Tauranga beaches by controlling activities that are likely to affect public safety, and to minimise nuisance.
10. **Support in part the proposed Bylaw 6.1(1)** – to prohibit people from using all-terrain vehicles at speed, or in a dangerous manner on the beach.
 - a. The Council must define “which causes or might cause inconvenience to any person in the area”.
11. **Support the proposed Bylaw 6.1(3)** – to require any vehicle launching or retrieving a craft from the water to stay within 50 metres either side of a designated boat ramp.
12. **Support the proposed Bylaw 6.2** – All-terrain vehicles may be driven on the beach solely for the purposes of recreational fishing, using designated access points, and in accordance with the Speed Limit Bylaw 2009, to ensure the safety and consideration of others in the area.
 - a. And that the all-terrain vehicle must not be driven on the sand dunes.
 - b. All vehicles to drive below the high tide mark whenever possible and safe to do.
13. **Support in part the proposed Bylaw 7.1** – Craft may be moored, secured, anchored or left on the beach but Council may require them to be removed if they are deemed to be causing a safety or nuisance issue, or impacting on the wider public enjoyment of the beach.
 - a. The Council must define “nuisance issue”.
14. **Support in part the proposed Bylaw 7.2** – The Council may by resolution make controls to prohibit or restrict fishing apparatus on the whole or part of the beach, during such times and/or seasons as are considered necessary to ensure public safety and prevent nuisance.
 - a. There are a several government and local authorities that can restrict public fishing or gathering of kai moana. NZSFC is very aware of the cumulative effect of fishing restrictions on our members and the wider public. Clear evidence of a real problem is required before any new restriction is introduced. Closures to fishing on relatively remote parts of the beach are not warranted.
 - b. What is the Council’s resolution process?
 - c. How can the public and NZSFC have adequate input into the resolution process?
 - d. What safety issues have arisen in the past, and how have they been addressed?
 - e. How will a prohibition or restriction be publicly advised?
15. **Support in part the proposed Bylaw 7.3** – No person may use a fishing apparatus, including a longline or kontiki device, within 300 metres of any flagged lifeguard area.
 - a. Fishers must be able to use their fishing apparatus after the flags have been removed from an area, taking into account public safety.

16. **Support the proposed Bylaw 16.1** – To exclude drones from the definition of 'motorised aircraft', so they can be flown off beaches, as long as they comply with Civil Aviation Authority rules.
17. **Support the proposed Bylaw 18.2** – To reduce the fine applying to a breach of section 6, from \$750 to \$150.

Proposed Code of Practice

18. New Zealand Sport Fishing Council (NZSFC) affiliated clubs advocate public fishing access to Tauranga beaches must be maintained and we would support and promote a simple Code of Practice.
19. In addition to a Code of Practice for fishers, other beach users must also behave in a responsible manner.
 - a. If fishing is already occurring or gear about to be launched in an area swimmers, surfers and other water users, need to respect this activity, keep a safe distance or move to another area of the beach.
 - b. Education including signage is critical to ensure everyone remains safe while enjoying the beach.
20. **Keeping beach users safe.** The Council needs a cohesive plan that keeps beach users safe and addresses actual in-the-water issues. A simple Code of Practice displayed at fishing gear supplier outlets and on signboards at popular beach entry points could provide useful educational material.
21. **Draft Code of Practice** – for Kontiki, Drone and Kite Fishers –
 - a. Maintain at least 500m clearance of fishing gear from any flagged swimming area.
 - b. Recommend a minimum distance of 400 metres between Kontiki, Drone or Kite fishers.
 - c. Respect other water users.
 - i. Do not set fishing gear near swimmers or surfers who are already using an area.
 - ii. Apply sufficient weight or a break-out anchor to keep fishing gear at right angles to the water's edge.
 - d. Keep landbased gear near the water's edge to allow other beach users to pass behind, avoiding the need to run over the fishing line.
 - e. Maintain a watch and adjust fishing gear to compensate for longshore currents and gear drift over time.
22. Keep the Code of Practice simple.
23. Funding – work with local Kontiki, Drone and Kite suppliers to develop funding for beach signage.
24. Vehicle safety is a separate issue that may need enforceable regulations.