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## **Submission on the Government Response Strategy to the Sea Change - Tai Timu Tai Pari Marine Spatial Plan**

### **The Submitters**

1. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the Government Response Strategy to the Sea Change - Tai Timu Tai Pari Marine Spatial Plan. Our submission was unavoidably delayed beyond the 31 May 2020 due date.
2. 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).
3. 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.
4. The New Zealand Underwater Association (NZUA) was established in 1953, and today represents 39 clubs nationally who represent a cohort of approx. 160,000 scuba divers, snorkelers and spearfisherman. We are the country's recognised leading not-for-profit organisation promoting and advocating safe and enjoyable underwater activities and a healthy marine environment. <https://www.nzunderwater.org.nz/>.

5. 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].
6. Our representatives are available to discuss this submission in more detail if required. We look forward to a clear and coordinated start to implantation of all facets of the Sea Change - Tai Timu Tai Pari Marine Spatial Plan and being kept informed of future developments. Our contact is Helen Pastor, [secretary@nzsportfishing.org.nz](mailto:secretary@nzsportfishing.org.nz).

## Introduction

7. In December 2016 the Sea Change - Tai Timu Tai Pari Marine Spatial Plan was released for public review. It is a plan for the Hauraki Gulf Marine Park, which covers about 1.2 million hectares of coastal waters stretching from Pakiri in the north, out to the 12 nautical mile limit east of Great Barrier Island, and down to Waihi in the Bay of Plenty, on the northeast coast of the North Island.
8. The Sea Change – Tai Timu Tai Pari Hauraki Gulf Marine Spatial Plan is a result of three year’s collaboration by a wide range of stakeholders, represented mana whenua, environmental groups, and the fishing, aquaculture and agriculture sectors. It aims to address the ongoing degradation of the Park. It is a first step towards a more vibrant Hauraki Gulf Marine Park, which was established by statute in 2000 to provide for the full enjoyment of the public.
9. The Plan includes proposals for:
  - marine protection
  - fisheries management
  - habitat restoration
  - catchment management
  - localised co-management
  - opportunities for economic development.
10. The Sea Change – Tai Timu Tai Pari Ministerial Advisory Committee was established in July 2019. It will help shape the Government’s response to the conservation and fisheries related proposals and produce a final Response Strategy report by August 2020. Final decisions on how to progress the Government Response Strategy (or parts of it) will remain at the discretion of the relevant minister.
11. New Zealanders remain concerned about the way their fisheries are being managed, and the cumulative effects of mismanagement of our coastal and marine environment will impact on them and future generations. Transformation and innovation in the governance and ongoing commitment to better management of New Zealand’s marine ecosystems is essential.

## Economic contributions

12. The most comprehensive study of the economic contribution of recreational fishing Economy of recreational fishing study – Southwick 2017 - estimated \$970 million in direct contribution nationally. At least one third of this economic activity takes place in the Hauraki Gulf Marine Park. The Hauraki Gulf is on the doorstep of the largest most affluent city in New Zealand, with more sheltered waters and anchorages than anywhere else in the North Island. While fishing is a passion for thousands of people, for many it is one part of a day or weekend on the water enjoying the many amenities of the HGMP has to offer.
13. Snapper is by far the largest recreational fishery in New Zealand, both in catch and in economic activity generated. The economic contribution of the recreational snapper fishery in the upper North Island was estimated to be \$335 million in direct spending and \$236 million in indirect and induced contributions, supporting the equivalent of 2,630 full time equivalent jobs. The National Panel Survey estimated that 4,018 tonnes of snapper were landed by recreational fishers in the upper North Island in 2017-18 and 42 % of that was taken in the Hauraki Gulf alone.
14. Furthermore the economic activity of the commercial sector as outlined on Page 57 of the Sea Change plan clearly shows that snapper is the most valuable commercial species caught in the HGMP generating about \$7.6 million per year, based on the value of ACE (Table 1). This shows that snapper comprises 85% of the quota value and catch value from just 19% of the catch by weight. The remaining 8,500,000 kg of catch are worth about \$1,300,000.

**Table 1. Values of Quota and catches within the Hauraki Gulf Marine Park 2012-2014, from Sea Change - Tai Timu Tai Pari Marine Spatial Plan – April 2017.**

	<b>QUOTA VALUE</b>	<b>CATCH VALUE*</b>	<b>CATCH VOLUME</b>
<b>ALL SPECIES</b>	\$73.897 million	\$8.87 million	10,574 tonnes / year
<b>SNAPPER</b>	\$63.16 million	\$7.58 million	2,049 tonnes / year

15. While the recreational and commercial values quoted may not be directly comparable it is clear that there is an order of magnitude difference in the economic benefit and number of jobs generated, in favour of the recreational fishery.

## Fisheries Management

16. The New Zealand Sport Fishing Council and affiliates spent considerable time and resources engaging in the various stages of developing the Sea Change – Tai Timu Tai Pari Hauraki Gulf Marine Spatial Plan. At times the process seemed laboured or pointless while the final stages were pressured and uncertain. It is essential that the final Response Strategy report highlights the need to implement all aspects of the plan and not cherry pick workstreams. This is particularly relevant to the fisheries management workstream that could be buried in yet another protracted plan drafting process. This will be a repetition of the Sea Change steering group process but without the trade-offs in other workstreams that were critical to decision making at the time.
17. Our experience with the development of the Snapper Management Plan for SNA 1 clearly show that the commercial sector had a significant advantage in resources and influence and were able to veto actions that may impact their operations. Four years on, most if not all of the actions have been delayed or ignored including the process of measuring and reporting on implementation of the Snapper Plan.
18. Critical to improving fisheries management outcomes in the HGMP is the ability to collect information and monitor fishing activity and catch within its boundaries. In order to implement a spatial plan we need information on the area being managed. The three current stock assessments for inshore finfish (snapper, kahawai, tarakihi) analyses data by region (East Northland, Hauraki Gulf and Bay of Plenty) but not with boundaries similar to the HGMP. The plethora of current fishing regulations are either general or specific to areas not linked to the HGMP boundaries.
19. The quota management areas, particularly for finfish, are large with no spatial component other than boundaries at North Cape and Cape Runaway out to 200 nautical miles. For many species (tarakihi, gurnard, John dory, grey mullet etc.) the quota management areas are even larger than this. A separate fisheries management area is required for the HGMP. This will be easy to implement when the quota management system is replaced. There are viable alternatives that would help achieve many of the workstreams, see [rescuefish.co.nz](http://rescuefish.co.nz) , but this plan is in its early stages. By far the most significant gains towards enhancing and restoring healthy functioning ecosystems and habitats and protecting and restoring species diversity and abundance come from changes to fishing methods and rebuilding abundance across the whole HGMP.
20. The HGMP encompasses the largest and most diverse recreational fishery in New Zealand. The repeat National Panel Survey in 2017-18 showed recreational catch was mostly stable or declining in the Hauraki Gulf, but that there were hundreds of thousands of recreational fishers across the region. Recreational fishers are by far the most numerous user group that will be affected by the Plan so it was particularly disappointing to be excluded from the Sea Change Ministerial Advisory Committee when it was first formed. There must be some concrete actionable fisheries management recommendations from the MAC in recognition of the time effort and expense of getting this far through the process. These actions require targets and dates, rather than being pushed into a poorly specified multi-year renegotiation to draft another plan to put to the minister of the day.

## **Fishing Methods**

21. The key to improving fish stocks in the Park is to encourage smart fishing, restoring resilience and abundance in fish stocks and eliminate dumb fishing.
22. Mobile bottom contact – trawling, seining and dredging. The removal of these out of date and inappropriate indiscriminate methods that damage the fragile benthic environment is essential. This will achieve more protection, habitat restoration and rebuild of fisheries than any number of other measures. The Sea Change Plan supported this and delivered a timeline for the removal of these methods. This is fundamental and inextricably entwined with protection measures agreed to in the plan. To separate these measures is fatal to expecting widespread public support. We will not accept a piecemeal approach to this most important trade off agreement reached in the planning process.
23. Purse seining. The obvious relationship between seabird welfare and the availability of food made available by pelagic species can no longer be ignored. The purse seining of these pelagics, including kahawai, trevally and the mackerels must cease in the Hauraki Gulf Marine Park. This argument is supported by the absurdly low values that fish other than snapper are sold for (as per the table on page 57 of the Plan). The value of forage species to productive healthy ecosystems has to be recognised and allowed for. The second point is that there is no point creating protected areas for marine life if their food is limited by these fishing methods.
24. There has to be a transition to long line fishing as per the Sea Change Plan including compulsory utilisation of sea bird avoidance methodology.
25. The plan insists that commercial and recreational scallop dredging must cease within the Hauraki Gulf Marine Park. If implemented both commercial and recreational dredging ought to be phased out on the same timeline.

## **Habitat Restoration**

26. Large scale improvements in diversity and marine habitat will come from removing bottom contact fishing methods from the HGMP. The once dense and complex benthic communities have largely gone from middle depth fishing grounds. It seems, in the Hauraki Gulf at least, that snapper have become the dominant species. These generalist feeders have thrived while some other species that were once common like gurnard and John dory have declined. Line fishing methods that are less effective than trawling at catching these species could help reduce snapper dominance.

## **Marine Protection**

27. The Sea Change spatial planning process acknowledged from its inception that the existing legislation (Fisheries Act and Marine Reserve Act) would need to be amended to allow for the recommendations of the plan to be implemented.
28. The purpose of the Marine Reserves Act 1971 is “preserving, as marine reserves for the scientific study of marine life, areas of New Zealand that contain underwater scenery,

natural features, or marine life, of such distinctive quality, or so typical, or beautiful, or unique, that their continued preservation is in the national interest.” This legislation was not intended for setting aside large areas to help maintain biodiversity or to establishing various levels of marine protection. Consultation on many of the proposed MPAs cannot proceed without legislative support for all the options proposed in the Plan.

29. The Sea Change Stakeholder Working Group (SWG) achieved consensus and agreement on a large number of significant Type 1 marine protected areas. However, the SWG was unable to reach agreement or consensus on the areas at Tiritiri Matangi and Kawau Bay. In addition to these impasse situations, the Mokohinau and Alderman scenarios with a combination of protection and Special Management Areas were also unable to be completed with consensus. The planning process had run out of time and resourcing.
30. Decision makers must be advised that the all important public buy in to the Plan in general is jeopardised by the clumsy and insensitive overreach treatment of the unresolved/no consensus areas described above. Why would so much good work be sacrificed by a failure to follow proper process and achieve agreement in these four areas of disagreement. As previously stated, the unbalanced ‘long on protection, light on management’ approach being promoted by the MAC threatens to ignite widespread rejection by the public of the plan in its entirety.

### **Special Management Areas**

31. The New Zealand Sport Fishing Council is extremely disappointed that there is no appetite for a pilot Special Management Areas (SMA). Post Covid-19 there will be demand for economic benefits based on minimal extraction, maximum economic benefit. It is critical we leave scope for regional economies to develop around the abundance that a well structured SMA will deliver.

### **Ahu Moana**

32. Ahu Moana are a key component of the Plan. Again, there must be appropriate legislative mechanisms and secure funding for the establishment and ongoing management based on true co-governance arrangements. The submitters have experience with a number of Maitaitai applications. Generally, there is good local iwi and community cooperation and we support extending that. However, there have been complex boundary and relationship issues that may need to be worked through. A pilot is a start but one size will not fit all. There must be controls in place to ensure and maintain balance between local iwi and community with good support and trust between locals and “decision makers”.

## **Water Quality**

33. There is no reference of action on water quality initiatives as agreed upon in the Plan - pages 129 to 155. Sedimentation was identified as having a major impact on water quality and a number of objectives were set to reduce sedimentation to 2mm per annum above baseline, the original state of the land prior to large-scale land clearing. Alignment with the government Freshwater Management Plan and inclusion of a “monitor and hold” regime in regards to agricultural nutrients and the reduction in pathogens and contaminants is needed.

## **Governance**

34. An Independent governance structure with good processes is critical to implementing the Plan. It must not be consigned to the too hard basket. The MAC is currently in the best position to outline the components required for governance including sustainable funding recommendations. Innovative thinking and training our future leaders are essential in a Covid -19 disrupted world.
35. The mandate of the Governance structure must contain the ability to provide binding recommendations to the Minister of Fisheries. In discussions with officials the New Zealand Sport Fishing Council representatives stated that the governance and management of the Gulf is paralysed with a Hauraki Gulf Marine Park Act, a Hauraki Gulf Forum, a Resource Management Act, a Fisheries Act and two Councils. All combined to give the current situation of no effective governance - the Hauraki Gulf and Bay of Plenty are trapped in legislative gridlock with no agency able to implement policies to set regional catch limits or enhance the productivity through environmental protections.
36. The Marine Protected Areas Bill was first tabled in 2002 yet remains unresolved. The use of the RMA to close areas to fishing at reefs around Motiti was a demonstration of the failings of legislation, including the quota management system, to adequately manage fishing impacts on indigenous biodiversity and the sustainability of fisheries to meet the expectations of Treaty partners or the New Zealand public.
37. The submitters are concerned that the Government will “cherry pick” all of the marine protected areas to appease the public’s dissatisfaction with dysfunctional fisheries management, rather than address the far larger issue, which is independent governance and an effective management regime for the Hauraki Gulf Marine Park. The comment on the MAC report was “It was long on protection, short on management”.
38. The issue of rights holders in Co-Management has been the subject of international studies. Elinor Ostrum wrote extensively on this topic & got a Nobel prize for her work, observing that when one group holds property rights, the rights holders always get their way. All we are seeing in the Hauraki Gulf is legislative paralysis and more marine reserves.

## The Need for Action

39. There has been seven years of meetings and planning and reports. Time to get some “runs on the board”. The Government response strategy must contain a range of actions and seek a commitment from councils and agencies to provide the resources to move this forward.
40. The strong preference of the NZSFC is to have the elements of the plan that achieved consensus adopted and implemented. If decision makers cannot or will not embrace this bold plan then at the very least we request that a balanced approach across the different workstreams. including marine protection, fisheries management, Ahu Moana, water quality and species protection. These actions can be moved forward
- MPAs where there is consensus agreement (see paragraph 29) and reasonable fit with the purpose of the Marine Reserves Act 1971
  - Key fisheries management actions required including removal of mobile bottom contact fishing methods from the HGMP.
  - Pass regulations to enable the innovative Special Management Area concept to be effectively established and controlled.
  - The pilot for Ahu Moana is establish and resourced.
  - Implementing the Freshwater Management Plan in the catchment.
  - Improved monitoring of protected species.
  - An independent governance structure is established and resourced.

These actions can follow legislative or structural changes

- Creation of a separate Fisheries Management Area for the HGMP to enable targeted fisheries management actions and resolve the bureaucratic mess that has been created.
- Legislative support for different levels of MPA by restarting work on the Marine Protected Areas Bill, first tabled in 2002, to replace the Marine Reserves Act 1971.