



Public Submissions Received for the 2021 October Sustainability Round

Part 4 of 4: Submissions on all other stock proposals, and LegaSea form submissions.

August 2021

List of Submissions & Responses for the 2021 October sustainability round

Part 4 of 4: Submissions on all other stock proposals, and LegaSea form submissions.

Other parts not included here:

Part 1 of 4: Multi-stock submissions from large representative bodies and organisations.

Part 2 of 4: More multi-stock submissions and submissions on the deemed values paper and southern bluefin tuna (STN 1).

Part 3 of 4: Submissions on SNA 8 and GUR 1 proposals.

Name/Organisation	Relevant stock proposals
LegaSea Hawke's Bay – W. Bicknell	HPB 1 & 2
B. Herdman	HPB 1 & 2
T. Hewitt	HPB 1 & 2
M. Richardson	HPB 1 & 2
R. Chambers	HPB 1 & 2
P. Williamson	GUR 7
C. Stewart	GUR 7
L. Brewer	GUR 7
R. Satherley	GUR 7
Kapiro Residents Association	BCO 3
Kaikōura Boating & Recreational Fishing Club	BCO 3
Tautuku Fishing Club Dunedin & Haast	BCO 3
Pegasus Bay Game Fishing Club and Summer Boating and Fishing Club	BCO 3
Harbour Fish – A. Cooper (GM)	BCO 3
Harbour Fish – A. Dawson	BCO 3
Harbour Fish – W. Parata	BCO 3
Harbour Fish – D. Cooper (Director)	BCO 3
H. Van Oyen	BCO 3
B. Musgrave	BCO 3
M. Trewern	BCO 3
Hartley Family	BCO 3
P. Cleall	BCO 3
Fiordland Marine Guardians	SCH 5
Riverton Fishermen's Company Ltd.	SCH 5, LIN 5
Jacob Fishing Ltd and N & H White Ltd.	SCH 5
Galeos Fishing Co Ltd.	SCH 5
Paua Industry Council (PIC)	PAU 3
PAUMAC5	PAU 3
PAUMAC3	PAU 3
LegaSea form submissions on SNA 8 and BCO 3, with examples	
LegaSea SNA 8 form submission and examples	SNA 8
LegaSea BCO 3 form submission and examples	BCO 3



Fisheries New Zealand

Tini a Tangaroa

Submission Form

Review of sustainability measures for 1 October 2021

Once you have completed this form

Email to: FMsubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2021 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 27 July 2021.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter

or contact person: **Wayne Bicknell**

Organisation (if applicable):

LegaSea Hawkes Bay

Email:

Fish stock(s) this submission refers to:

HPB 2

Your preferred option as detailed in the discussion paper

(write "other" if you do not agree with any of the options presented):

Option 3

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.



Fisheries New Zealand

Tini a Tangaroa

THE SUBMITTERS:

The submitters LegaSea Hawkes Bay is a sub-branch of LegaSea which is the outreach arm of the New Zealand Sport Fishing Council.

LegaSea H B was established in 2015 to enhance recreational fishing and advocate for protection of the marine habitat of the Hawke Bay area. Now well established it has representation on many forums that have an influence on the marine environment.

LEGASEA HAWKES BAY POSITION:

LegaSea HB recognises that there is no reliable stock status information available on Hapuku/Bass and has been expressing its concerns about the declining populations to MPI/FNZ for many years. Given that there is strong anecdotal evidence that Hapuku were once prolific on the inshore reef structures and sandy muddy bottom areas, they are now very hard to find, even on the offshore reef structures. This indicates to the submitters that the stock is in serious trouble and could well be below the 10% of the original biomass.

The state of the Hapuku/Bass fishery is very concerning and accordingly LegaSea HB supports Option 3. We do this because this option potentially has the greatest opportunity to reduce the stock recovery timeframe. It also places the most emphasis on the declining trend and represents the concerns raised from all sectors in the pre-consultation engagement meetings. In supporting this option we believe that set netting should not be permitted on reef structures in depths greater than 50 metres and further that this should apply to both recreational and commercial fishers.

LegaSea Hawkes Bay is not convinced that a simple TAC/TACC reduction will achieve the required change to support its long term sustainability.

LEGASEA HAWKES BAY ALSO SUPPORTS:

Species separation

- Separate Hapuku/ Bass reporting for commercial sector.
- Separate Kingfish and Hapuku/Bass in recreational DBL.

The Crew

LegaSea Hawkes Bay



Submission Form

Review of sustainability measures for 1 October 2021

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2021 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 27 July 2021.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

**Name of submitter Brian Herdman
or contact person:**

Organisation (if applicable):

Email:

Fish stock(s) this submission refers to:

HPB1

**Your preferred option as detailed in the
discussion paper**

(write "other" if you do not agree with
any of the options presented):

Other

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.

From: Tim Hewitt <
Sent: Monday, 26 July 2021 7:38 PM
To: FMSubmissions
Subject: HPB2 Hapuka and Bass

This is a letter which I published in last week's Dominion Wednesday 22 July.

Fisheries collapse

Fisheries NZ is about to set new quotas. An example – hapuka and bass from Wellington to East Cape (HPB2) at about 100 tonnes.

Why set a new quota that fisherman would struggle to catch? The tragedy is, the bulk of what they are catching is now immature fish which have not bred. This is not sustainable fishing but environmental destruction. Hapuka and bass are probably down to 1-2% of their original population. With modern fishing methods – 3D depth finders, GPS etc, these slow maturing fish have been decimated. One would expect better from a Labour government.

A solution is simple – slash the quota, stop targeting immature school groper and close off areas to enhance recovery.

Maybe iwi, with the power of the Treaty behind them, can put a stop to this destruction before we don't have a fishing industry.

I'd just like to add to that letter:

1. The proper submission page I found very complicated and could not use. I hope this gets to the right people.
2. From what I've read about this groper fishery, there seems to be a lot of doubt what the stock levels are like. Just ask any honest fisherman or competent amateur fisherman and they will tell you what's going on. Very few left!!
3. I understand TVNZ and radio stations are reluctant to criticize our fishing industry; this is because the fishing industry gives massive handouts to these stations. This is also called corruption.
4. I wrote in the letter to the paper 'groper stocks are probably only 1-2% of their original population. This is probably incorrect – it could well be as low as 0.5% (we know groper used to be an inshore fish; they are now only found in the very deep water.)
5. How low is MPI going to let these stocks get? This country has had a policy of destroying things ie our native forests. Why do we have to do it to the fisheries?
6. If you do not believe any of the above, feel free to ring Sam Woolford from LegaSea. I know he will confirm everything I have said.

Tim Hewitt



Submission Form

Review of sustainability measures for 1 October 2021

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2021 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 27 July 2021.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:**Name of submitter**

or contact person: Michael Richardson

Organisation (if applicable):**Email:****Fish stock(s) this submission refers to:**

Hāpuku and Bass (HPB 1 & HPB 2)

Your preferred option as detailed in the discussion paper

(write "other" if you do not agree with any of the options presented):

Other

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.

**Submission:¹****Details supporting your views:**

Fisheries have provided three options to either maintain the status quo of quota limits, or change the TACC limits based on the current catch rate (Option 3). None of the options provided in any way address the steady decline in numbers of the fish stock. Quite clearly the stock numbers have been falling over the last 10 years from 100% of the TACC (based on commercial catch numbers) to approximately 55%.

The proposal clearly states there is a shortage of any other research or data to determine a sustainable catch rate. Therefore, the only solid data available is that of the catch rates for the last ten years. The current Option 3 proposal suggests that 25% is a conservative estimate for dropping the TAC below current levels.

The current catch rates are 45-50% below the current TACC, and still dropping, with limited research of what this means relative to a biomass benchmark. Suggesting a 25% reduction seems to be very much an easy round number approach, and not at all conservative. A reduction of 45-50% from the current catch rates should be considered a best estimate based on the current rate of decline from the last 10 years. A 75-100% reduction would therefore be considered conservative. Quite clearly the previous 'guesswork' provided by Fisheries when setting TAC levels was incorrect, and the industry has not put sufficient effort into significantly improving the understanding of the fish stock, including protecting spawning areas and assessing the B_0 . The result is a clear decline in fish stock levels that could easily be below a 10% threshold but lacking in scientific rigour. The options put forward all appear to be 'comfortable' with a steady decline in the fish stock, with Option 1 & 2 on a steady path to a collapsed fish stock, and Option 3 taking a balance of probabilities approach that might slow the decline or reach an equilibrium point, but with no roadmap to recovering the fish stock.

My proposal is setting the TACC at a 50% reduction from the current catch rates, and only allowing an increase following independent research indicating Hapuku at over 30% of the B_0 level.

Please continue on a separate sheet if required.

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.



Details supporting your views:

I reside in Houhora and have done so for the majority of my life apart from a couple of years that I lived away.

I have worked extensively in the commercial fishing sector as well as worked in the charter fishing sector and am also a keen recreational fisher. I have seen the decline in the HPB1 fish stocks first hand and at the same time have also seen the rapid increase in recreational boats (mainly trailer boats) targeting Hapuka, Bass and Bluenose. These boats are now more reliable and fuel efficient with advanced fish finding capabilities as well as having more accurate and easily available weather forecasting information and so are venturing further afield in larger numbers to target the HPB1 and BNS1 grounds. With the increase in the use of electric reels, it makes for easy fishing to any depth all day long where traditionally hand winding, you would have only done a few drops in the deep before you had had enough due to the physical exertion.

I am also a recreational fisher of these offshore grounds for Hapuku/Bass and Bluenose and on a nice day with a slight swell and variable winds, it is now common to see in excess of 50 boats in the one area at one given time all deep dropping for Hapuku, Bass and Bluenose. So although my submission is for HPB1, I strongly believe that BNS1 recreational catch limits need to be significantly reduced from the limit of 5 per person as I am sure that we will be seeing a reduction in biomass of this species also. If every one of those 50 boats had between 2 and 4 anglers aboard and they were catching, then it is not hard to do the maths on a rough estimate of how much fish is being caught at that point in time.

I do think that OPTION 3 is the best option but am also of the thought that the TACC could further be reduced to 100t with the outlook that the biomass will bounce back a lot faster with the result being that the TACC can then have an increase towards original limits a lot sooner.

With regard to option 3 for recreational allowance, I think this is not taking into consideration the rapid increase in trailer boat ownership in N.Z and therefore the significant increase in these boats targeting these fish stocks. So although I think a daily limit of 2 Hapuku/Bass per person is acceptable, I think there should be no accumulation for multiple day trips. An angler should be allowed to eat what they want on board for an overnight or multiple day trip but only be allowed to land 2 fish at the wharf. There should also be a boat limit based on the amount of anglers aboard. Lets say 2-4 anglers = boat limit of 4, 4-8 anglers = boat limit of 8 etc. This is all remembering that it is a privilege and should be regarded as a treat to eat Hapuku and not a must have for recreational fishers.... So if they are still hungry and think that it isn't enough fish, there is always the option of catching say a couple of snapper on the way home to fill the void.

The charter fleet is a contentious point. I don't understand why they come under the title of 'amateur charter vessels' as they are far from amateur and I think that they are under reporting on their catches of Hapuku and Bass. These guys are professional skippers and operators often from a commercial background and are in the business of finding fish for their clients to catch. They are benefiting financially from this. Why then should a commercial fishing boat have to pay for HPB1 ACE to catch their fish to profit from it yet a charter vessel can go out and catch their fish under recreational guidelines and limits yet also profit financially from it? Should it not be time to look at the idea that charter vessels should be paying for ACE? This will give a more accurate idea of how much is actually being caught.

I viewed a few pictures put up on the Houhora Game Fishing clubs facebook page in May of this year by a Charter boat (I wont name) that frequents the Three Kings Islands from Mangonui. The photos were of their charter guests holding up a big hapuku or bass each. These fish looked to range from about 20kg to 40+ kg and there was seven of them in the photos caught from one evening fishing session. It was put on the page to promote their charters. Again, I was talking with a commercial fishing boat owner/operator friend of mine who was on the wharf in Mangonui around a similar time. He said that a charter vessel had just berthed and he hopped off his boat to give the guests a hand to lift their 100 litre + chilli bins onto the wharf of which there were 5 chilli bins. He said they were super heavy and one of the charter guests was looking through each one of them to find their beers. He saw that 4 of the bins were full to the brim of hapuku/bass and Kingy fillets, the 5th bin having the left over alcohol in.



Now this is not a personal dig at the charter fleet but more of an insight into what is going on. This being only one vessel out of the fleet of charter vessels that frequent the Three Kings and target Hapuku/Bass and Kingfish and therefore gives weight to my thoughts of the under reporting of fish caught and the idea that the charter fleet should be paying for and catching their fish with Annual Catch Entitlement to get a true and accurate idea of the actual catch.

To Sum things up:

- Happy with OPTION 3 but with the idea of a further TACC reduction to 100t
- Happy with a 2 fish per angler limit but want no accumulation landed at wharf
- To look at a possible boat limit
- To look at a recreational reduction per angler allowance for Bluenose1
- To look at the possibility of implementing the charter fleet into paying for and covering their fish with ACE



Submission Form

Review of sustainability measures for 1 October 2021

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2021 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 27 July 2021.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

**Name of submitter
or contact person:** Robert Chambers

Organisation (if applicable):

Email:

Fish stock(s) this submission refers to: HPB2 Hapuka and Bass

**Your preferred option as detailed in the
discussion paper**
(write "other" if you do not agree with
any of the options presented):

Other

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.



Submission:¹

Details supporting your views:

A letter published in last week's Dominion Wednesday 22 July is fully supported and request that it is read in response to the public views on the proposed management.

Fisheries collapse

Fisheries NZ is about to set new quotas. An example – Hapuka and Bass from Wellington to East Cape (HPB2) at about 100 tonnes.

Why set a new quota that fisherman would struggle to catch? The tragedy is the bulk of what they are catching is now immature fish which have not bred. This is not sustainable fishing but environmental destruction. Hapuka and Bass are probably down to 1-2% of their original population. With modern fishing methods – 3D depth finders, GPS etc, these slow maturing fish have been decimated. One would expect better from a Labour government.

A solution is simple – slash the quota, stop targeting immature school groper and close off areas to enhance recovery.

Maybe iwi, with the power of the Treaty behind them, can put a stop to this destruction before we don't have a fishing industry.

Please continue on a separate sheet if required.

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.

From: Pete Williamson
Sent: Thursday, 24 June 2021 5:49 PM
To: FMSubmissions
Subject: GUR 7

Hi . I wish to submit on the proposed sustainability issues with GU R 7 . I support option one , no change . We are to quick to raise catch levels when sensing an uplift in stocks be it real or supported by biased trawl surveys . We are awfully slow to reduce catch when faced with dropping stock level . Let's watch the stock for 3 years before raising TAC .

Pete Williamson

Sent from my iPad

From: Cameron Stewart
Sent: Tuesday, 27 July 2021 6:09 AM
To: FMSubmissions
Subject: Gurnard 7

I support option 1.

If any increase is made to commercial quota it must be matched by increases to recreational quota or it is in effect theft of a public resource.

Sincerely Cameron Stewart.



Submission Form

Review of sustainability measures for 1 October 2021

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2021 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 27 July 2021.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

**Name of submitter
or contact person:** Lester Brewer

Organisation (if applicable):

Email:

Fish stock(s) this submission refers to:

GUR7

**Your preferred option as detailed in the
discussion paper**

(write "other" if you do not agree with
any of the options presented):

Option 1

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.



Submission:¹

Details supporting your views:

I support Option 1 status quo, that there is no further increase in the gurnard quota at this time because the Total Allowable Commercial Catch (TACC) was increased by approximately 10% in 2020 'Review of sustain (GUR7) for 2020/21(2 Summary). The full effects of this increase have not been fully assessed. The other is very large and most of that area is on the West Coast but the largest proportion of gurnard and snapper are (compared to the total) of Tasman and Golden Bay. Stock boundaries are also uncertain for red gurnard 'Red gurnard (GUR7) for 2020/21 (3.2 Fisheries characteristics (12)) and therefore GUR7 should not be treat The environment on the West Coast is very different to that of Golden and Tasman Bays. Tasman and Gold from the West Coast.

Status of the stock

The trawl survey carried out on the WCSI is reflective of gurnard stocks on the West Coast. Scientifically the to also estimate the gurnard stocks in Tasman and Golden Bay. The focus of commercial fishing is in Tasm and juvenile fish frequent (nursery habitats pg.88) https://docs.niwa.co.nz/library/public/AEBR_125.pdf. and question the accuracy of the 2021 Fisheries Assessment Plenary because it is based on the (WCSI) trawl s population will be similar in Tasman and Golden Bay where the environment and fish age is completely diffe has not been completed where the majority of gurnard are caught.

Spawning grounds

It is essential that Gurnard spawning grounds are protected. Tasman and Golden Bay are considered to be Gurnard (nursery habitats pg.88) https://docs.niwa.co.nz/library/public/AEBR_125.pdf. In 'Review of sustain (GUR7) for 2020/21 (11.5 Habitats of particular significance; habitat) it suggests that the juvenile habitat are trawled. This may be the case for very small juvenile fish (<30mm) but only when the fish are very small.

Trawlers in Tasman bay have been operating very close to shore in areas that juvenile fish live. This has be recreational set netting has been banned, often under the cover of darkness. On the 2nd of August 2020 a tr coast that it crashed into a rock wall. Protection of coastal waters from trawling is essential to ensure a heal

Damage to the seabed

It is essential that the damage caused by bottom trawling in Tasman and Golden Bay is minimised or elimin cause damage to the seabed habitat integrity and this damage has been occurring for many years in this ini trawling of the seabed causes damage by modifying the soft-sediment, homogenising the sediment and red Tasman and Golden Bay. It damages seabed communities and reduces the sediment grain size.

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.



Submission Form

Review of sustainability measures for 1 October 2021

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2021 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 27 July 2021.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter
or contact person:

ROSS SATHERLEY

Organisation (if applicable):

Email:

Fish stock(s) this submission refers to:

GUR 7

Your preferred option as detailed in the
discussion paper

(write "other" if you do not agree with
any of the options presented):

Option 1

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.



Submission:¹

Details supporting your views:

Tasman + Golden Bay area identified as a juvenile/breeding areas.
leave alone. do not increase the take in these areas.

If fish stocks are prolific on west coast, then maybe an increase in quota in that area alone.

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.



Submission to: Fisheries New Zealand

Email: FMSubmissions@mpi.govt.nz

Name of submitter: Kapiro Residents Association

Email: kapiroresidents@gmail.com

Contact person: Rob Wilson, chair, on behalf of Kapiro Residents Association

Re: Submission on blue cod BCO 3

Review of sustainability measures for 1 October 2021 (NZF 45508-October-2021)

We strongly oppose:

- The current situation
- Option 1
- Option 2

We support the following alternative option:

In order to protect blue cod BCO 3, its necessary to apply a 50% reduction in TAC.

The 50% cut in TAC could be allocated as follows (calculated from quantities noted in option 1):

- TAC maximum 138.8 tonnes per year
- TACC maximum 65 tonnes per year
- Recreational maximum 41.5 tonnes, and maximum 2 fish per person per day.
- Customary Maori 10 tonnes, or possibly 20 tonnes if its not legally possible to reduce
- All bottom trawling must be banned immediately

Reasons supporting a large reduction in TAC:

Fisheries NZ Review of Sustainability Measures for Blue Code BCO 3¹ states that:

'The current status of BCO 3 in relation to the target fish species is unknown' (page 1)

'The surveys generally show a 15 to 20-year decline in relative abundance across all potting survey areas in BCO 3; by as much as 50% in some areas.' (page 8).

The available data show a marked decline in abundance of blue cod in BCO 3, as shown in Figure 4 of Fisheries NZ review (page 9) – which is reproduced overleaf.

Although the survey results are not comprehensive, they show a marked decline in both regions – North Otago and South Otago. From a scientific perspective, the data indicate substantial decline.

¹ <https://www.mpi.govt.nz/dmsdocument/45499-Review-of-sustainability-measures-for-blue-cod-BCO-3-for-202122>

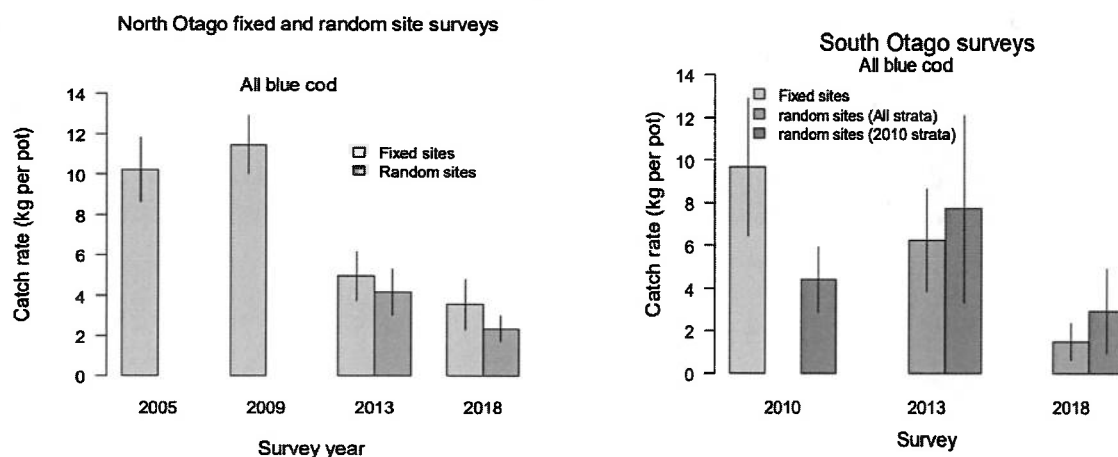


Figure 4: Historical Stock Status Trajectory and Current Status. North Otago and South Otago fixed-site and random-site potting survey catch rates of all blue cod by survey year. Error bars are 95% confidence intervals. Note that the fixed site and random site surveys are not directly comparable.

Requirement for measures that will provide genuine sustainability

The purpose of the Fisheries Act 1996 s8 is to provide for the utilisation of fisheries resources while ensuring sustainability.

The Supreme Court has concluded that, in attributing due weight to each policy (utilisation vs sustainability), the weight given to utilisation “must not be such as to jeopardise sustainability”.

The Minister has a legal duty to ensure sustainability.

The Minister is also required to avoid, remedy or mitigate the adverse effects of fishing on the environment. This is a non-discretionary power.

In meeting this requirement, the Minister has a duty to first establish what the effects of fishing are and then take appropriate steps to avoid, remedy or mitigate those effects.

Options 1 & 2 proposed by Fisheries NZ totally fail to provide environmentally responsible stewardship of blue cod in BCO 3.

Options 1 & 2 proposed by Fisheries NZ totally fail to meet Objective 10 and Objective 12 of Te Mana o te Taiao (Aotearoa New Zealand Biodiversity Strategy).

Bottom trawling

Part of the blue cod catch is taken by bottom trawling. This is a highly damaging practice which causes substantial negative effects on seabed ecology. All bottom trawling needs to be banned immediately.

Need to change Ministry responsible for fisheries management

MPI and Fisheries NZ are continuing to allow fisheries practices that are not environmentally sustainable.

The control and management of fisheries needs to be taken out of the hands of MPI and Fisheries NZ. Fisheries need to be managed by the Ministry for the Environment or a different body that actually protects and sustains the marine environment.



Fisheries New Zealand

Tini a Tangaroa

Submission Form

Review of sustainability measures for 1 October 2021

Once you have completed this form

Email to: FSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2021 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 27 July 2021.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter

or contact person: Marty Sullivan

Organisation (if applicable):

Kaikōura Boating and Recreational Fishing Club

Email:

Fish stock(s) this submission refers to:

BCO 3

Your preferred option as detailed in the discussion paper
(write "other" if you do not agree with any of the options presented):

Other

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.



Fisheries New Zealand

Tini a Tangaroa

Submission:¹

Details supporting your views:

Please see the following 8 pages of the Kaikōura Boating and Recreational Fishing Club Submission on the Fisheries NZ Review of sustainability measures for blue cod (BCO 3) for 2021/22.

Please continue on a separate sheet if required.

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.



Fisheries New Zealand

Tini a Tangaroa

Marty Sullivan

President

2021 Sustainability Review
Fisheries Management
Fisheries New Zealand
PO Box 2526
Wellington 6140



25 July 2021

Review of Sustainability Measures for Blue Cod (BCO 3) for 2021/22

The submitters

1. The Kaikōura Boating and Recreational Fishing Club (KBRFC) appreciates the opportunity to submit feedback on the Fisheries NZ Review of sustainability measures for blue cod (BCO 3) for 2021/22..
2. The KBRFC is a recognised local Kaikōura based sports organisation with approximately 458 members (<https://Kaikouraboatingclub.org.nz/>). It is the largest recreational fishing club in the South Island, and the objectives of the Club are:
 - To provide members with facilities for boating
 - To lobby for the preservation and enhancement of recreational fishing opportunities for members
 - To do all such other things as shall be considered necessary or desirable to attain the objects of the Club.
3. The KBRFC is a member of the New Zealand Sport Fishing Council, a recognised national sports organisation of 54 affiliated clubs with over 35,000 members nationwide.
4. The KBRFC is 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].
5. The KBRFC Committee are democratically elected by club members and available to discuss this submission in more detail if required.



Background

6. Fisheries New Zealand is reviewing sustainability measures for blue cod in Quota Management Area BCO 3 for the 1 October 2021 fishing year.
7. No Total Allowable Catch (TAC) or allowances were set when BCO 3 was put in the Quota Management System (QMS) under historical legislation, which only provided for setting a Total Allowable Commercial Catch (TACC). The fishery has not been formally reviewed since.
8. BCO 3 is New Zealand's largest recreational blue cod fishery and an important commercial fishery. Fishing is undertaken predominantly by targeted commercial potting and lining by recreational fishers. Most of the commercial catch (72%) is taken in the southernmost part of BCO 3 (below the Waitaki River).
9. The status of BCO 3 in relation to the harvest and management target (i.e., B_{40}) is unknown as the standardised commercial catch per unit effort (CPUE) series previously used to monitor the stock is now considered unreliable. Standardised potting surveys are also used to assess local blue cod abundance, size, age, and sex structure. In key commercial fishing areas in Otago potting survey results have been trending down. However, there is also serious concern about the validity of using potting survey catch rates as a proxy for the actual abundance of blue cod (Carbines 2016, Carbines and Haist 2017).
10. In the Kaikoura area there is less commercial fishing, and three random site potting surveys have been done in 2011, 2015, and 2017 (Carbines and Haist 2018, Beentjes and Page 2017, 2018). However, there is considerable variability in the catch rates of potting surveys in the Kaikoura area, and it is impossible to conclude any significant trend or changes in the data for blue cod in the Kaikoura area (Figure 2).
11. Blue cod are vulnerable to localised depletion and are suited to fine scale spatial management (Cranfield et al 2002, Carbines 2004, Beer and Carbines 2012, Beer, Wing and Carbines 2013).
12. In 2020, as part of the National Blue Cod Strategy, fine scale recreational daily limits, an increased minimum legal size, and larger pot mesh size for both commercial and recreational fishers were implemented to address concerns about localised overfishing of blue cod.
13. A traffic light system was also implemented to address concerns about localised overfishing of blue cod. The traffic light system assigns a colour rating (i.e., catch limits of green = 15, orange = 10, red=2 blue cod per person) to areas based on information about the state of the stocks and local fishing pressure (Figure 1). The exception is the Kaikoura Marine Management Area where the daily bag limit is six blue cod. The rating can be changed as available information suggests stock health is improving or declining.
14. The traffic light system has resulted in BCO 3 having four different daily limits covering five separate recreational fishing management areas, as well as a low daily limit of two blue cod within the four taiāpure areas within BCO 3. Under this system the Canterbury and Tasman areas surrounding the Kaikoura Marine Area have been



designated 'red' with a recreational daily limit of only two blue cod (See Figure 1).

15. Fisheries New Zealand is now proposing options for setting a TAC, allowances (customary, recreational and other sources of mortality caused by fishing), and a TACC for BCO 3, as follows:

Option 1 is to set a TAC of 277.732 tonnes, and within this TAC to set an allowance for Māori customary non-commercial fishing of 20 tonnes, to set an allowance for recreational fishing of 83 tonnes, and to retain the current TACC at 162.732 tonnes. The proposed recreational fishing allowance is 20% lower than the last recreational survey estimate, considering that the changes in recreational limits introduced in 2020 are expected to have reduced recreational catch. The allowance for other sources of mortality caused by fishing would be set at 12 tonnes, being 5% of the combined estimate of recreational catch and the TACC.

Option 2 is to set a TAC of 243 tonnes, and within this TAC to set allowances for Māori customary non-commercial fishing and recreational fishing at the same level as Option 1. The TACC under this option, however, would be reduced by 20% to 130 tonnes. This option considers the declining trend in potting surveys, including within key BCO 3 commercial areas. The allowance for other sources of fishing related mortality would be set at 10 tonnes under this option.

16. The deemed value regime for BCO 3 is also proposed to be changed to better reflect the current nature of the fishery.
17. Fisheries New Zealand is seeking input and views on the proposed TAC, allowances, and TACC options and review of deemed values for BCO 3.

Submission

18. *Which option do you support for setting the TAC and allowances? Why?* In recognition of the environmental principles of the Fisheries Act 1996, the KBRFC supports a lower TAC, a larger reduction in the TACC, and a larger allowance for other mortality than is provided by either option 1 or 2.
19. *If you do not support any of the options listed, what alternative(s) should be considered? Why?* The National Blue Cod Strategy made very significant cuts to the recreational daily bag limits as part of the implementation of the traffic light system (i.e., from 30 blue cod to 15 for green areas (50%), 30 to 10 for orange areas (66%), and 30 to 2 for red areas (93%)). The KBRFC therefore seeks a more equivalent 50% reduction in the TACC to 81 tonnes, and an 18 tonne increase in the allowance for other mortality (see 24), and therefore a TACC of 214 tonnes.

As the biology of blue is more suited to fine scale spatial management (Cranfield et al 2002, Carbines 2004, Carbines and McKenzie 2001 and 2004, Beer and Carbines 2012, Beer, Wing and Carbines 2013) the National Blue Cod Strategy subdivided BCO 3 into five smaller management areas for recreational fishers. However, the commercial QMA still covers all five recreational areas in BCO 3 (See Figure 1). The KBRFC therefore support an equivalent subdivision of the commercial QMA into the same five sub-areas used to manage recreational fisheries. A subdivision of BCO 3 will allow



recreational and commercial fisheries to again be managed at an equivalent spatial scale, and it will permanently ensure that commercial fishing effort cannot be moved to take advantage of finer scale recreational restrictions.

In recognising the environmental principles in the Fisheries Act 1996, the KBRFC supports increasing the blue cod harvest and management stock target from B_{40} to B_{50} to ensure blue cod populations are large enough to perform their ecological roles and serves in the marine environment (Pauly and Froese 2020).

20. ***Are the allowances for customary Māori, recreational and other sources of mortality appropriate? Why?*** In recognising the environmental principle in the Fisheries Act 1996, the KBRFC seeks an increase in the allowance for other mortality by 18 tonnes (to 30 tonnes) to allow for the impact of the continued use of destructive mobile bottom fishing methods (Cranfield et al 2002, Carbines et al 2004, Carbines & Cole 2009, Jiang and Carbines 2002) in BCO 3, release mortality (Carbines 1999) and bird predation, and the impacts of global warming and increasing land-based effects.
21. ***Has the way you fish changed or are you travelling further because it is harder to catch blue cod?*** In the Kaikoura area it can sometimes be difficult to catch legal size blue cod inshore (See Strata 1-3 in Figure 2) and many of our Club members fish further offshore in deeper water along the edge of the trench. Note this is an area not included in the Fisheries NZ Kaikoura potting survey.
22. ***Are the proposed new deemed value rates appropriate?*** Given the continued recent commercial over catch of BCO 3, the KBRFC request that the proposed new deemed value rate be substantially increased as a more serious deterrent to overfishing.
23. ***Do you think these options adequately provide for social, economic, and cultural wellbeing?*** The KBRFC believe that the option that we have proposed (see 19) more adequately provides for the sustainability and ecological function of the BCO 3 stock.
24. ***Do you have any concerns about potential impacts of the proposed options on the aquatic environment?*** The KBRFC has concerns about the environmental impacts of destructive mobile bottom fishing methods on blue cod populations (Cranfield et al 2002, Carbines et al 2004, Carbines & Cole 2009, Jiang and Carbines 2002), release mortality (Carbines 1999) and bird predation, the increasing effects of global warming, and increasing land-based impacts on blue cod and their associated benthic habitats. In recognising these fisheries and environmental impacts on the BCO 3 stock, the KBRFC seeks an 18 tonne increase in the allowance for other mortality (increasing from 12 to 30 tonnes).

In recognising the environmental principles in the Fisheries Act 1996, the KBRFC also supports increasing the blue cod harvest and management stock target from B_{40} to B_{50} to ensure that blue cod populations are large enough to perform their ecological roles and serves in the marine environment (Pauly and Froese 2020). Larger blue cod stocks with bigger fish help to mitigate ecological imbalances from removing too many key predators from the inshore benthic environment. For example, it will reduce the risks of developing kina barrens throughout the fishery.
25. The KBRFC also strongly supports allowing recreational fishers being able to utilise blue cod frames as crayfish bait and minimise waste in the Kaikoura Marine Area.



26. The KBRFC is concerned about the high variability and uncertainty in the catch rates of potting surveys in the Kaikoura region (see Figure 2). Experimental evaluation of pot catchability and size selectivity also raises serious concerns about the validity of using potting survey catch rates as a reliable proxy for blue cod abundance (Carbines 2016, Carbines and Haist 2017, 2018). The KBRFC therefore request that Fisheries NZ facilitates an independent review of the potting survey methodology as recommended in the initial review over a decade ago (Stephenson et al 2009).

References

- Beentjes, M.P.; Page, M. (2017). Relative abundance, size and age structure, and stock status of blue cod off Kaikoura in 2015. *New Zealand Fisheries Assessment Report 2017/16*. 54 p.
- Beentjes, M.P.; Page, M. (2018). Relative abundance, size and age structure, and stock status of blue cod off Kaikoura in 2017. *New Zealand Fisheries Assessment Report 2018/37*. 44 p.
- Beer, N. A.; Carbines, G.D. (2012). Exploratory microchemical analysis of blue cod otoliths from potting surveys in Dusky Sound, Fiordland 2002 and 2008. *New Zealand Fisheries Assessment Report 2012/21*. 32 p.
- Beer, N.A.; Wing, S.R.; Carbines, G. (2013). First estimates of batch fecundity for *Parapercis colias*, a commercially important temperate reef fish. *New Zealand Journal of Marine and Freshwater Research* 47: 587–594.
- Carbines, G.D. (1999). The use of large hooks reduces catch-and-release mortality of blue cod *Parapercis colias* in the Marlborough Sounds of New Zealand. *North American Journal of Fisheries Management* 19: 992–998.
- Carbines, G.D. (2004). Age, growth, movement and reproductive biology of blue cod (*Parapercis colias*-Pinguipedidae): Implications for fisheries management in the South Island of New Zealand. Unpublished *Ph.D. thesis*. University of Otago, Dunedin, New Zealand. 224 p.
- Carbines, G. (2016). Validation of potting at estimating blue cod abundance and size structure using concurrent flown video transects. *New Zealand Marine Sciences Society Conference*. Wellington.
- Carbines, G.D.; Jiang, W.; Beentjes, M.P. (2004). The impact of oyster dredging on the growth of blue cod, *Parapercis colias*, in Foveaux Strait, New Zealand. *Aquatic Conservation: Marine and Freshwater Ecosystems* 14: 491-504.
- Carbines, G.; Cole, R.G. (2009). Using a remote drift underwater video (DUV) to examine dredge impacts on demersal fishes and benthic habitat complexity in Foveaux Strait, Southern New Zealand. *Fisheries Research* 96: 230-237.
- Carbines, G.D.; McKenzie, J (2001). Movement patterns and stock mixing of blue cod in Southland (BCO 5). *Final Research Report for Ministry of Fisheries Research Project BCO9702*. 16 p. (Unpublished report held by the Ministry for Primary Industries, Wellington).



- Carbines, G.D.; McKenzie, J. (2004). Movement patterns and stock mixing of blue cod in Dusky Sound in 2002. *New Zealand Fisheries Assessment Report* 2004/36. 28 p.
- Carbines, G.; Haist, V. (2018). Relative abundance, size and age structure, and stock status of blue cod off Kaikoura and north Canterbury in 2011–12. Comparisons of potting survey designs and estimates of pot catchability and size selectivity. *New Zealand Fisheries Assessment Report* 2018/06. 97 p.
- Carbines, G.D.; Haist, V. (2017). Relative abundance, population structure, and stock status of blue cod in Foveaux Strait in 2014. Experimental evaluation of pot catchability and size selectivity. *New Zealand Fisheries Assessment Report* 2017/63. 61 p.
- Cranfield H.J.; Carbines G.; Michael K.P.; Dunn A.; Stotter D.R.; Smith D.L. (2001). Promising signs of regeneration of blue cod and oyster habitat changed by dredging in Foveaux Strait, southern New Zealand. *New Zealand Journal of Marine and Freshwater Research* 35: 897–908.
- Jiang W.; Carbines G.D. (2002). Diet of blue cod, *Parapercis colias*, living on undisturbed biogenic reefs and on seabed modified by oyster dredging in Foveaux Strait, New Zealand. *Aquatic Conservation: Marine and Freshwater Ecosystems* 12: 257–272.
- Pauly, D.; Froese, R. (2020). MSY needs no epitaph—but it was abused. *ICES Journal Marine Science*, doi:10.1093/icesjms/fsaa224
- Stephenson, P.; Sedberry, G.; Haist, V. (2009). Expert review panel report. Review of blue cod potting surveys in New Zealand. *Final Research Report for Ministry of Fisheries* Project BCOREV-2009-22, 14 p. (Unpublished report held by the Ministry for Primary Industries, Wellington).



Table 1: Summary of current and proposed catch settings for BCO 3 from 1 October 2021. Figures are in tonnes.

Option	TAC	TACC	Allowances		
			Customary Māori	Recreational	All other mortality caused by fishing
Current settings (<i>status quo</i>)	-	162.732	-	-	-
Option 1 (<i>Set a TAC & allowances</i>)	277.732	162.732	20	83	12
Option 2	243 ↓	130 ↓ (32.732 t)	20	83	10 ↓

Figure 1: Map of the Blue Cod Traffic Light System.

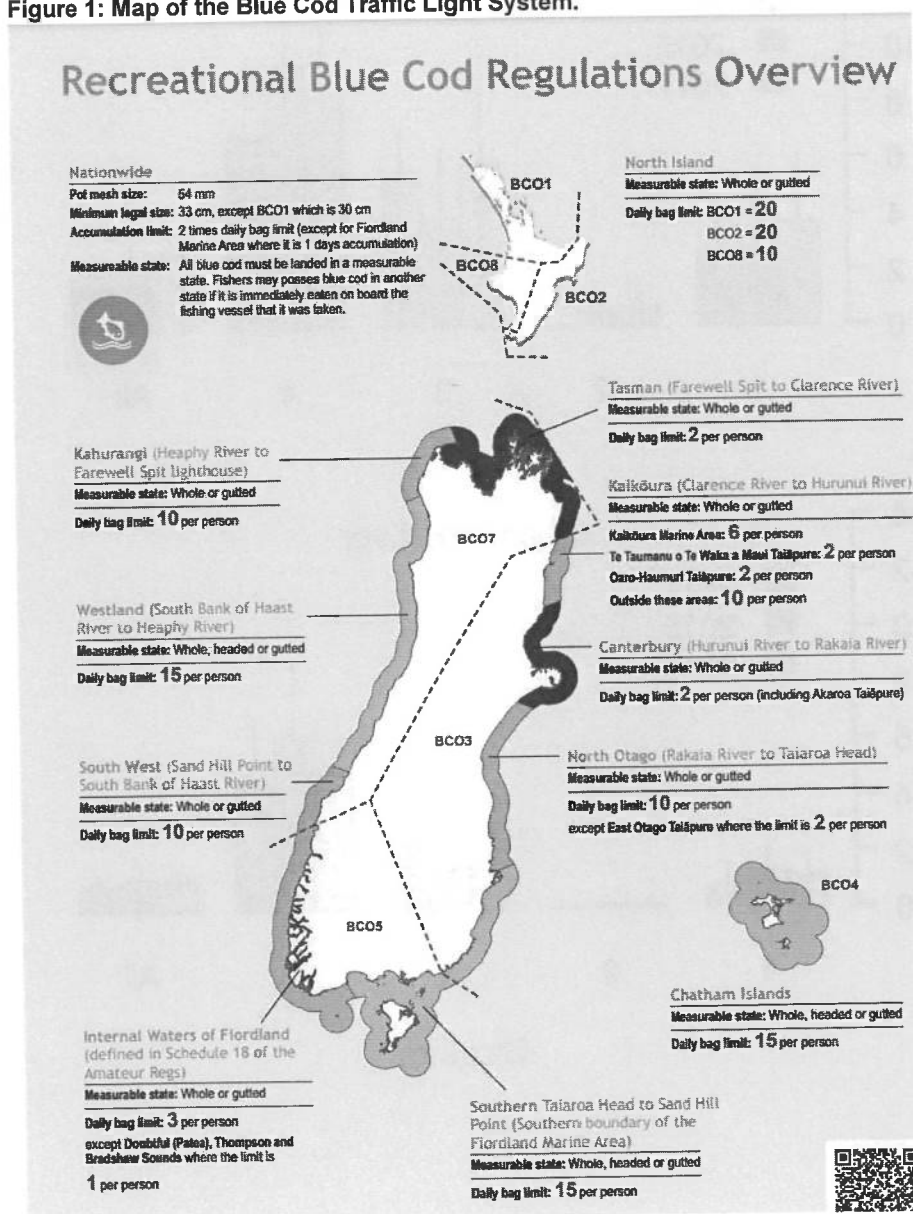
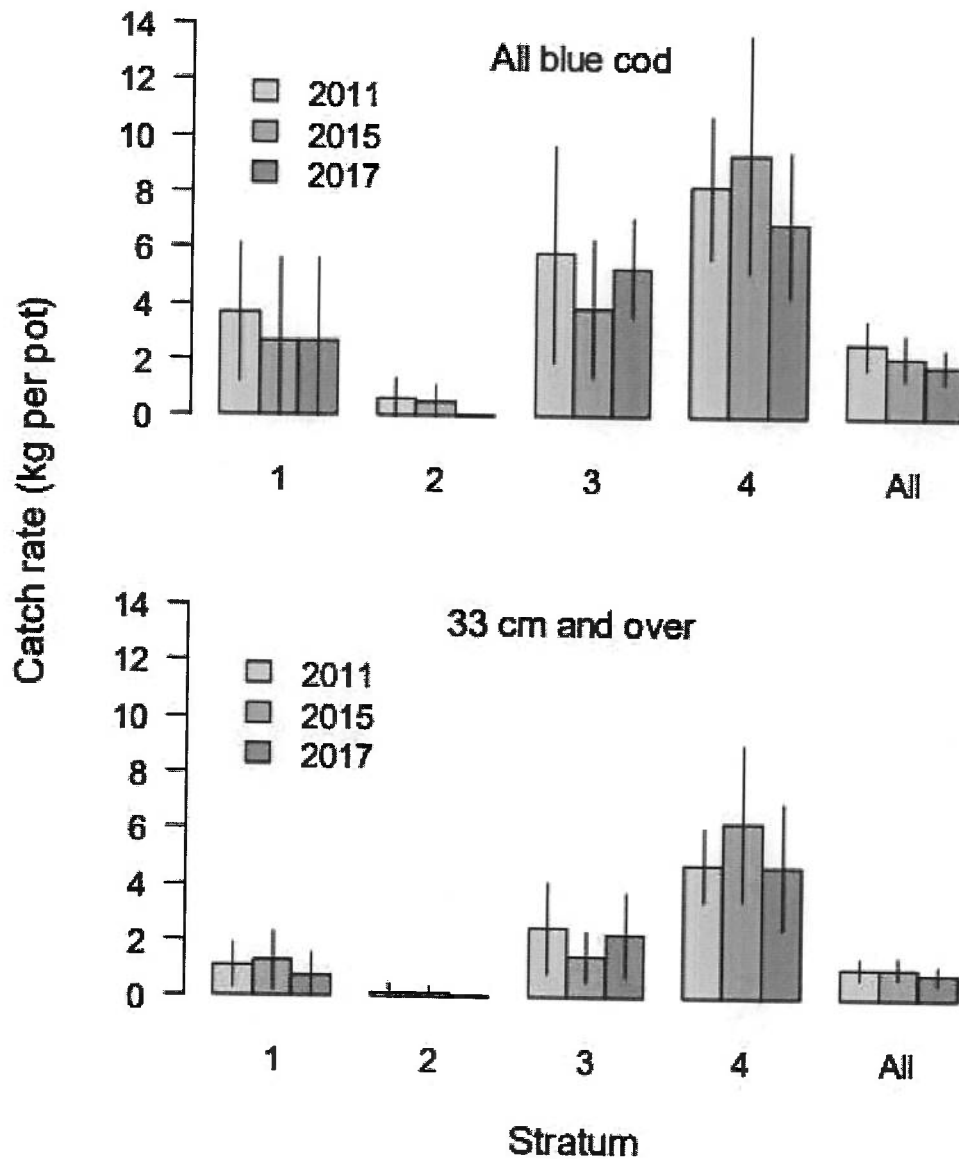




Figure 2: Catch rates (kg.pot⁻¹) of all blue cod and for recruited blue cod (33 cm and over) for Kaikoura random-site potting surveys in 2011, 2015 and 2017. Error bars are 95% confidence intervals. Strata 2a and 2b are combined to allow comparison between years. From Beentjes and Page (2018).

Kaikoura random site surveys





Submission Form

Review of sustainability measures for 1 October 2021

Once you have completed this form

Email to: FMsubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2021 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 27 July 2021.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter
or contact person:

Tautuku Fishing Club Dunedin + Haast Inc

Organisation (if applicable):

Email:

Fish stock(s) this submission refers to:

Review of sustainability measures for
BC03
for 2021/22

Your preferred option as detailed in the
discussion paper
(write "other" if you do not agree with
any of the options presented):

With limited available information
& unknown status of the stock
we support the more conservative Option 2 BUT "other"
also applies!!

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.

Submission:¹

Details supporting your views:

The Taupuku Fishing Club is based in Dunedin and Heast & is a large club formed in 1970 with 75 members. The Club runs competitions, and family & community events which is rich in Dunedin History & has a huge Community following.

The Club prides itself in its sustainability and conservationist approach to recreational fishing. Our associated projects include:

- * collaboration & partnership with Otago University as the 1st in the World to breed Blue Cod for either reseedling or farming purposes.

- * Blue Cod "tagging" exercise with the Tindale Research Foundation has just begun.

- * The Club supports the process by MPI & Fish Mainland in developing a recreational fishing APP for Blue Cod and other species around the South Island.

Considering the limited available information and the unknown status of the stock, "the club" supports the more conservative Option 2 in setting the TAC @ 243 tonnes, Maori customary non-commercial Fishing allowance @ 20 tonnes, recreational fishing allowance @ 83 tonnes, allowance for other sources of mortality @ 10 tonnes & reducing the TACC to 130 tonnes.

BUT, The Club oppose Option 2 reducing the recreational allowance after the Blue Cod Strategy's recent implementation imposed traffic-light colours on specific South Island areas (without consultation) & associated reductions in daily bag limits, which ALREADY REDUCED the recreational allowance!!

Thanks for the opportunity to provide input into these important and significant decisions.

Please continue on a separate sheet if required.

Brett Benemann

Club President

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats - Microsoft Word, Text, PDF and JPG.



Submission Form

Review of sustainability measures for 1 October 2021

Once you have completed this form

Email to: FMsubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2021 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 27 July 2021.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter or contact person:	Peter van Eekelen
Organisation (if applicable):	Pegasus Bay Game Fishing Club Sumner Boating & Fishing Club
Email:	
Fish stock(s) this submission refers to:	Blue Cod BCO3
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Other as per the attached submission

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.



Submission:¹

Details supporting your views:

As per the attached submission.

This is the revised version to take into account 'Recreational Catch' under Sec 111 by Commercial Fishers

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.



Review of Sustainability Measures for Blue Cod 3 2020/2021

This submission is made on behalf of the Pegasus Bay Gamefishing Club and the Sumner Boating and Fishing Club, members of the NZ Sport Fishing Council.

This submission is also made in the interests of assisting the Minister of Fisheries (the Minister) and Fisheries NZ (FNZ) to achieve abundant fisheries that will enable all New Zealanders to provide for their social, economic and cultural well-being.

The joint submitters appreciate the opportunity to comment on the review of sustainability measures for Blue Cod 3 (BCO3). The Discussion Paper (DP) was released for consultation on the 23rd June, with submissions due by 27th July 2021.

Preamble

The commercial value of Blue Cod is increasing, the non-commercial catch is highly prized and is the main target species providing cultural, social, and economic wellbeing to the people of the greater Canterbury area, and their visitors.

No Total Allowable Catch (TAC) or Allowances were set when BCO3 was put in the Quota Management System, (QMS). Historical Legislation only provided for setting a Total Allowable Commercial Catch, (TACC) and, has not been formally reviewed since.

A Total Allowable Catch (TAC) is being proposed for the first time, and within the TAC allowances will be made for non-commercial interests, both customary and recreational, and the Total Allowable Commercial Catch (TACC) will be set. These must be made as prescribed by the Fisheries Act 1996, and, based on real world information. We are concerned at the poor quality of the National Blue Cod Strategy Traffic Light System, (TLS) and the unprincipled approach being proposed to manage our Blue Cod.

FNZ are proposing a potential decrease from 100 tonne to 83 Tonne for Recreational catch in the BCO3 area with the following reductions being a nominated 20% reduction, due to the implemented Traffic Light System. Understanding the actual Recreational deductions are:

Canterbury 93%
North Otago 66%
South Otago 50%

and, understanding that most of the Commercial catch, (72%), is taken is from below the Waitaki, it is reasonable to assume the same ratio could be applied to Recreational catch as well, considering the lack of launching and landing areas in the BCO3 area.

On that basis a graduated average of Recreational catch in the BCO3 area is more likely to be around 40 tonne, at best, under the current TLS.

FNZ have already identified that Customary, non commercial, fishing is likely to increase from the 20 tonne proposed limit due to Recreational fishing bag limits now mostly being under the 15 fish in the TLS 'green and orange' areas.

With 20 tonne nominated for Customary catch and, a likely 40 tonne catch for Recreational fishing based on the TLS, ...is that fair and reasonable?

Further to this FNZ have, under the Treaty of Waitangi, consulted with Iwi, and Ngai Tahu is the iwi with mana moana over BCO3 on behalf of Customary Fishing Rights. Considering Ngai Tahu is a significant Commercial operator encompassing more than 100 commercial inshore and deepwater fish species, (from Ngai Tahu Seafoods website), with the leasing of ACE, (Annual Catch Entitlement), to other parties, there is a significant conflict of interest with the Management Objectives listed in the DP being:



- Management Objective 1) To create thriving customary non commercial fisheries that support the cultural wellbeing of South Island iwi and whanau.
- Management Objective 2) To develop environmentally responsible, productive, sustainable and culturally appropriate commercial fisheries that create long term benefits and economic development opportunities for South Island iwi.

How can Ngai Tahu be consulted, as a party to the recreational management of the fishery, on the proposed changes when they have a vested commercial interest in the outcome? How was this conflict of interest handled?

In 2009, 80% of the quota was owned by 8 companies with an estimated value of 3.5 Billion dollars

2011 saw FNZ introduced gifting reduced public catch to ITQ, (Individual Transferable Quota), shareholders.

This meant that FNZ freely offered ITQ, shareholders catch rights previously held by the public. They can sell quota within the TACC limit. If the public's catch limit under the TAC is not achieved then, the uncaught Recreation allowance becomes part of the TAC and 'transfers' to the ITQ members to fish or sell within their group. The public lose access to this transferred quota.

This was made without comment. The Supreme Court determined that the Minister make all of a TAC available to be caught.

FNZ appears to apply a catch-it or lose-it approach to recreational allowances. For example, if the current allowance for BCO3 of 83 tonne is considered to be not fully caught then the uncaught portion will transfer to the TACC essentially becoming a perpetual transferable property right for Commercial fishing. It gets handed over with no discussion.

In this context it is essential that the recreational allowance imports the full meaning from the Supreme Court insofar as the quality and availability of fish to meet the reasonable needs of the public is provided for by both the TAC and TACC decisions.

To introduce a revised recreational harvest estimate based on the TLS reduced daily bag limits, without importing the recreational qualitative factors into their allowance, is not only poor process but unlikely to withstand a review. The implementation of the TLS did not fulfil FNZ's requirement to fully consult with Recreational Fishers and is open for challenge.

Under the National Blue Cod Strategy:

- The decision and implementation of the TLS ultra vires the Fishing Act
- FNZ did not complete meaningful consultation with Stakeholders
- FNZ made the decision to implement the TLS without consulting Stakeholders of the significant changes, making a decision on insufficient information and review with Stakeholders.

The High Court has recently supported similar positions acting in the interests of the New Zealand public against actions by Ministers of the Crown contravening the basic principles of protecting the public's rights, examples being:

- 2017 Lower NI Red Deer Foundation vs the Minister of Conservation in which Justice Simon



France said:

Para 52 "...Did the particular circumstance require consultation with the Applicant, notwithstanding it was a national process and generally intended only to apply an established framework? I am satisfied that such a duty existed.....

(a) The changes proposed were significant;

(c) The recognition is in s 23(c) of the Wild Animal Control Act...and the fact that that Statute makes this a mandatory consideration;

(f) The consultation process that was followed in 2009

Para 54 "...it was appreciated by the Department that the changes were significant....

Para 55 "This was a nationwide exercise and so caution is needed in identifying specific areas as candidates for localised consultation.....

Para 56 " The figures identified above (24) tell their own story..... (81 percent down to 16 per cent)... The scale of the change therefore suggests the recreational hunters represented by the applicant could be significantly affected.

Para 59 "There is undoubtably a level of unfairness created here..."

Para 63 "Standing back, I am satisfied this has been an unfair process caused by a failure to consult with the applicant....particularly as here where the changes proposed were significant....

Justice France ruled on behalf of the Applicant against DOC

- 2020 The NZ Tahr Foundation vs the Minister of Conservation in which Justice Robert Dobson said:

Para 72 "The longstanding existence of the TPILG, (Tahr Plan Implementation Group), and interested parties in recent years, plus the proposal for consultation that was disrupted by the COVID 19 lockdown, cumulatively provide a sound basis for claiming a legitimate expectation of meaningful consultation about the content of the 2020-2021 plan."

Para 75 "It follows from this reasoning that the second step listed by the Court of Appeal in *Comptroller of Customs*, the Foundation's reliance on a practice of consultation was legitimate."

Para 78 "...I accept that the organisations and individuals involved in dialogue with DoC were not advised of the scale of the culling activity..... I do accept that the manner in which the critical ingredient of the proposed plan was conveyed, left hunting interests with inadequate time to make a full response.....

Para 88 "...Returning then to the prospect for the extent of DoC's failure to provide a meaningful opportunity of consultation about the level of culling it was proposing...The part of the Foundations complaint I have upheld relates to the adequacy of the process adopted by DoC in arriving at the decision to adopt the plan."



Justice Dobson ruled on behalf of the Applicant against DoC

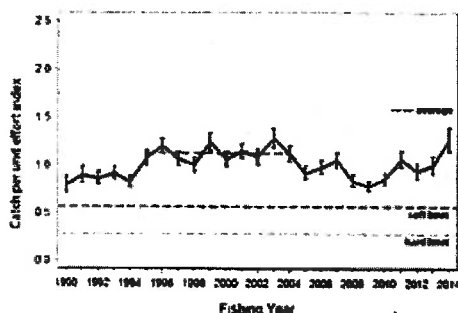
Both decisions revolved around DoC not following the prescribed consultation process within the respective Act.

This is the same that has occurred with the legislation of the National Blue Cod Strategy and the implementation of the TLS. The changes in the decisions above were significant, as are the implemented changes under the TLS.

FNZ abrogated the process, citing the COVID 19 event as the reason. They did not engage with stakeholders on the outcome of Wider Engagement 2, 2018, and did not complete the consultation process understanding there was a significant difference in what had been consulted to date and what FNZ were proposing to implement.

The information provided to stakeholders did not show a reduction of the CPUE years 1990 through to 2014, in actual fact, showing a mean average improvement in the stock. This information was provided by FNZ as the basis for review for the discussion and implementation of the National Blue Cod Strategy and TLS.

Stock status of BCO 3



Blue cod (BCO 3) catch per unit effort from 1990 to 2014

Recreational fishers catch most blue cod in BCO 3. In the 2011-2012 fishing year, almost 120 tonnes of blue cod were caught by recreational fishers in BCO 3. Commercial catch averages around 160 tonnes a year.

Blue cod are mostly caught in pots – and stock levels are measured using a method known as "pot catch per unit effort" (CPUE). The graph shows stock has fluctuated in a narrow band since the early 1990s but has stayed above soft and hard management limits. If stock falls below a soft limit, Fisheries New Zealand manages the fishery to rebuild stock. If stock falls below a hard limit, we close the fishery.

After FNZ Wider Engagement 2, the proposed process was for the further nominated Expert Workshop 3 would have reviewed the wider feedback and resolved a number of issues that have since become major structural problems in the delivery of the TLS. It would have also become apparent the significant changes that FNZ were going to implement, which contrasted significantly from what was discussed in the consultation process with stakeholders up to that point.





There was no consultation on the final outcome of the TLS and stakeholders had no opportunity for further consultation before the Minister legislated the TLS. Had further consultation been engaged with stakeholders, significant consequential outcomes could have been avoided, requiring additional ongoing review by the Minister.

The subsequent decision by the Minister in implementing the plan, and the significant reductions to a number of areas, is not supported by the information provided to the public as part of the consultation process, leads to the assumption that either FNZ were misleading the public with incorrect information or, the Minister acted in the interest of Commercial fishing over Recreational.

The Purpose of the Fishing Act must be promoted.

What comprises Customary and Recreational interests is not defined in the Act, however the Supreme Court had this to say:

SC [54] The notion of people providing for their wellbeing, and in particular their social wellbeing, is an important element of recreational interests.

SC [59] The terms of the definition of utilisation, including the wellbeing concept, are contextually relevant to what is meant by recreational interests and in that sense are relevant considerations in decisions under s 21.

It follows that providing for the cultural and social wellbeing of the public are key relevant factors when the Minister determines allowances.

The Minister is able to impose bag and fish length limits and this has occurred under the TLS. The allowance accordingly represents what the Minister considers recreational interests should be able to catch, but also, all that they will be able to catch and this no longer is the case under the TLS.

The Act envisages that the relevant powers will be exercised as necessary to achieve that goal.

This is underpinned by Moyles Promise.

"The Recreational Fisheries Policy I am now releasing can be seen as the first step in a programme which will address the needs of the recreational fishery. It is not a set of rules and regulations governing recreational fishing; it is a set of principles which will provide a framework for specific management measures to be introduced in the regions, to meet regional needs and local conditions.

*The cornerstone of the policy is presented in the first national objective: **to ensure recreational users have access to a reasonable share of fishery resources. Government's position is clear, where a species of fish is not sufficiently abundant to support both commercial and non-commercial fishing, preference will be given to non-commercial fishing. This position reflects Government's resolve to ensure all New Zealanders can enjoy and benefit from our fisheries.***

New Zealand is now recognised as a world leader in commercial fisheries management. This policy ensures we are at the forefront of recreational fisheries policy as well."

Colin Moyle
Minister of Fisheries
June 1989



FNZs action in implementing the Traffic Light System under the Blue Cod Strategy contravenes the purpose of the Act and dismisses the basis of the Moyles principal. It holds the same weight as the New Zealand Constitution, which, is also not a “set of rules or regulations governing New Zealand, it is a set of principles which will provide a specific framework for governing New Zealand.”

To negate Moyles principle is to negate the principles under which the New Zealand Constitution works and grows and, renders the Treaty of Waitangi meaningless.

Submission:

- That the TAC be set at 243 tonnes
- That the TACC be set at 110 tonnes
- That Customary allowance be 20 tonnes
- That recreational allowance be 104 tonnes and the TLS reviewed to support the Recreational Catch at this level.
- That the TLS has a review period incorporated within the legislation and an immediate review of the traffic light system applying varying catch limits to coastline areas
- The allowance for other mortality be 9 tonnes
- That there is equity between Recreational and Commercial fishing regarding stock management and practices
- That a monitoring programme be established that samples catch and effort with a purpose of representing relative abundance over time with regular reviews of catch levels, release mortality and impacts on the benthic environment due to fishing
- Removes bottom trawling from inshore waters.

Background

1. The DP reports that the stock is declining in abundance and age, and catch limits need review – with Option 1 in the Total Allowable Commercial Catch (TACC) remaining the same, and, Option 2 being a reduction of 20%, being 34 tonne against current landed fish.

However, Commercial will not actually lose any TACC under the proposed submissions with the TLS in place, as the balance of the recreational catch not caught, will immediately be available to them under the TAC, being an additional 45 tonne uncaught recreational catch, due to the consequences of the TLS, giving them a nett increase even with a reduced TAC. This gives Commercial a potential 204 tonne TACC under Option 1 and 181 tonne TACC under Option 2.

2. BCO3 is the largest recreational Blue Cod fishery prior to implementation of the TLS, and the only spatial description of depletion identifies the inshore areas of the East Coast as being relatively depleted.

3. Blue Cod are vulnerable to localised depletion, and there is no way of knowing how representative the Catch Per Unit of Effort (CPUE) data is of the wider Fisheries Management Area (FMA). It seems is noted that the primary area for Commercial fishing, below the Waitaki, contributes most of the CPUE data, and not reflect the stock condition across the wider FMA.

4. The stock status of BCO3 is unknown, and catch decisions have been made by examining CPUE records, which apparently shows a decline in abundance Catch Per Unit of Effort (CPUE). However, FNZ also reports that the Commercial CPUE has declined since 2002/03 but the Commercial catch exceeded the TACC over the same period of time. Understanding that 72% of the bulk of Commercial catch is taken from below the Waitaki, both CPUE and catch trends are strongly influenced by catches in this area. Commercial catches have been generally 5% greater than the TACC.



The major area of uncertainty is the relationship between BCO3 and abundance is unknown, (Beentjes and Carbines Bank Peninsula Abundance Reports), and the changes in Commercial pot mesh sizes, (38mm up to June 2009, 48mm to June 2020 and now 54mm June 2020 onwards) coupled with the change in MLS from 30cm to 33cm affects CPUE indices, losing the comparability of the earlier series making the data available for review redundant.

Commercial catch

5. BCO3 is the 2nd largest commercial Blue Cod fishery in New Zealand. Most of the 170 tonne annual landed catch is taken by target cod potting in the Otago area.

6. Commercial catches have exceeded the TACC by an average of 5% each year since 2002 reflecting the trend in CPUE.

Recreational catch

7. The recreational catch estimates have been consistent with a minor decrease from the 2011/2012, Panel Survey results, 101 tonne, through to the 2017/2018 at 99 tonne with no accounting for Customary catch. The DP suggests a reduction of 17% being 17 tonne reduction to the Recreational catch, prior to the implementation of the TLS, being in line with the FNZ Option 2 proposal to reduce the TACC by a similar percentage.

However this suggestion on the reduction of the Recreational take has been made redundant by the implementation of the TLS which will reduce the recreational take by an average of 60% over the total area of BCO3 and, 93% in Canterbury where 22 % of the TACC is caught by inshore trawl. **If FNZ is serious about the state of the fishery, then there needs to be equity in the reduction of catch and spatial areas for fishing between Recreational and Commercial.** The current situation puts Commercial interests ahead of Recreation, in contravention of the Act. Coupled with Commercial interests' being able to fish, without reduction or restriction, in designated Red Zone areas under the TLS, makes a mockery of the objectives of the National Blue Cod Strategy and the TLS.

The Banks Peninsula area is designated as Red Zone under the TLS and the benthic areas for Blue Cod congregation are limited by the geology of the Peninsula and the environmental impact of high sedimentation.



The level of sedimentation typically around Banks Peninsular

In the cod potting surveys undertaken since 2002 it is clear there are a number of Blue Cod habitats along the immediate shoreline specially through areas 2,3,4 and 5 on the graph following, Figure 2.



There is a reef structure that runs across the face of the Peninsula which then subsides out moving past Le Bons Bay. (Ref: Mapping physical habitats and bathymetry on the South Coast of Banks Peninsula, ECAN/DoC 2018). Beyond this reef structure is the standard mud and shellfish seafloor which makes up the majority of the Canterbury Bight.

In the Canterbury region we have a high proportion of inshore trawling, primarily for Red Cod, Gurnard, Tarakihi and flatfish. This trawling comes right in close to the inshore Blue Cod benthic areas all the way out to the offshore foul which is targeted by Commercial offshore potting.

Inshore Trawling was introduced to Canterbury in the early 1900s, (Ref: Te Ara, NZ Govt) and there has been no assessment of the ongoing benthic damage to the seabed nor has any assessment been made on the ongoing impact of inshore trawling on the Blue Cod fishery apart from the recent admission by FNZ that 22% of the Blue Cod TACC is taken as bycatch.

This systemic destruction of the seabed floor and indiscriminate method of fishing is a far more serious impact on the Blue Cod stock in Canterbury than Recreational fishers fishing impact who are restricted due to distance from port to fishing grounds and ongoing prevailing weather conditions which significantly limit opportunity to fish.

Considering that inshore trawl through the Canterbury basin has a 22% bycatch of Blue Cod in the Red Zone area, on what basis does FNZ justify a 93% reduction in Recreational fishing catch for Canterbury being best practice to support the fishery? Commercial trawl from dawn to dusk taking everything. Fish mortality is extremely high as the fish are dead by the time they are returned to the ocean. (Beentjes & Carbines)



Inshore trawl at dawn, taken from land.



Understanding the TACC landed fish being an average of 170 tonne, this gives an upper limit of 56.6 tonne and a lower limit of 37.4 tonne of Blue Cod being landed as a bycatch of inshore trawl fishing in the designated Canterbury Red Zone where Recreational fishers have had the 93% reduction in recreational take and can only land 2 Blue Cod per day for a maximum of 2 days.

In addition to this, the blue cod catch of 5 tonnes, using the National Panel Survey estimate of 0.5kg per fish that is 10,000 blue cod per annum taken by commercial fishers under s111 approvals, need further explanation.

Has the catch under s111 catch increased over time? Its is reasonable to expect this to be the case considering Commercial have exceeded the TACC on an ongoing basis. We submit that at this rate this catch is not recreational and it must be classed as commercial harvest.

FNZ have also stated that "in recent years bycatch associated with the inshore fleet of trawlers has increased in BCO3" and that "Blue Cod catch and productivity may also be affected by the disturbance of the benthic habitat."

Few recreational boats can make the offshore trip to the offshore foul, (areas 6 and 7). These areas are considered to be the best Blue Cod Fisheries in NZ, by FNZ, and this has been confirmed by a number of Abundance Reports however, they have also been included in the TLS and have effectively become a Commercial only fishery with Canterbury only allowing a 2 fish bag limit. There is little point to travel in excess of 36km one way to catch two fish.

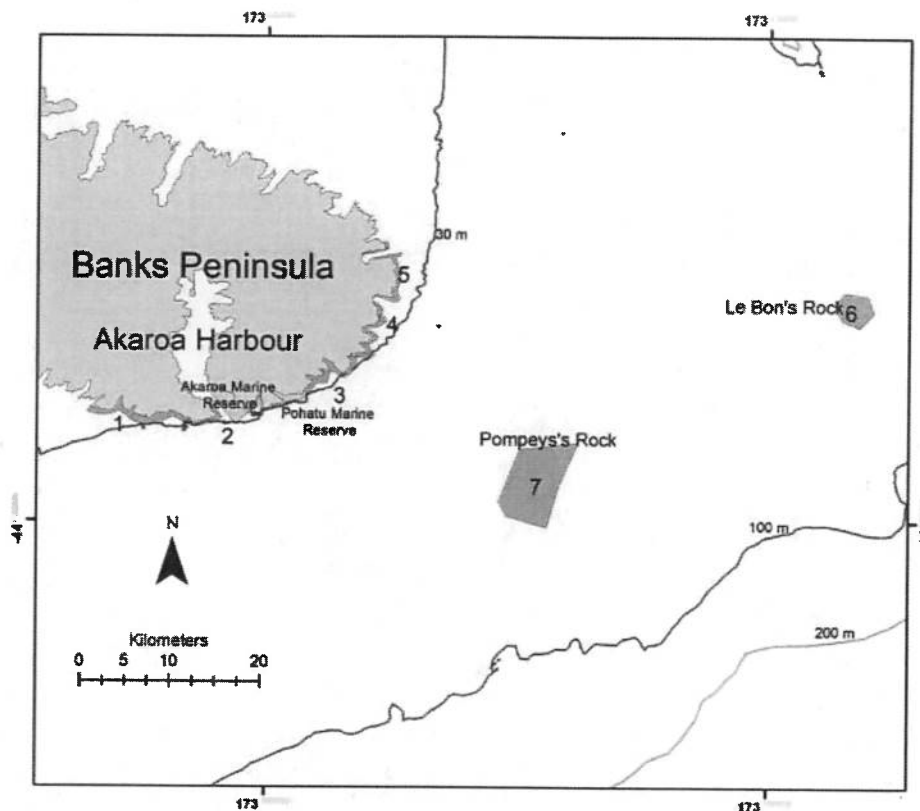


Figure 2: Map of Banks Peninsula potting survey of inshore strata (1–5) and offshore strata (6 and 7). Fixed site survey areas are the length (km) of coastline within each inshore stratum, and three times the length of the longest side of each stratum for offshore strata (fixed site polygons for offshore strata are smaller than shown). Random site survey areas are the areas (km²) within the strata polygons.



8. In BCO3 there is no analysis of catch per fisher per trip, apart from the National Panel Survey for the year 2011-12 which showed in the area of BCO3 there were 146 fishers surveyed with 300 'events';

Being: 12.5% caught 1 fish, 17.7% caught 2 fish, 7.3% caught 3 fish, 5.8% caught 4 fish, 11.3% caught 5 fish, 5.2% caught 6 fish, 2.6% caught 7 fish, 3.4% caught 8 fish, 3% caught 9 fish, 11.3% caught 10 fish, .2% caught 11 fish, 3.2% caught 12 fish and 16.7% caught over 13 fish.

Understanding the bag limit at that time was 30 Blue Cod per fisher it is easy to see the majority of fishers did not catch their bag limit of Blue Cod,

and; the National Panel Survey for the year 2017-18 which showed in the area of BCO3 there were 123 fishers surveyed with 295 'events';

Being: 7.9% caught 1 fish, 13.2% caught 2 fish, 9.6% caught 3 fish, 8.7% caught 4 fish, 6.2% caught 5 fish, 6.4% caught 6 fish, 6.4% caught 7 fish, 3.5% caught 8 fish, 1.6% caught 9 fish, 15.2% caught 10 fish, .1% caught 11 fish, 3.2% caught 12 fish and 18.1% caught over 13 fish.

There is very little else to catch in the greater Canterbury area and this can be seen by the total finfish caught in the National Panel Surveys. Anecdotally for the 2019-2020 year FNZ confirmed a significant reduction in Red Cod landed by trawl as well as agreement on the significant drop in Kahawai caught between Commercial and Recreational fishers. Conversely there was an increase in Red Gurnard but this was substantially caught by inshore trawl with little left for recreational fishers to land.

Setting the Total Allowable Catch (TAC)

Target biomass

9. Using the Ministry's interpretation of s13(2)(c) of the Fisheries Act, the Minister will make a policy choice when selecting a target spawning stock biomass (SSB). This target is decided not by sustainability constraints alone, but with the prospect of promoting the Purpose of the Fisheries Act by choosing a SSB that best enables the economic social, and cultural well-being of New Zealanders.

10. This DP notes spawning stock biomass targets for the Otago area (2018 random site survey), was 30% and that overfishing was occurring.

11. If the objective of this review is to meet a statutory duty - to promote the Purpose of the Fisheries Act by better enabling people to provide for their economic, social, and cultural well-being – then there needs to be a statement of objective.

12. One clear result of ignoring the spawning stock biomass and other stock parameters is that the TAC is not set prior to the allowances and TACC, but is a consequence of them. Section 21 of the Fisheries Act is explicit, when making allowances and setting the TACC "the Minister shall have regard to the total allowable catch for that stock". It is not possible to have regard to the TAC when it hasn't been fixed. The intention of the Fisheries Act is not for the TAC to have regard to the TACC and allowances.

13. We recommend that an improvement would be to separate the TAC setting process from the TACC setting process, with the intention of better complying with the Fisheries Act and securing better risk/reward decisions and value propositions.



14. The DP contains no stock size description or target, no sustainability risk profile, no harvest strategy, no monitoring programme, no principles or any other sustainability context for the review.

15. The BCO3 biomass must provide an opportunity for the public to take a reasonable daily bag limit without compromising sustainability. A suitable stock target with an associated monitoring regime is an absolute prerequisite to any meaningful review.

16. Cultural, social and economic well-being of the public is enabled by providing for abundance when setting TACs. It is a statutory duty and the main mechanism whereby the Minister allows for recreational fishing interests and must be consciously imported into the TAC decision as a key relevant factor.

Gifting reduced public catch to ITQ shareholders

17. The Supreme Court determined that the Minister make all of a TAC available to be caught. The Ministry appears to apply a catch it or lose it approach to recreational allowances. For example, if the current recreational allowance of 100 tonne in BCO3 is considered to be not fully caught then the uncaught portion will transfer to the TACC.

This will occur under the implementation of the TLS. In this context it is essential that recreational allowance imports the full meaning from the Supreme Court insofar as the quality and availability of fish to meet the reasonable needs of the public is provided for by both the TAC and TACC decisions

18. In this context it is essential that recreational allowance imports the full meaning from the Supreme Court insofar as the quality and availability of fish to meet the reasonable needs of the public is provided for by both the TAC and TACC decisions Management options.

19. Option 1 represents the status quo but the recreational daily bag limit is reduced by 60% due to the TLS, and the consequential estimated recreational catch actually transfers the uncaught public catch of 45 tonne to ITQ shareholders increasing the existing TACC.

20. Option 2 reduces the TACC by 20%, but recreational reduction of 45 tonnes, due to the TLS, is transferred to ITQ shareholders still increasing the proposed reduced TACC above the current TACC.

21. To introduce a revised recreational harvest estimate based on reduced daily bag limits, without importing the recreational qualitative factors into their allowance, is not only poor process but unlikely to withstand a review. The Minister's discretionary powers are not to be exercised on a whim. The TLS implementation is an example of this outcome with significant unintended consequences.

Allowing for recreational interests

22. When setting a TACC under sections 20 and 21 of the Fisheries Act 1996 the Minister must allow for recreational interests. The Supreme Court decision contains a section titled: The correct approach to applying s21.

SC [53] It follows that the total allowable commercial catch is ultimately determined by a calculation.

We describe this as - $TACC = TAC - (CA + RA + OM)$

Where CA = Customary allowance; RA = Recreational allowance OM= Other mortality



23. The Supreme Court continued - SC [59] In s 8 Parliament has stipulated the overall purpose and objects of the Act. The scope of the Minister's powers under ss 20 and 21 has limits, set by that purpose, in that they must be exercised to promote the policy and objects of the Act.

24. The Purpose of the Act must be promoted.

25. What comprises Customary and Recreational interests is not defined in the Act, however the Supreme Court had this to say: SC [54] The notion of people providing for their wellbeing, and in particular their social wellbeing, is an important element of recreational interests.

SC [59] The terms of the definition of utilisation, including the wellbeing concept, are contextually relevant to what is meant by recreational interests and in that sense are relevant considerations in decisions under s 21. It follows that providing for the cultural and social wellbeing of the public are key relevant factors when the Minister determines allowances.

26. How this 'important element' of 'people providing for their wellbeing' is to be 'allowed for' was subsequently refined, "by having a right to, a claim upon, or a share in something". Oxford Shorter Dictionary p.1026

SC [56] Although what the Minister allows for is an estimate of what recreational interests will catch, it is an estimate of a catch which the Minister is able to control. The Minister is, for example, able to impose bag and fish length limits. The allowance accordingly represents what the Minister considers recreational interests should be able to catch but also all that they will be able to catch. The Act envisages that the relevant powers will be exercised as necessary to achieve that goal. The allowance is an estimate and an allocation of part of the total allowable catch in that way.

27. It follows that the recreational allowance will be a quantity of Blue Cod that should be able to be caught, a quantity sufficient to enable people to provide for their social wellbeing and will lie between two bounds;

(a) All that the recreational fishers will be able to catch (in effect this expression "will" represents a minimum, as allowing anything less than what will be taken would imperil the sustainability objectives) and

(b) An allowance which recreational fishers should be able to catch. The use of the verb "should" by the Supreme Court contemplates the Minister forming a normative opinion about what ought to be and reflects a value judgment by the Minister, which enables the fulfilment of the statutory utilisation purpose i.e. of enabling people to provide for their social economic and cultural wellbeing. At the maxima, what "should" be taken by non-commercial interests could amount to a wholly non commercial fish, recognising that the TACC may be set to zero: section 21 (3).

28. It is not reasonable to make an allowance in a depleted fishery for what may be caught, when such an allowance fails to enable people's social well-being. The allowance to be made for recreational interests at s21 refers to future catches that should be caught, not past catches, nor catches chosen by convenience for use in a numerical model.

29. The key relevant factor is to make an allowance for a quantity of Blue Cod that enables people's social well-being, and then manage the stock so it should get caught. It is not necessary that this allowance is fully caught in the year following the gazetting; in fact it is not necessary that any non commercial allowance or TACC allocation is fully caught, nor should the uncaught element of the non commercial catch then be allocated to the commercial catch.

30. As directed by the Courts, the total allowable catch (TAC) must be fully allocated, but the TAC does not necessarily need to be fully caught. Recreational aspirations are met by maintaining abundance, and the Minister provides for recreational interests by setting a TAC that provides an appropriate abundance of mature fish.



31. There does not appear to be a reasonable expectation that non-commercial fishers should have an allowance made on a use-it or lose-it basis. Such a concept has never been anticipated in the Fisheries Act yet, is evident in the Ministry's proposals.

32. It is not anticipated that BCO3 will be reviewed again for several years and allowances need to be sufficient to keep catches within the TAC. The Customary allowances of 20 tonnes reflects this principle, as when caught, it is expected to satisfy Customary demand. There is a concern expressed by FNZ that this allowance will need to be increased within the foreseeable future. The TLS needs to be rapidly overhauled to be in line with the objectives of the Act for recreational fishers to be able to catch their nominated allowance.

33. The correct principle to be applied to the recreational allowance is that used with the customary allowance, - the Minister sets aside an allowance in anticipation of what future catches should be caught to satisfy the interests, and also, what might be caught given stock abundance, availability and regulations.

34. The current recreational allowance is the current best estimate of recreational catch – 100 tonne. No new harvest estimates are being derived from the National Panel Report 2018. There may be some rough estimates of what survey participants caught on the good weather days that were surveyed by non scientific means, but there is no way of scaling this up for part, or all, of BCO3.

35. The overarching relevant factor to consider is that any allowance decisions made in s21 must promote the Purpose of the Act (s 8), and are made using the best available information, and conform to the Principles in Part 2 of the Act.

Setting the Daily Bag Limit

36. The daily bag limit for public fishing serves two purposes. The first is to limit catches by an individual to non-commercial quantities, in the interests of ease of compliance. The second is to ensure that public catch opportunities are available to all.

37. The Blue Cod daily bag limit currently sits, as with many species, as part of a maximum daily limit of mixed species; for BCO3 this is 30 finfish, however in the Canterbury region there is very little else to catch. This is confirmed by the National Panel Survey assessments for finfish in the BCO3 area.

The reductions under the TLS have effectively closed recreational fishing in the greater Canterbury region.

38 There is no data to suggest that recreational fishers are using their maximum daily limit as a means of commercial fishing, or that a few 'greedy' recreational fishers are taking the stock and depriving their neighbours of fishing opportunity. This is supported by both the National Panel Surveys of 2011-12 and 2017-18

39. Fishing opportunities can be very limited on the East Coast of New Zealand. Most trailer boat fishers can only launch and fish if wind and sea conditions permit. Beentjes & Carbines noted this situation a number of times in their Abundance Reports for Banks Peninsula referring to times when even the chartered commercial vessel being used could not depart port due to adverse weather. FNZ need to acknowledge that a higher bag limit may be needed to provide for social economic and cultural well-being in locations that are more challenging to fish. BCO3 is not the Marlborough Sounds.

40. There is no valid case made for any reduction in daily bag limits or the overall recreational allowance. The TLS performs in contravention to the Act.



Lack of Stock Target

41. Management intervention is proposed with no stated purpose. It appears the TLS and this review responds to general observations and opinions by local users that BCO3 has been fished down below an acceptable level. There is no attempt made to define or describe an acceptable or targeted level of abundance.

42. On the broadest possible scale a management target, a monitoring system and tools for intervention combine to enable fisheries management. The failure of the Ministry to include in the DP matters beyond the simple transfer of catch from public to private users reflects the low quality of the DP.

43. The failure to set stock targets leaves the TAC to be decided by the TACC and allowance decisions; the TAC becomes a consequence of catch rather than the primary sustainability measure intended in the Fisheries Act to constrain catch, and, provide abundance and quality for all fishers.

44. If the stock cannot be managed on the basis of stock estimates giving absolute abundance estimates, then it must be managed by measuring relative abundance. This is possible by maintaining a time series of catch and effort data gathered for this purpose.

45. There is no reference to unfished, or any other biomass data, no catch sampling of either commercial or public landings, no management targets, no monitoring to achieve targets, no value estimates; just a general comment that the declining CPUE probably reflects decreasing abundance.

46. The DP, without being explicit, has the single objective of reducing public allowances and transferring this public fishing allowance to ITQ shareholders on the BCO3 stock, free of charge and in perpetuity. The TLS guarantees this as an outcome.

Consequential Outcomes:

The greater Canterbury area has about 25,000 recreation fishers within its region.

The TLS has had a number of consequential outcomes that have seen a change in how FNZ deal with the public. There has been a significant increase in the number of FNZ Compliance Officers with no corresponding increase in FNZ staff to manage the outfall from the implementation of the National Blue Cod Strategy and the direct outcomes from the implementation of the Traffic Light System. It appears as though FNZ are more interested in raising revenue through compliance than working with Recreational fishers to be able to achieve their human right to put food on the table.

Time continues to pass and Canterbury Recreational fishermen remain significantly disadvantaged by an unfair set of laws that takes away their human right to put food on the table whilst Commercial fishermen take advantage of areas which effectively now are commercial only fishing zones.

It sounds terrible and, some say that it's not correct...but it is. A year has now passed since the completely inequitable legislation around the TLS has been put into force without correct due process.

In the interim we have been working with our Clubs and are coming to the table with a list of actions that we see are an absolute if FNZ want to see ongoing support and compliance of the inequitable Traffic Light System. These are the points as follows:



1. Transit allowed for fishing outside current designated Red Zone, (12 nautical mile limit), before Oct 2022
2. Changing the Red zone status back to Orange for Canterbury
3. Filleting at sea permitted - should be parity with Commercial
4. Using frames for craybait permitted, need to utilise whole of fish and resolve disposal issues
5. If the Transit Rule passes, a 50% reduction in the Recreational take (to 15) would be acceptable provided that the same percentage reduction is applied to Commercial for the same area.
6. If the Transit Rule passes, that Recreational fishing outside the designated Red zone has a MLS at 350mm provided that Commercial agree to the same MLS
7. Measurable state, considering the options for Orange and Green to be applied to Red areas

Currently there is no review period for the TLS to be re-evaluated, its in place, without the required consultation, and no ability by the Public to request a review.

The Recreational members of the National Blue Cost Strategy Technical Working Group, (TAG) have worked with the Clubs to made provision for real changes to meet FNZs requirement to create a sustainable fishery. If FNZ are that committed to a sustainable fishery then the rules should apply to all on an equal basis, not just one sector of the fishery.

Further to these issues the Recreational members of the TAG have also been looking at the impact of what the current inequitable Legislation has created out of our immediate fishing zone. The two most affected areas are Kaikoura and Moeraki and there is a definite significant impact on these areas as Canterbury has migrated part of its recreational fishing activities to these areas causing further depletion of the stocks in those areas above and beyond what would normally occur creating a false outcome on the apparent sustainability of fish stock in the respective areas.

Locals have confirmed the significant amount of out of area boats on the water causing real issue with ramp access, parking and fish frame disposal that is causing a real headache for local residents. Over Queens Birthday weekend there were over 300 boats at the South Bay Ramp of Kaikoura and over 200 at Moeraki. The trailers were parked all of the way up the main access road up the hill. There is no remedy apart from resolving the issue within our own local area of fishing.

We trust the Minister will carefully consider his decision and the impact it has on a large constituency. Your decision affects us, our children and their children....

The Pegasus Bay Game Fishing Club and the Sumner Boating and Fishing Club appreciate the opportunity to submit on the review of sustainability measures and other management controls for Blue Cod 3. We look forward to FNZ addressing our concerns. We would like to be kept informed of future developments.

Yours faithfully,

Peter van Eekelen

Past President Pegasus Bay Game Fishing Club
Zone 7 Representative for PBGFC and the Sumner Boating and Fishing Club



National Blue Cod Strategy TAG Member
Father and fisherman

Reference Material:

- National Blue Cod Strategy (NBCS)
- NBCS Wider Engagement 1 Summary Report
- NBCS Wider Engagement 2 Summary Report
- FNZ Review of Blue Cod Fishing Regulations 2019/01
- NZ Tahr Foundation vs The Minister of Conservation NZHC 1669
- Lower NI Red Deer Foundation vs The Minister of Conservation NZHC 1346
- FNZ Abundance of Blue Cod off Banks Peninsular 2002, Beentjes/Carbines
- FNZ Abundance of Blue Cod off Banks Peninsular 2008, Beentjes/Carbines
- FNZ Relative Abundance of Blue Cod Banks Peninsular 2012, Carbines/Haist
- FNZ Relative Abundance of Blue Cod Banks Peninsular 2016 Beentjes/Fenwick
- DoC/ECAN Mapping physical habitat types and bathymetry on the South coast of Banks Peninsular, Brough/Mac Tavish Bolton-Ritchie
- FNZ Fishing Assessment Plenary 2014
- FNZ Fishing Assessment Plenary 2021

From: Aaron Cooper
Sent: Monday, 26 July 2021 7:48 AM
To: FMSubmissions
Subject: Bco 3 submission

Hello.

I would like to vote for option 1 in the Bco 3 submission round for 2021-22.

We feel there is great recruitment in the Otago area and the second option would be over kill.

Thanks

Aaron Cooper

General Manager | Director



2021
P
12

2021

From: Andrew Dawson
Sent: Monday, 26 July 2021 10:16 AM
To: FMSubmissions
Subject: BCO3

Dear Sir/Madam

I would like to vote for **Option 1** as the measures taken on recreational catch and commercial mesh size have already had an effect on the fishery.

We also note that the fishery is 100% caught this season.

Regards

Andrew Dawson (C.A.)

Company Accountant



d

-din

.50

Order online via freshe.com

harbourfish.co.nz

From: William Parata
Sent: Monday, 26 July 2021 1:20 PM
To: FMSubmissions
Subject: BCO3 submission
Attachments: HF_Sig_Logo.jpg

To whom this may concern,

Given the current state of the fishery and the measures taken as of 2020 in regard to recreational limits, I feel that option 1 would be a suitable option in retaining the health of the BCO3 fishery.

Thanks, Willie Parata.

--
William Parata

Logistics Manager





Submission Form

Review of sustainability measures for 1 October 2021

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2021 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 27 July 2021.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter datact person:Damon Cooper

Organisation (if applicable):

Harbour Fish Director

Email:

Fish stock(s) this submission refers to:

BCO3

Your preferred option as detailed in the discussion paper

(write "other" if you do not agree with any of the options presented):

1

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.



I am a BCO3 substantial quota owner with 11.5 tonnes. I am largest ACE catcher catching 35-40 tonnes annually.

BCO3 is in a much healthier state than it was 24 months ago many of the smaller initiatives have had a cumulative positive effect.

This has coincided with some strong recruitment pulses into the fishery.

We are seeing large amounts of juvenile cod in our crayfish pots.

The commercial pot mesh change has been a positive and now no sublegal fish are removed from the water. Most fish that remain in the pot are 35-37cms.

The electronic reporting has reduced illegal activity and no longer are large catches of BCO3 trucked back to be landed in the BCO5 area.

BCO3 is a vast area and we work over an area of 100 miles. There are large untouched areas with strong cod populations but around North Otago and South Otago ports there is strong localised depletion due to recreational and charter vessels. This localised depletion is starting to be reversed with the change in bag limits and traffic light system and lifting the minimum legal size nationwide to 33cms.

My long term favoured change is to lift the minimum legal size to 35 cms. I am confident that this will be far and above more effective than any of the options provided in this proposal. We are also desperate to get an accurate recreational take count. Until this is achieved we are shadow boxing and guessing; hardly accurate science for such a valuable and iconic fishery.



Submission Form

Review of sustainability measures for 1 October 2021

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2021 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 27 July 2021.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter or contact person:	
Organisation (if applicable):	
Email:	
Fish stock(s) this submission refers to:	Blue Cod BCO3
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Other.

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.



If forced to choose, I would prefer option 2 over option 1, however even it does NOT go far enough in reducing the TACC equitably following an 80% cut imposed on recreational fishers in 2020 to just 2 fish per person.

This effectively locks out recreational fishers coming from Christchurch, the main population centre, and encourages them to travel much further North or South (Kaikoura or Moeraki) to get a worthwhile "feed" and a reasonable recreational experience. This dramatic cut is not justified by the facts as they are presented in the review document .ie In the 7yrs between 2011 and the 2018 NPS the recreational harvest estimates remained roughly static (within a margin of error) at around 100T suggesting that recreational impacts were not the main driver behind stock decline over that period and that commercial and customary agendas have taken undue precedence in that decision.

The option 2 proposal to cut the TACC by only 20% in 2021 following an 80% recreational cut in 2020 is blatantly unfair and predatory.

If sustainability and recovery of the fish stock are truly the goal the TACC should also be reduced by 80% or 129T to 32T or a **better balance struck** so that both sectors (commercial VS non commercial combined) are contributing more equitably to the recovery of this resource (within either TAC allowance).

Because of the social, economic and wellbeing importance of this recreational fishery **I propose that a 5 Blue Cod/Person bag limit** be restored at Motunau alongside the recent increase in size limits and that the TACC should be reduced further to compensate and provide a fairer share for all (ie 50/50).

Recreational access in this area is constrained by a combination of significant variables:

- Weather & season – A swell or chop of over 1.5 mtrs is at best uncomfortable and at worst unsafe.
- Tides & daylight hours. The bar is only navigable for 2hrs either side of high tide
- boat range – from the only slip at Motunau,
- work commitments – weekends & holidays,
- and cost – fuel.

Rarely do these factors align - perhaps only 3-4 time per year for most recreational fishers. Even with 4 people on board – (8 Blue Cod collectively) this is hardly a "feed" and now not viable. Extrapolated over a year, assuming 60 full boats ****every weekend**, that's 25,000 blue cod annually. Well short of the 202,765 fish estimated (Section 8.3 Table 2) and suggesting that there is significant "wriggle room" within the TAC set by MPI without unduly affecting overall sustainability.

*** Note: On the busiest day I have ever seen at Motunau (Easter) there were around 30 trailers in the car park.*

One wonders if the "estimates" and resulting conclusions have correctly taken this into account and if further, more in depth studies, are needed to better understand the recreational impact and the implications of the stop light system ?

Furthermore:

-I believe there is a strong case to be made to exclude commercial activity altogether for important recreational areas accessible to main population centres such as Motunau, Hauraki gulf etc. within 20km of a public slip. Given the constraints mentioned above, I am extremely confident that this would be the best way to improve sustainability and bio diversity. Commercial operators have larger boats that can access the rest of the ocean and can go out more often in marginal conditions.

-Recent events highlight the need for better support for legal representation, independent research administration etc for the recreational sector which is easily overwhelmed by well funded commercial and customary lobbying.



Signed,
Hans Van Oyen
Christchurch

Please continue on a separate sheet if required.



Submission Form

Review of sustainability measures for 1 October 2021

Once you have completed this form

Email to: FMsubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2021 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 27 July 2021.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter Brent Musgrave
or contact person: Phone [redacted]

Organisation (if applicable):

Email:

Fish stock(s) this submission refers to:

Blue Cod

Your preferred option as detailed in the
discussion paper
(write "other" if you do not agree with
any of the options presented):

Other

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.



My submission relates purely to the transit rules relating to fishing out of Lyttleton and Akaroa. I have fished for more than 20 years in areas outside the 12 mile limit. These areas have consistently produced sizeable blue cod. Due to the open ocean exposed to weather area that this covers, fishing pressure although it has increased. Is still very light, access is not easy. The current 30 cod per person limit in this area could be reduced to either 6 or 15, however the ability to transit(return to port) is creating issues. The major issue being, local fishers now going to Kaikoura and fishing closer in with a bag limit of 6. In my view this is not sustainable and only a matter of time before that fishery is badly affected. We have changed our fishing methods to meet the changed regulations, however on recent trips many cod have been caught and returned in various states of injury to swim 90/100 metres back to the bottom. Very few, repeat very few will actually make it and survive.

From: Mike Trewern
Sent: Monday, 26 July 2021 10:01 PM
To: FMSubmissions
Subject: Bco 3

To who. It may concern .

Revert back to 30 bco per person for the recreational fisher provided they can prove they were caught out side the 75 metres through out east otago . Leave the inshore fishery on the reduced bag limit (10) Proof would be a photo of GPS and date . (there's a very low percentage of rec fishers that make the trip to the canyons and then return to fish inshore) Theres a abundance of Bco in the canyon fishery's which is well known to mpi thought CELRs.

By having the existing reduced daily bag limit its keeping ALL fishers inshore . No fisherman in his right mind will travel all the way out the canyons to land a small bag limit or the same bag limit by staying inshore .

The traffic light system was flawed from the start the lines should not be running east -west . The recreational fishery should be offshore and inshore .

As for the commercial catch ,increase it they have been catching 10 % of the TAC for the last 3-4 years in the BCO 3 region .

Take no notice of the BCO7 area when comparing , it has a different demographics with recreational fisher , higher numbers of commercial fishers and more areas to fish in different weather options .

Mike Trewern
Sent from my iPad

From: Bill Hartley < "">
Sent: Tuesday, 27 July 2021 11:38 AM
To: FMSubmissions
Subject: Review of Sustainability Measures for Bluecod (BCO3) for 2021/22
Attachments: Submission (BCO3)2021-22 .txt

Submission from The Hartley Family,attached.Thanks,Bill.

Fish is a major part of our families diet,(mainly for health reasons).
I first started going fishing with my father over 70yrs ago.I have also been a commercial fisherman.
I have been living in Kaikoura since 1982,(& it was our holiday destination before that)
I have been keeping fishing diaries since the 1960s,& have kept a CPUE diary for bluecod & perch,since 1985.
Last year,the catch average time over the year(per fish),for bluecod was half of a lot of previous years.(less time,for the same number of fish).
In recent years,I have had a video recorder running all the time while fishing,& footage from that becomes part of my diary, allowing me to verify what I have written.

Why I think the tac for rec. fishers should be 100t.
I question whether the lowering of the daily bag & adding accumulation limit,has reduced the tac,for rec. fishers,as much as you suggest.
Like a lot of fishers,fish is a major part of our diet,& bluecod is a certain percentage of that.Nothing for us has changed,diet wise.All you have done,is force us to go out more often,& sometimes in less favourable sea conditions,that wouldn't have happend,if you hadn't put these restrictions on us.
Another point is,with the larger mls in some areas,there will be more bluecod having to be released,& you have said,in the past,that a lot don't survive.These are part of the rec. catch,& although released,if they don't survive,need to be allowed for.

You ask whether/how my fishing may have changed.For me,I used to go further,& target the really large bluecod(50/60cm fish) & went out less often.Now with the reduced bag,I have to go out more often,& I fish closer to home.The fish are more plentiful,but smaller(35/48cm).It produces the same volume of meat,but double the trips.the overall distance & time spent,about the same(or less),but now I'm competing with more fishers.Also,I miss out on the by catch of groper,warehou,trumpter,ling,etc.
This is substituted with perch,tarakihi,greyboy,etc.

I don't really understand deemed values,or it's ramifications,so can't comment on that.

When it comes to providing for social,economical & cultural wellbeing,I look back to what we had,& compare it with the present.
Before I retired,& when we could set nets,I only fished for bluecod occasionally.Before work I'd pop out in the dinghy,set a net,then after work,retreive it,& that provided most of our needs.Then the ban came in,& we had to venture into open water,so it was very weather dependant & the major target species changed.Then the daily bags got smaller & we had to go out in less than favourable conditions,so had to get bigger boats,just to be safe.

Other concerns:-

We don't support s111 permits. The volumes of fish that used to be taken under these permits, was way out of proportion to what the takers could be expected to consume. Also, rec. fish should not be taken with commercial gear.

We strongly oppose bottom trawling. I have watched videos of before & after effects of trawling, the damage that is done, & the fact it takes a very long time for the portion of the sea bed to recover.

Another point, is rec. fishers catch is controlled by the number of fish taken. Commercial is controlled by the weight. I keep hearing that fish sizes are getting smaller. If that is the case, commercial would have to continually be increasing the number of fish caught to fill their quota, when at the same time, rec. fishers catch is being reduced. Doesn't sound very fair to me.

For this reason, I think the TACC should be reduced to 130t (or even lower).



Fisheries New Zealand

Tini a Tangaroa

Submission Form

Review of sustainability measures for 1 October 2021

Once you have completed this form

Email to: FMsubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2021 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 27 July 2021.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter
or contact person:

Peter Cleall

Organisation (if applicable):

Email:

Fish stock(s) this submission refers to:

BCO 3

Your preferred option as detailed in the
discussion paper

(write "other" if you do not agree with
any of the options presented):

option 1

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.



Submission:¹

Details supporting your views:

Commercial Fishers have maintained same catch over last few years

Need more Data on Recreational catch not old data

Rec Fishers need to report catch so you can manage a shared fishery

Rec fishers target areas with Higher bag limits we have seen Increased pressure in Kaikoura Since bag limit changes

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.



Please continue on a separate sheet if required.

Pot survey with Niwa doesn't accurately reflect catch rates as they just go to same place not move around with fish and do sets on barren areas because they don't have local knowledge

The rule on filleting at sea needs to be changed back for charter vessels

Can still measure frame with fillet
off



Sustainability Review 2021
Fisheries Management
Fisheries New Zealand
P O Box 2526
Wellington 6140

FMSubmissions@mpi.govt.nz

29th June, 2021

To whom it may concern,

Review of Sustainability Measures for School Shark in Southland and Sub Antarctic (SCH5)

The Fiordland Marine Guardian's ("the Guardians") wish to provide comment on the proposed sustainability measures for the October 2021 sustainability round.

Scope of comments and advice

The Guardians were formally recognised as a governance group for the Fiordland Marine Area (FMA) with the establishment of the Fiordland (Te Moana o Atawhenua) Marine Management Act in 2005. Our vision is that the quality of Fiordland's marine environment and fisheries be maintained or improved for future generations to use and enjoy. The fisheries management area SCH5 includes the FMA, hence our interest in this matter.

General Comments

The Guardians have reviewed Fisheries NZ Discussion Paper No: 2021/15 and are satisfied that a systematic and standardised process has been followed to assess the performance of SCH5. We are concerned with Fisheries NZ's assessment that overfishing of this stock is very likely to be occurring and acknowledge that the low productivity of this species due to life history characteristics makes them vulnerable to overfishing.

The Guardians agree that the two options proposed (to either retain the status quo OR decrease the Total Allowable Catch (TAC), allowances (customary, recreational and other sources of mortality caused by fishing), and the Total Allowable Commercial Catch (TACC)) are appropriate given the performance of this fishery.

The Guardians support Option 2, to decrease the TAC, recreational allowances and the TACC, all by approximately 30%. The allowance for other sources of mortality is maintained at 5% of the TACC and the customary allowance is maintained at seven tonnes.

Option 2 is future-focused and the goal to rebuild the fishery aligns with the Guardians' vision for the Fiordland Marine Area.

Please feel free to contact me if you would like further information.



**Fiordland
Marine Guardians**
Beneath the Reflections

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Rebecca'.

Rebecca McLeod



Submission Form

Review of sustainability measures for 1 October 2021

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2021 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 27 July 2021.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter
or contact person: Chris Squires

Organisation (if applicable):

Riverton Fishermens Company Ltd

Email:

Fish stock(s) this submission refers to:

SCH5

Your preferred option as detailed in the
discussion paper
(write "other" if you do not agree with
any of the options presented):

Option 2

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.



Quota has not been caught for a few years.

We have had a better catch this year but mainly due to more effort

Think 30% is probably a bit overboard maybe 20-25% would be better but status quo not much of an option given your stock assessment.

Boat that catches the bulk of our SCH5 ace has for several years been telling us how hard the shark has been to catch as they do not seem to be around in the same volume as previous years – they still have some good trips but quite often putting a lot more effort in for less shark.

Have also had comments of a lot of damaged sharks being caught – damage apparently looked like it was from hooks – if this is from long line ling boats this will increase with LIN5 increase

Our boat is also restricted by the lack of SPO3 ace available – Rig fishery has improved well since inshore areas have been closed to netting – would be good to see SPO3 quota increased

Cheers Chris

Chris Squires

Riverton Fishermen's company limited



Submission Form

Review of sustainability measures for 1 October 2021

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2021 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 27 July 2021.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

**Name of submitter
or contact person:** Nicholas White

Organisation (if applicable):

Jacob Fishing Ltd and N & H White Ltd

Email:

Fish stock(s) this submission refers to:

School shark 5

**Your preferred option as detailed in the
discussion paper**
(write "other" if you do not agree with
any of the options presented):

Option 2

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.



Submission:¹

Details supporting your views:

We have been fishing this stock for 28 years. In the last 20 years we have had to increase our fishing effort almost annually to catch the same amount of fish – therefore noting what we presume to be a gradual decline in this fish stock. Therefore we support Option 2 to reduce TAC by 30%, although we would have thought 20% would have been enough but would prefer 30% to no reduction.

We would be happy to be contacted if you want any further information.

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.



Submission Form

Review of sustainability measures for 1 October 2021

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2021 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 27 July 2021.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter **BEVAN MURCOTT**
or contact person:

Organisation (if applicable):

GALEOS FISHING CO LTD

Email:

Fish stock(s) this submission refers to:

SCH5

Your preferred option as detailed in the discussion paper
(write "other" if you do not agree with any of the options presented):

Other

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish to—60

Submission:¹

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.



Details supporting your v

As a commercial fisherman who has set netted for shark and rig since 1984 and still own, SCH5, SCH3 Quota and a vessel set up for this fishery year round. Four family's rely on this operation.

We are very concerned about the health of our fishery and don't deny a reduction is required but for area 5 to solely take the responsibility for its recovery is not reasonable. I objected to increases offered in 2001 and 2004 as these have been one of the main causes for increased effort. The TACC in areas 3,5,7 and 8 needs to be back to prior 2001

Galeos Fishing has had no problem maintaining our catch rate to catch our allocated quota but there are points that need to be made which affect our Effort

- * To maximise profitability we endeavour to catch SCH in the small size The company we fish for has 3 grades, Large, Medium and small which is 2 kg and under fillet.
- * Price difference between Large and Small is \$1000/landed tonne
- * Percentage off SCH landed on the last 100 tonne this season was 72% small 11% medium and 17% large so to say we catch mainly large SCH in our case is a wrong assumption.
- * This hasn't always been the case as net size is the main way to catch large fish

When I started in 1984 we all used 9 inch mesh nets and only caught large SCH as only one price per kilo this lasted till early 90s when we started using 8 inch nets size of SCH reduced and catch numbers returned. From 1998 to 2000 used 7.5 inch mesh in summer to catch smaller SCH as now company's were grading. there were still large schools of SPD in this period during cooler months so used 8 inch. From 2000 till now we use 7.5 and 7 inch nets year round, now have to use 7.5 to reduce SPO catch once all SPO quota is caught.

- * The main reason the SCH5 quota hasn't been caught in the previous 4 years

One of the 3 main fishers sold his quota put new skippers in charge with reduced effort

We finished early on these seasons but didn't try to catch extra because we felt it was better left in the sea. Other vessels were brought in from other areas with limited success which increases effort

- * Since the 4 mile closure was brought in we have lost a large area of high catch rates this means we cannot target large schools inshore for breeding but it may in the long term help as large females go in to pup there also.
- * Degraded water quality from our river also has an unknown effect on these coastal areas

To summarize my alternative to help this NZ fish stock of School Shark recover would be to reduce all areas to the 2000 levels of 3120 TACC from current TACC of 3436 this with the closed areas would return this fishery to a healthy state, this fishing year has already seen a recovery from past seasons possibly due to reduced catch.

Proposed area 5 30% cut 222 tonne at high cost to area

Return to year 2000 TACC of 3120 is 316 tonne reduction over all fishery a fair and better solution for this highly mobile stock.



PĀUA INDUSTRY COUNCIL

Submission on Review of Sustainability Measures for Pāua (PAU 3A & PAU 3B) for 2021/22

Summary

1. The Pāua Industry Council (PIC) welcomes the opportunity to provide input to the setting of TACs, TACCs and allowances for the two new PAU3 quota management areas PAU 3A and PAU 3B. PIC supports:
 - For PAU 3A (Kaikōura), **Option 1** – i.e., TACC 23 tonnes, customary allowance 7.5 tonnes, recreational allowance 5 tonnes, an allowance of 5 tonnes for all other sources of fishing-related mortality, and a TAC of 40.5 tonnes;;
 - For PAU 3B (Canterbury), modified Option 1 – i.e., TACC 46 tonnes, recreational allowance 9 tonnes, an allowance of 10 tonnes for all other sources of fishing-related mortality – but with a modified customary allowance of 7.5 tonnes and a TAC of 72.5 tonnes; and
 - For PAU 3A and PAU 3B, the proposed new deemed value rates.
2. We note that PauaMAC3 has a mandate from quota owners in relation to its submission on the proposed PAU 3A and PAU 3B TACCs.¹ PIC fully supports the submission of PauaMAC3 in relation to the proposed TACCs.
3. In this submission we:
 - Set out the rationale for supporting Option 1 for PAU 3A and a modified version of Option 1 for PAU 3B;
 - Recommend that FNZ should urgently implement mandatory recreational catch reporting in PAU 3A so as to enable responsive and adaptive management;
 - Support the active consideration of habitat of particular significance for fisheries management in decision-making;
 - Note that the PAU3 Fisheries Plan is a mandatory relevant consideration that the Minister must take into account, and distinguish this from other plans and strategies mentioned in the consultation document;

¹ PauaMACs are incorporated societies which operate under rules of association. These rules provide that on matters affecting TACCs, the PauaMAC's position is determined by quota owners in the stock.

- Comment on ways to ensure that the input and participation of tangata whenua (including in relation to management of customary fishing areas) is integrated effectively into decision-making.

PAU 3A: Rationale for supporting Option 1

4. PIC supports an initial TACC of 23 tonnes for PAU 3A (i.e., approximately 50% of the commercial catch that was previously sustainably harvested from the area that is now PAU 3A) for the following reasons:

- A 23 tonne TACC provides a level of utilisation that reflects the rebuilding of the pāua population, as indicated by the monitoring surveys,² but it is also appropriately precautionary in response to uncertainties about the dynamic nature of much of the Kaikōura coastline and the patchy, ongoing recovery of pāua habitat;
- A TACC of 23 tonnes is consistent with Strategy 2.3 of the PAU3 Fisheries Plan, which recommends an initial TACC should be set at either 50% of previous commercial harvest levels, or at an alternative level recommended by the FNZ Shellfish Working Group as being appropriate to enable information to be collected from the fishery to inform future management decisions while ensuring sustainability. As far as we are aware, the FNZ Shellfish Working Group has not recommended an alternative TACC for this purpose, and did not recommend Option 2;
- Although there is considerable uncertainty, setting a catch limit at 50% of the previous level strikes an appropriate balance between adopting a precautionary approach to ensure sustainability, and providing sufficient utilisation to enable information to be collected from the fishery to help determine stock size, spatial extent of the fishery and long term sustainable yield;
- As noted in the PAU3 Fisheries Plan, uncertainty about the initial TAC and TACC cannot be significantly reduced until information is obtained about the effect of fishing on the stock. A lower TACC (such as option 2) would not provide sufficient utilisation to have a discernible impact on stock biomass and is unlikely to create a detectable difference at the dispersed survey sites. It would therefore not provide signals about stock size, spatial extent of the fishery and long term sustainable yield and would not inform future management decisions or enable the proposed adaptive approach to managing the re-opened fishery;
- FNZ does not include an 'upper limit' TACC among the proposed options but we note that, if such an option were proposed, it would be at least 25% lower than the previous level of commercial harvest from PAU 3A to reflect the estimated loss of 25% of previously-fished pāua habitat from the fishery.³ A TACC that is 50% less than previous harvest levels therefore incorporates a considerable degree of precaution in comparison to an 'upper limit' sustainable TACC; and

² McCowan, T A and Neubauer, P (2021) Pāua abundance trends and population monitoring in areas affected by the November 2016 Kaikōura earthquake. New Zealand Fisheries Assessment Report 2021/26.

³ Neubauer, P (2017). Area lost to the pāua fishery from the November 2016 Kaikōura earthquake, 7 p. (Unpublished report held by Fisheries New Zealand.)

- Additional precaution (in relation to commercial harvesting activity) is built into the management measures in the PAU3 Fisheries Plan – in particular the use of a highly precautionary minimum harvest size (MHS) of 135 to 140 mm where possible. The MHS protects the breeding stock and supports sustainability, allowing a degree of confidence in setting a TACC that provides for a reasonable level of utilisation.
5. The PAU3 Fisheries Plan recommends that a customary allowance should be set *based on actual customary catch and reflecting aspirations for customary harvest*.⁴ Estimates of actual customary catch from the entire PAU3 QMA prior to November 2016 ranged from 7 to 13 tonnes based on tangata whenua authorisations, but estimates of customary catch from the PAU 3A area have not been made available.⁵ PIC supports the proposed customary allowance of 7.5 tonnes as it is likely to reflect the actual customary catch from this area as well as providing for 'aspirational' harvest. However, we note that the customary allowance does not incorporate the 50% reduction that is asserted in the FNZ consultation document,⁶ and instead is based directly on pre-earthquake estimates of catch.
 6. The PAU3 Fisheries Plan recommends that the recreational allowance should be proportional to the TACC (i.e., an allowance that reflects the proportionality of the 2019 PAU3 TACC and allowance). The proposed 5 tonne recreational allowance is consistent with this recommendation. A 5 tonne recreational allowance is also approximately 50% of the estimate of recreational harvest along the Kaikōura coastline (10.3 tonnes) from the highly uncertain 2011-12 National Panel Survey.
 7. PIC therefore supports the proposed recreational allowance, but we note that the allowance itself does not constrain recreational harvest and is meaningless unless backed up with genuine constraint on recreational catch through bag limits, accumulation limits and associated measures.

PAU 3B: Rationale for supporting modified Option 1

8. PIC supports a modified version of Option 1, which is similar to the current settings for PAU3, because:
 - It is consistent with the PAU3 Fisheries Plan strategy 1.2, which recommends that the initial TAC, TACC and allowances for PAU 3B should be set at levels equivalent to the current PAU3 TAC, TACC and allowances; and
 - The current PAU3 TACC and the allowance for recreational catch were set in 2017 with the intent that the allowable commercial and recreational catch would be taken in its entirety from the area which is now PAU 3B. As this level of catch in PAU 3B has been sustainable for many years (including prior to the earthquake), there is nothing to suggest that the TACC and allowance for recreational catch should be adjusted as a consequence of the subdivision.

⁴ PAU 3 Fisheries Plan, strategy 2.3.2. This wording was adopted on the advice of Ngai Tahu and Te Ohu Kaimoana.

⁵ FNZ consultation document paragraph 51.

⁶ FNZ consultation document paragraph 74.

9. However, we note that there has been an error in setting the proposed customary allowance for PAU 3B. The area that is now PAU 3A has not been closed to customary fishing⁷ and the customary allowance of 15 tonnes that was set for PAU3 in 2017 reflects the anticipated customary catch from PAU 3A and PAU 3B combined. As noted above, the 15 tonne allowance was based on an estimated PAU3 customary catch of 7 to 13 tonnes, plus a reasonable level of aspirational catch. Following subdivision, the 15 tonne PAU3 customary allowance should logically be apportioned across the new QMAs of PAU 3A and PAU 3B. There is no basis for increasing the total customary allowance for the combined QMAs to 22.5 tonnes by retaining a 15 tonne allowance in PAU 3B while also setting a new customary allowance of 7.5 tonnes in PAU 3A.
10. PIC therefore recommends that the PAU 3B customary allowance should be set at 7.5 tonnes, making a total customary allowance for PAU 3A and PAU 3B of 15 tonnes which is equivalent to the current PAU3 management settings and reflects pre-earthquake estimates of customary utilisation. Tangata whenua may prefer an alternative apportionment of the 15 tonnes between PAU 3A and PAU 3B, and PIC would also support any option with a combined customary allowance of 15 tonnes across the two new QMAs.
11. In summary, PIC recommends a modified version of Option 1 as follows:
 - TACC 46 tonnes (as in Option 1);
 - Recreational allowance 9 tonnes (as in Option 1);
 - Other sources of fishing related mortality 10 tonnes (as in Option 1);
 - Customary allowance 7.5 tonnes (for the reasons noted above); and
 - TAC 72.5 tonnes (reflecting the reduced recreational allowance).

Issues arising from the FNZ consultation document

Managing adaptively requires comprehensive fine-scale information

12. PIC strongly supports FNZ's commitment to ensuring the PAU 3A fishery is managed in an adaptive, responsive and cautious manner. In particular, we support the statement that: *Central to this approach is the need to be cautious and adaptive **across all sectors**. This will be particularly important as the PAU 3A stock readjusts to fishing effort and new research, stock assessment and fine scale commercial catch and effort information becomes available for each stock.*⁸
13. Adaptive, responsive and cautious management requires good information about the activities of all fishing sectors. The pāua industry supplies mandatory comprehensive, verifiable, fine-scale catch and location information, as well as other sources of information for management purposes such as shell length data. Customary fisheries managers are required to provide quarterly records on authorisations (including locations where customary fishing has been authorised) and fish harvested under authorisations,⁹ but in practice this information is not

⁷ Aside from the brief period immediately following the earthquakes when the emergency measures were in place.

⁸ FNZ consultation document, paragraph 67.

⁹ Fisheries (South Island Customary Fishing) Regulations 1999, regulation 36.

readily accessible at a spatial scale that is relevant for pāua management purposes. Recreational fishers provide no verifiable information on their harvesting activity, and the mechanisms that FNZ has established to collect information on recreational harvest do not capture pāua harvesting effectively, are unreliable, are not timely, and do not provide information at a scale that is relevant for managing pāua fisheries.

14. The absence of management-appropriate information on recreational fishing is the biggest area of the 'uncertainty and risk' facing the recovery of PAU 3A – yet it is not mentioned in section 12 of the FNZ consultation document which discusses uncertainties and risks. Without reliable, comprehensive information, FNZ will not know whether the proposed new recreational management measures are constraining recreational catch within the new allowances, and will not know whether local areas of the highly-accessible PAU 3A fishery are being depleted by high levels of recreational fishing.
15. PIC is disappointed that FNZ is doing nothing to rectify this glaring omission in the fisheries management framework. While the industry is willing and able to implement an adaptive rebuild programme that includes fine-scale, responsive management measures, the TACC is only 57% of PAU 3A. For the remaining 43% of the TAC (i.e., nearly half of anticipated harvest) there is no information available on locations, and only limited information (customary authorisations) to provide estimates of catch. In these circumstances, FNZ will not be able to manage recreational harvesting in a responsive, adaptive manner – and there is a risk that industry management measures will not achieve the desired outcomes if they apply to only 57% of the total harvest. We strongly recommend that mandatory recreational catch reporting for PAU 3A should be implemented as soon as possible, preferably in advance of the re-opening of the fishery to recreational fishing.

Habitat of particular significance for fisheries management

16. PIC is pleased to see reference to habitat of particular significance for fisheries management (HPSFM) in the FNZ consultation document. We consider that all suitable adult and juvenile pāua habitat in PAU 3A could be considered to be HPSFM because all pāua habitats in the QMA have been significantly altered by the earthquake and remain vulnerable to ongoing disturbances. In addition, there are some specific areas of habitat that are even more significant for management purposes – for example, survey sites (which are important for obtaining a time series of data on the recovery of pāua populations and associated seaweed habitats) and areas where active management such as pāua enhancement is taking place. PIC is in the process of identifying and mapping pāua habitat and HPSFM for all pāua fisheries, and we intend to make this work available, including for PAU 3A and PAU 3B, as an input to future decision-making.
17. Aside from ongoing earthquake-related changes, we consider the main threats to pāua habitat in PAU 3A to be land-based activities, including the construction and maintenance of roads and associated infrastructure. For PAU 3B we expect the main threats to be terrestrial activities resulting in increased levels of sediment entering the coastal environment, and non-point source pollution of coastal waters. We would appreciate support from FNZ in the efforts of PIC and PauaMAC3 to ensure that vulnerable pāua habitat is protected from the adverse effects of

roading activities and other construction works along the Kaikōura coast, and more generally from the adverse effects of terrestrial activities throughout PAU 3A and 3B.

Relevant plans, strategies etc

18. PIC supports the explicit consideration of other relevant plans and strategies, as set out in section 7 of the FNZ consultation document. However, we suggest that rather than simply listing a range of documents, it would be useful for FNZ to distinguish between matters that are mandatory relevant considerations and matters that, while important, are part of the broader policy context. In particular:
- The PAU3 Fisheries Plan is a mandatory relevant consideration that the Minister must take into account under section 11(2A);
 - Regional plans and policy statements are a mandatory relevant consideration that the Minister must have regard to under section 11(2);
 - The Kaikōura Marine Strategy is not a mandatory relevant consideration and nor was it '*developed under the Kaikōura (Te Tai ō Marokura) Marine Management Act 2014.*'¹⁰ Rather, the 2014 Act implements certain aspects of the Strategy which was developed by Te Korowai in 2012. The Kaikōura Marine Guardians may provide advice to the Minister of Fisheries and if the advice relates exclusively to the Kaikōura Marine Area, the Minister must take the advice into account;¹¹ and
 - Te Mana o te Taiao (Aotearoa New Zealand Biodiversity Strategy) is not a mandatory relevant consideration and neither is it a statutory document prepared under other relevant legislation. As such, PIC is not sure why it is mentioned (or why other potentially relevant policy context is not mentioned), although we have no objection to its inclusion as part of the context for decision-making.¹²

PAU3 Fisheries Plan is a mandatory relevant consideration

19. As noted above, the PAU3 Fisheries Plan is a mandatory relevant consideration in all sustainability decisions, and all decisions under the Act to regulate or control fishing (s.11(2A)). PIC therefore supports the numerous references to the PAU3 Fisheries Plan and its strategies throughout the FNZ consultation document. However, we note that the strategies in the PAU3 Fisheries Plan do not relate only to the TACC, and include recommendations that are relevant to the setting of allowances and TACs. Even though they are mandatory relevant considerations, FNZ has not incorporated references to these aspects of the PAU3 Fisheries Plan into the consultation document.
20. In particular, this applies to:

¹⁰ FNZ consultation document, paragraph 40.

¹¹ Kaikōura (Te Tai ō Marokura) Marine Management Act, section 7.

¹² We do, however, object to the paraphrasing of the Fisheries Act purpose to 'balance use and sustainability' (FNZ consultation document paragraph 45). The purpose of the Act does not entail balancing these two concepts: instead, both limbs of the purpose must be achieved in tandem – i.e., to provide for utilisation while ensuring sustainability.

- Strategy 1.2 which recommends an approach to setting the initial TAC, TACC and allowances for PAU 3B based on current PAU3 settings. FNZ mentions Strategy 1.2 in relation to the proposed TACC, but not in relation to the proposed TAC and allowances; and
 - Strategy 2.3 which recommends an approach to setting the initial TAC, TACC and allowances for PAU 3A. Again FNZ mentions Strategy 2.3 in relation to the proposed TACC, but not in relation to the proposed TAC and allowances.
21. While the Minister has discretion about how much weight to give to strategies in the fisheries plan that relate to non-commercial fishing, these strategies are still mandatory relevant considerations and should be included in FNZ's final advice to the Minister as such.
22. We also note a couple of other matters relevant to the PAU3 Fisheries Plan that should be corrected in the final advice – i.e.:
- The PAU3 Fisheries Plan does not implement a larger minimum legal size limit¹³ – instead it implements a larger minimum harvest size (MHS); and
 - The PAU3 Fisheries Plan was prepared by the PAU3 Industry Association Incorporated, colloquially referred to as 'PauaMAC 3' (not the Paua3 Management Advisory Committee).¹⁴

Customary management areas and customary fishing

23. FNZ states that pāua fishing within customary management areas will continue to be managed by the respective iwi management authorities.¹⁵ PIC considers this statement to be misleading and incorrect. Customary fishing authorities (whether iwi or hapū) manage customary fishing – they do not manage recreational or commercial fishing. Commercial fishing is managed under commercial fishing regulations irrespective of where that fishing takes place.
24. FNZ similarly conflated the management of customary fishing with management of fishing within customary fishing areas in the recent consultation document on re-opening the closed areas of PAU3 and PAU7. In that case, FNZ recommended no changes within the five identified customary management areas and stated that pāua fishing within these areas would continue to be managed by tangata whenua and the appropriate mātaihai and taiāpure management committees.¹⁶ This implies – wrongly, we hope – that the proposed changes to daily bag limits and recreational MLS would not apply in mātaihai reserves and taiāpure.
25. We recommend that in all advice papers and consultation documents, FNZ should make a clear distinction between management of customary fishing (which is the responsibility of customary fishing authorities) and management of fishing within customary fishing areas, which is governed by a mix of rules depending on the nature of the fishing.

Understanding and responding to tangata whenua input

¹³ FNZ consultation document, paragraph 73.

¹⁴ FNZ consultation document, referenced reports.

¹⁵ FNZ consultation document, paragraph 36.

¹⁶ FNZ consultation document, paragraph 28.

26. PIC appreciates that FNZ has obligations to provide for the input and participation of tangata whenua and that this may entail two separate processes for consulting on sustainability measures.¹⁷ However, if there are different perspectives among fishing sectors about management settings, it is our strong preference that these are able to be resolved by direct discussion among the sectors. We believe that this is the best way of achieving enduring, collaborative solutions for the sustainable management of shared fisheries. We therefore suggest that if FNZ's processes for providing for tangata whenua input identify any issues relevant to commercial pāua harvesting, these issues should first be discussed with PIC and PauaMAC3 prior to being included in final advice to the Minister. The PAU3 Fisheries Plan demonstrates that the pāua industry takes its rights and responsibilities seriously. If there are any misunderstandings or concerns about the implementation of the plan, we would expect to be provided with an opportunity to discuss and, if necessary, rectify them.

Further information

27. PIC welcomes further discussion with FNZ on any matters raised within this submission. Please do not hesitate to contact us if you require further information.



Storm Stanley
Chair, Pāua Industry Council

¹⁷ As set out in section 6.1 of the FNZ consultation document.



PauaMac5 Incorporated

Secretaries Office:

- Private Bag 90106
- Invercargill • 9840

26/07/2021

Submission on the Review of Sustainability Measures for PAU3A and PAU3B -2021/22

Introduction

1. This submission on the Sustainability Review for the new QMA's PAU3A and PAU3B is made by PauaMAC 5 Incorporated. PauaMAC 5 represents the commercial pāua industry in PAU 5A (Fiordland), PAU 5B (Stewart Island) and PAU 5D (Southland/Otago). Our members include owners of pāua quota and ACE, as well as fishing vessel operators, processors, fish dealers and harvesters who operate in the PAU 5 fisheries.
2. We thank the Ministry for the opportunity to comment on the Sustainability Measures proposed for the two new PAU3 Fisheries. With the subdivision of PAU3 into two new QMAs the Minister is required to set an appropriate TAC, and as a sub set of that a TACC for each area. The Ministry has identified an appropriate range of options to consult on and has used the best available information to arrive at these options.
3. PauaMAC5 endorses and supports the submission from PauaMAC3. We understand that the organisation has a mandate from its members for its choice of proposed catch settings and that these are also explicit in the recently approved PAU3 (Kaikoura) Fisheries Plan. PauaMAC5 also supports the submission from the Paua Industry Council and notes that this contains more detailed analysis, which we commend.

PAU3A

4. PauaMAC5 supports Option 1 from the consultation document. Option 1 proposes a new ;
 - TAC of 40.5 tonne
 - TACC of 23 tonne.
 - Customary Maori Allowance of 7.5 tonne
 - Recreational allowance of 5 tonne
 - Other fishing related mortality of 5 tonne.

The PIC submission covers the reasoning we support Option 1 for PAU3A comprehensively in s.4 of their submission.

PAU3B

5. For PAU3B the situation is reasonably straightforward and PauaMAC5 considers that it is appropriate that the Ministry consult on a single option. We have only a single issue to raise for PAU3B, and that is the Allowance proposed for Customary take.

6. PauaMAC5 supports a modified option for PAU3B. We propose a single change, and that is in response to a likely drafting error regarding the Customary Maori Allowance in the consultation documents.

- TAC of 72.5 tonne
- TACC of 46 tonnes
- Customary Maori allowance of 7.5 tonne (proposed by FNZ to be 15t)
- Recreational Allowance of 9 tonnes
- Other fishing related mortality of 10 tonne.

6. Once again we defer to the PIC submission for detail and explanation, see paras.8, 9, 10 and 11 in the PIC submission.

7. To restate, the change we suggest to Customary Maori Allowance from the FNZ proposal of 15 tonnes is to a corrected 7.5 tonnes.

The FNZ proposed 15 tonne appears to be a simple error in transposing the original Customary Allowance for all of the pre earthquake PAU3 QMA (15t) , to the new, smaller, PAU3B QMA.

Given Customary fishing was not affected by the closure post emergency closure regulations, and that some customary fishing did occur across all of PAU3 including the earthquake affected area, it is fair to assume that the new QMA should each carry half of that original Customary Allowance ie 7.5tonne.

We note that in fact the quantum of Customary fishing is not constrained in any case, that the Allowance is a simple estimate of likely catch under Customary Permit. We believe the pre earthquake estimate for what is now PAU3B would have been about half of the total 15tonne, and that should be applied now.

Other matters

- Research and survey information should continue for at least the next three years on the status of the paua fishery in the area proposed to be reopened, PAU3A. That information should be used in an annual review which is used to determine management measures for following years. Including consideration of changes to catch limits.

PAU3B is scheduled for next years Sustainability Round, and QSOs have been levied accordingly. Should that lead to any changes to management settings for the PAU3B QMA these should be applied by the Minister in proportion to current TAC, TACC and Allowance settings.

PauaMAC5 supports and endorses the submissions lodged by our colleagues in PauaMACs 2, 3, 4 ,7 and the Paua Industry Council.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Storm Stanley', written in a cursive style.

Storm Stanley
Chairman

Paua 3 Industry Association Incorporated

95 Green Lane

Ph 03 319 3363

Review of Sustainability Measures for Pāua (PAU 3A & PAU 3B) for 2021/22

Introduction

PauaMAC3 welcomes the opportunity to submit on the above consultation document as released by Fisheries NZ in June 2021. The public consultation is acknowledged as a necessary step to give the minister confidence to set a TAC for the coming 2021/22 Paua fishing season.

Which option do you support for revising the TAC and allowances? Why?

Table 2: Proposed catch settings for PAU 3A from 1 October 2021

Option	TAC	TACC	Allowances		
			Customary	Recreational	Other
1	40.5	23	7.5	5	5
2	24.5	12	7.5	2.5	2.5

1. PauaMAC3 supports 'Option 1' in the consultation document under note 4, this is a TAC of 40.5 tonnes as illustrated in bold in the above table 2 from note 10.1
2. This is the more appropriate option that allows for an adaptive rebuild as detailed by the Pau3 Fisheries Plan.
3. Option 1 allows for a conservative approach to commence fishing but also allows for an amount that will give an effective data set that is more indicative of the health of the fishery. It strikes a good balance between conservative catch levels and still harvesting at sufficient levels that would allow the effect of fishing to be measured.
4. Option 1 is more aligned with the views of the membership in that it allows for a utilisation level that provides conservatism but a good level of utilisation without approaching a maximum sustainable yield.

Table 3: Proposed catch settings for PAU 3B from 1 October 2021

Option	TAC	TACC	Allowances		
			Customary	Recreational	Other
1	80	46	15	9	10
1	72.5	46	7.5	9	10

5. PauaMAC3 supports a modified 'Option 1' in the consultation document under note 5, this is a TAC of 72.5 tonnes as illustrated in bold in the above table 3 from note 10.2
6. Option 1 is consistent with the Pau3 Fisheries Plan.
7. Option 1 is presented as the only option for Pau 3B correctly as this area 'Canterbury' has been largely unaffected by the November 2016 Earthquake. With the reduction in the recreational bag limit displacement of catch from the closure has been addressed.

Are the allowances for customary Māori, recreational and other sources of mortality appropriate? Why?

8. Regarding the allowance for customary catch for Pau 3B under option 1, Note 5 of the consultation document is 15 tonnes.
This figure of 15 tonne is an error by the Ministry and should be corrected in the Final Advice to the Minister.

The Ministry has mistakenly transposed the entire Customary catch allowance for the pre subdivision PAU3 QMA (Clarence River to Waitaki River) set out in the 2017 TAC to the new PAU3B. After the 2017 earthquake closure Customary catch was not prohibited in the earthquake closed area from the Clarence to the Conway Rivers.

In fact a level of Customary catch has been carried out since that time in all areas of the previous larger PAU3 QMA. This catch across the entire area was inside the 15tonne Customary allowance. By accidentally assigning the entire pre subdivision PAU3 Customary allowance to the new PAU3B the Ministry has mistakenly doubled the Customary allowance in PAU3B, while keeping other TAC settings the same.

PIC has advised us that they have discussed this with the Ngai Tahu Customary Manager who agrees the Ministry is in error, and noting that in any case Customary catch is not constrained by Customary allowance estimate.

Therefore we request that Fisheries New Zealand modify their advice to the Minister to correct the error. This should present itself as 7.5 tonnes each for PAU3A and PAU3B.

9. With a bag limit system for recreational management the allowance can be no more than arbitrary. A move to a better system would benefit the quota management system and resource.

If you do not support any of the options listed, what alternative(s) should be considered? Why?

10. PauaMAC3 supports the options as presented by the consultation document with the amendment to customary catch as illustrated in note 8.

Do you think these options adequately provide for social, economic, and cultural wellbeing?

11. The options provide for social wellbeing of all but in particular the Kaikoura Community. This is a community that has endured the closure of the fishery for the benefit of all. Paua as a resource is simply not just a source of protein, but the act of harvesting is a popular whanau activity that often introduces tamariki to the ocean environment. A conservative allowance provides for the needs of the community today, without threatening the needs of the community tomorrow.
12. Economically, in addition to commercial catch, the Kaikoura community will benefit from tourism. Though there is a need to better educate recreational fishermen, in particular overseas visitors. Local business should receive a much needed boost in revenue, as recreational paua fishing is a popular activity. Local retail business will also gain from sales of appropriate wetsuits/gear and other service sectors.
13. Cultural wellbeing should not be affected as a result of the TAC setting. This should be as consistent as possible with pre earthquake levels. With the exception of the R16 closure, customary fishing should be protected to reflect the Treaty obligations.

Do you have any concerns about potential impacts of the proposed options on the aquatic environment?

14. The concerns of the impacts to the aquatic environment have been addressed by the previous public consultation round. Such is the nature of the act of Paua harvesting that the impact is generally low effect to the environment. A TAC setting regardless of the amount will not change the impact to associated species or the environment. PauaMAC3 will be undertaking work to identify and map habitats of particular significance to fisheries management for paua also to move more to an EAF approach to managing the fishery.
15. Outside of the scope of the consultation is the invasive Kina which does affect the environment. It is a competitive species that can dominate grazing to the detriment of reef biodiversity. Kina harvesting should be removed from the closure to ensure that the ecosystem does not get out of balance.

SNA 8 LegaSea form submission template

Below is LegaSea's online template that submitters used to send in their submissions to Fisheries New Zealand on SNA 8. Fisheries New Zealand received 8743 unique submissions via this form on SNA 8 before 5pm 30 July 2021. A sample of several of these submissions has been provided directly following this template form.

Name
Address
Email
Organisation

Your preferred option *

- ☐ OPTION ZERO - No increase to the TACC (Total Allowable Commercial Catch)
- ☐ OPTION 1 - 25% increase to the TACC
- ☐ OPTION 2 - 50% increase to the TACC
- ☐ OPTION 3 - 75% increase to the TACC
- ☐ OPTION 4 - 100% increase to the TACC
- ☐ Other

Build your submission *

Select the that elements for your submission. You will have the opportunity review / edit before sending.

- ☐ **Select All**
- ☐ No more trawling on the North Island's west coast.
- ☐ I am concerned that it has taken 33 years to rebuild west coast snapper to abundant levels.
- ☐ I support LegaSea in advocating for no increase in commercial catches of west coast snapper.
- ☐ I want David Parker, Minister of Oceans and Fisheries, to take an ecosystem based approach and not increase commercial catches of west coast snapper.
- ☐ I support the Minister to conduct another review of west coast snapper in 3 years time.
- ☐ I want David Parker to make a conservative snapper decision so depleted species such as gurnard, trevally, tarakihi, john dory and kahawai can rebuild to healthy levels.
- ☐ I believe bottom trawling is bad for the marine environment.
- ☐ I believe that an increase in bottom trawling will threaten biodiversity and the future success of snapper and other species on the west coast.
- ☐ I support the Minister to extend the 4 nautical mile trawl exclusion zone offshore to all of the west coast snapper zone.
- ☐ I am concerned that not enough information is being collected to better understand the bycatch associated with bottom trawling.

Add your personal statement below *

A statement in your own words will make your submission more effective.

From: [Dean Pouwhare](#)
To: [FMSubmissions](#)
Subject: Submission on the Review of Sustainability Measures for Snapper (SNA 8) for 2021/22
Date: Tuesday, 20 July 2021 8:01:32 PM

2021 Sustainability Review
Fisheries Management, Fisheries New Zealand
PO Box 2526, Wellington 6140.

Name of submitter:
Dean Pouwhare

Organisation:
DH Steel Construction Ltd

Email:

Fish stock(s) this submission refers to:
SNA8

Your preferred option as detailed in the discussion paper:
OPTION ZERO - No increase to the TACC (Total Allowable Commercial Catch)

Date of Submission:
20/07/2021

Details supporting your views:
Save our Future fishery for all of NZ people , not just commercial interests. We need to study impact to all species

No more trawling on the North Island's west coast.
I am concerned that it has taken 33 years to rebuild west coast snapper to abundant levels.
I support LegaSea in advocating for no increase in commercial catches of west coast snapper.
I want David Parker, Minister of Oceans and Fisheries, to take an ecosystem based approach and not increase commercial catches of west coast snapper.
I support the Minister to conduct another review of west coast snapper in 3 years time.
I want David Parker to make a conservative snapper decision so depleted species such as gurnard, trevally, tarakihi, john dory and kahawai can rebuild to healthy levels.
I believe bottom trawling is bad for the marine environment.
I believe that an increase in bottom trawling will threaten biodiversity and the future success of snapper and other species on the west coast.
I support the Minister to extend the 4 nautical mile trawl exclusion zone offshore to all of the west coast snapper zone.
I am concerned that not enough information is being collected to better understand the bycatch associated with bottom trawling.

Yours Faithfully
Dean Pouwhare
DH Steel Construction Ltd

From: [Eugene Rewi](#)
To: [FMSubmissions](#)
Subject: Submission on the Review of Sustainability Measures for Snapper (SNA 8) for 2021/22
Date: Tuesday, 20 July 2021 7:58:12 PM

2021 Sustainability Review
Fisheries Management, Fisheries New Zealand
PO Box 2526, Wellington 6140.

Name of submitter:
Eugene Rewi

Organisation:

Email:

Fish stock(s) this submission refers to:
SNA8

Your preferred option as detailed in the discussion paper:
OPTION ZERO - No increase to the TACC (Total Allowable Commercial Catch)

Date of Submission:
20/07/2021

Details supporting your views:

Increasing commercial quotas will have a major impact of fish stocks on the Kapiti coast.

No more trawling on the North Island's west coast.

I am concerned that it has taken 33 years to rebuild west coast snapper to abundant levels.
I support LegaSea in advocating for no increase in commercial catches of west coast snapper.

I want David Parker, Minister of Oceans and Fisheries, to take an ecosystem based approach and not increase commercial catches of west coast snapper.

I support the Minister to conduct another review of west coast snapper in 3 years time.

I want David Parker to make a conservative snapper decision so depleted species such as gurnard, trevally, tarakihi, john dory and kahawai can rebuild to healthy levels.

I believe bottom trawling is bad for the marine environment.

I believe that an increase in bottom trawling will threaten biodiversity and the future success of snapper and other species on the west coast.

I support the Minister to extend the 4 nautical mile trawl exclusion zone offshore to all of the west coast snapper zone.

I am concerned that not enough information is being collected to better understand the bycatch associated with bottom trawling.

Yours Faithfully
Eugene Rewi

From: [Clint Clunie](#)
To: [FMSubmissions](#)
Subject: Submission on the Review of Sustainability Measures for Snapper (SNA 8) for 2021/22
Date: Tuesday, 20 July 2021 7:53:42 PM

2021 Sustainability Review
Fisheries Management, Fisheries New Zealand
PO Box 2526, Wellington 6140.

Name of submitter:
Clint Clunie

Organisation:

Email:

Fish stock(s) this submission refers to:
SNA8

Your preferred option as detailed in the discussion paper:
OPTION ZERO - No increase to the TACC (Total Allowable Commercial Catch)

Date of Submission:
20/07/2021

Details supporting your views:
Commercial or Corporate fishing practices have proven to be dishonest and non trustworthy. A simple question to answer, "where have all the crabs and Pipi gone from our region? Because growing up here they were abundant.

No more trawling on the North Island's west coast.
I am concerned that it has taken 33 years to rebuild west coast snapper to abundant levels.
I support LegaSea in advocating for no increase in commercial catches of west coast snapper.
I want David Parker, Minister of Oceans and Fisheries, to take an ecosystem based approach and not increase commercial catches of west coast snapper.
I support the Minister to conduct another review of west coast snapper in 3 years time.
I want David Parker to make a conservative snapper decision so depleted species such as gurnard, trevally, tarakihi, john dory and kahawai can rebuild to healthy levels.
I believe bottom trawling is bad for the marine environment.
I believe that an increase in bottom trawling will threaten biodiversity and the future success of snapper and other species on the west coast.
I support the Minister to extend the 4 nautical mile trawl exclusion zone offshore to all of the west coast snapper zone.
I am concerned that not enough information is being collected to better understand the bycatch associated with bottom trawling.

Yours Faithfully
Clint Clunie

From: [Andrew Sherman](#)
To: [FMSubmissions](#)
Subject: Submission on the Review of Sustainability Measures for Snapper (SNA 8) for 2021/22
Date: Tuesday, 20 July 2021 8:14:49 PM

2021 Sustainability Review
Fisheries Management, Fisheries New Zealand
PO Box 2526, Wellington 6140.

Name of submitter:
Andrew Sherman

Organisation:

Email:

Fish stock(s) this submission refers to:
SNA8

Your preferred option as detailed in the discussion paper:
OPTION ZERO - No increase to the TACC (Total Allowable Commercial Catch)

Date of Submission:
20/07/2021

Details supporting your views:

I want future generations to reflect on how initiatives like this legasea one have made for a sustainable environment.

I support LegaSea in advocating for no increase in commercial catches of west coast snapper.

I support the Minister to conduct another review of west coast snapper in 3 years time.

I believe bottom trawling is bad for the marine environment.

I believe that an increase in bottom trawling will threaten biodiversity and the future success of snapper and other species on the west coast.

I support the Minister to extend the 4 nautical mile trawl exclusion zone offshore to all of the west coast snapper zone.

Yours Faithfully
Andrew Sherman

From: [Korin Ashford](#)
To: [FMSubmissions](#)
Subject: Submission on the Review of Sustainability Measures for Snapper (SNA 8) for 2021/22
Date: Tuesday, 20 July 2021 3:31:46 PM

2021 Sustainability Review
Fisheries Management, Fisheries New Zealand
PO Box 2526, Wellington 6140.

Name of submitter:
Korin Ashford

Organisation:

Email:

Fish stock(s) this submission refers to:
SNA8

Your preferred option as detailed in the discussion paper:
OPTION ZERO - No increase to the TACC (Total Allowable Commercial Catch)

Date of Submission:
20/07/2021

Details supporting your views:

I am concerned that my children will have no fish left if we increase Fishing, especially on non snapper species. Protect our seas from companies who give nothing back.

No more trawling on the North Island's west coast.

I am concerned that it has taken 33 years to rebuild west coast snapper to abundant levels. I support LegaSea in advocating for no increase in commercial catches of west coast snapper.

I want David Parker, Minister of Oceans and Fisheries, to take an ecosystem based approach and not increase commercial catches of west coast snapper.

I support the Minister to conduct another review of west coast snapper in 3 years time.

I want David Parker to make a conservative snapper decision so depleted species such as gurnard, trevally, tarakihi, john dory and kahawai can rebuild to healthy levels.

I believe bottom trawling is bad for the marine environment.

I believe that an increase in bottom trawling will threaten biodiversity and the future success of snapper and other species on the west coast.

I support the Minister to extend the 4 nautical mile trawl exclusion zone offshore to all of the west coast snapper zone.

I am concerned that not enough information is being collected to better understand the bycatch associated with bottom trawling.

Yours Faithfully
Korin Ashford

BCO 3 LegaSea Form submission template

Below is LegaSeas online template that submitters used to send in their submissions to Fisheries New Zealand on BCO 3. There were 1323 submissions received via this form on BCO 3 before 5pm 30 July 2021. A sample of several of these submissions has been provided directly following this template form.

Name
Address
Email
Organisation

Your preferred option *

- ☐ OPTION 1 - No cut to the commercial catch limit, cut the annual recreational allowance by 20%, retain current daily bag limits.
- ☐ OPTION 2 - Cut the commercial catch limit and annual recreational allowance by 20%
- ☐ OPTION 3 - Cut the commercial catch limit by 33%, ban inshore trawling, allow for existing annual recreational catch, review unfair rules applying to daily catch limits.
- ☒ Other

Build your submission *

Select the that elements for your submission. You will have the opportunity review / edit before sending.

☐ **Select All**

- ☐ I want David Parker, Minister of Oceans and Fisheries, to make a precautionary decision for Blue cod 3 so future generations have access to an abundant fishery.
- ☐ I support LegaSea in advocating for Option 3.
- ☐ I am concerned that bottom trawling continues in areas where recreational fishing is limited to 2 blue cod per person, per day.
- ☐ I am concerned about the impacts of bottom trawling on the seabed and other marine life.
- ☐ I want the Minister to ban bottom trawling within 12 nautical miles of the South Island's east coast.

- ☐ I am concerned that fishing effort displaced from the Canterbury region is having a detrimental effect on fishing in other areas especially Kaikoura and Moeraki.
- ☐ I believe the rules applying to recreational fishing are unfair and need to be reviewed.
- ☐ I understand that the weather limits the number of days people can fish off the east coast of the South Island.
- ☐ I agree that it is not reasonable or safe for people to travel 60kms offshore to return with just 2 blue cod.
- ☐ I agree that the red zone around Canterbury needs to be changed to orange to allow people to take a maximum of 6 blue cod for a day's fishing.
- ☐ I want David Parker to approve a transit rule so people fishing offshore can return home with a legal blue cod catch.
- ☐ I support a rule change to encourage maximum use of blue cod catch by permitting filleting of blue cod at sea so the carcass can be used as crayfish bait, just as commercial fishers can do.
- ☐ I am concerned not enough information is being collected to better understand the stock status of Blue cod 3.

Add your personal statement below *

A statement in your own words will make your submission more effective.

From: [Cedric Stone](#)
To: [FMSubmissions](#)
Subject: Submission on the Review of Sustainability Measures for Blue cod (BCO 3) for 2021/22
Date: Friday, 23 July 2021 9:53:57 AM

2021 Sustainability Review
Fisheries Management, Fisheries New Zealand
PO Box 2526, Wellington 6140.

Name of submitter:
Cedric Stone

Organisation:

Email:

Fish stock(s) this submission refers to:
BCO3

Your preferred option as detailed in the discussion paper:
OPTION 3 - Cut the commercial catch limit by 33%, ban inshore trawling, allow for existing annual recreational catch, review unfair rules applying to daily catch limits.

Date of Submission:
23/07/2021

Details supporting your views:

I wish to state that the elected Prime Minister of New Zealand [Aotearoa] must act in the sole interests and benefits of the peoples of New Zealand for the betterment of these people, while He or She is in that office. That His or Her appointed Ministers, Elected, Delegated, Appointed AND in the Position of responsibility to administer New Zealand's Fishing Resource within New Zealand Territorial Waters, carry out the Prime Minister's Instruction.

I want David Parker, Minister of Oceans and Fisheries, to make a precautionary decision for Blue cod 3 so future generations have access to an abundant fishery.

I support LegaSea in advocating for Option 3.

I am concerned that bottom trawling continues in areas where recreational fishing is limited to 2 blue cod per person, per day.

I am concerned about the impacts of bottom trawling on the seabed and other marine life.

I want the Minister to ban bottom trawling within 12 nautical miles of the South Island's east coast.

I am concerned that fishing effort displaced from the Canterbury region is having a detrimental effect on fishing in other areas especially Kaikoura and Moeraki.

I believe the rules applying to recreational fishing are unfair and need to be reviewed.

I understand that the weather limits the number of days people can fish off the east coast of the South Island.

I agree that it is not reasonable or safe for people to travel 60kms offshore to return with

just 2 blue cod.

I agree that the red zone around Canterbury needs to be changed to orange to allow people to take a maximum of 6 blue cod for a day's fishing.

I want David Parker to approve a transit rule so people fishing offshore can return home with a legal blue cod catch.

I support a rule change to encourage maximum use of blue cod catch by permitting filleting of blue cod at sea so the carcass can be used as crayfish bait, just as commercial fishers can do.

I am concerned not enough information is being collected to better understand the stock status of Blue cod 3.

Yours Faithfully
Cedric Stone

From: [Alan Limmer](#)
To: [FMSubmissions](#)
Subject: Submission on the Review of Sustainability Measures for Blue cod (BCO 3) for 2021/22
Date: Thursday, 22 July 2021 5:42:52 PM

2021 Sustainability Review
Fisheries Management, Fisheries New Zealand
PO Box 2526, Wellington 6140.

Name of submitter:
Alan Limmer

-

Organisation:

Email:

Fish stock(s) this submission refers to:
BCO3

Your preferred option as detailed in the discussion paper:
OPTION 3 - Cut the commercial catch limit by 33%, ban inshore trawling, allow for existing annual recreational catch, review unfair rules applying to daily catch limits.

Date of Submission:
22/07/2021

Details supporting your views:
MPI continually seem to be captured by Commercial fishers and ignore Recs.

Enough is Enough

I want David Parker, Minister of Oceans and Fisheries, to make a precautionary decision for Blue cod 3 so future generations have access to an abundant fishery.

I support LegaSea in advocating for Option 3.

I am concerned that bottom trawling continues in areas where recreational fishing is limited to 2 blue cod per person, per day.

I am concerned about the impacts of bottom trawling on the seabed and other marine life. I want the Minister to ban bottom trawling within 12 nautical miles of the South Island's east coast.

I am concerned that fishing effort displaced from the Canterbury region is having a detrimental effect on fishing in other areas especially Kaikoura and Moeraki.

I understand that the weather limits the number of days people can fish off the east coast of the South Island.

I agree that it is not reasonable or safe for people to travel 60kms offshore to return with just 2 blue cod.

I agree that the red zone around Canterbury needs to be changed to orange to allow people to take a maximum of 6 blue cod for a day's fishing.

I want David Parker to approve a transit rule so people fishing offshore can return home with a legal blue cod catch.

I am concerned not enough information is being collected to better understand the stock status of Blue cod 3.

Yours Faithfully
Alan Limmer

From: [Selwyn Stevens](#)
To: [FMSubmissions](#)
Subject: Submission on the Review of Sustainability Measures for Blue cod (BCO 3) for 2021/22
Date: Thursday, 22 July 2021 7:51:22 PM

2021 Sustainability Review
Fisheries Management, Fisheries New Zealand
PO Box 2526, Wellington 6140.

Name of submitter:
Selwyn Stevens

Organisation:
Legasea

Email:

Fish stock(s) this submission refers to:
BCO3

Your preferred option as detailed in the discussion paper:
OPTION 3 - Cut the commercial catch limit by 33%, ban inshore trawling, allow for existing annual recreational catch, review unfair rules applying to daily catch limits.

Date of Submission:
22/07/2021

Details supporting your views:

I am unhappy with the totally destructive bottom trawling being allowed within our coastal areas, this must stop.

I want David Parker, Minister of Oceans and Fisheries, to make a precautionary decision for Blue cod 3 so future generations have access to an abundant fishery.

I support LegaSea in advocating for Option 3.

I am concerned that bottom trawling continues in areas where recreational fishing is limited to 2 blue cod per person, per day.

I am concerned about the impacts of bottom trawling on the seabed and other marine life.

I want the Minister to ban bottom trawling within 12 nautical miles of the South Island's east coast.

I am concerned that fishing effort displaced from the Canterbury region is having a detrimental effect on fishing in other areas especially Kaikoura and Moeraki.

I believe the rules applying to recreational fishing are unfair and need to be reviewed.

I understand that the weather limits the number of days people can fish off the east coast of the South Island.

I agree that it is not reasonable or safe for people to travel 60kms offshore to return with just 2 blue cod.

I agree that the red zone around Canterbury needs to be changed to orange to allow people to take a maximum of 6 blue cod for a day's fishing.

I want David Parker to approve a transit rule so people fishing offshore can return home with a legal blue cod catch.

I support a rule change to encourage maximum use of blue cod catch by permitting filleting of blue cod at sea so the carcass can be used as crayfish bait, just as commercial fishers can do.

I am concerned not enough information is being collected to better understand the stock status of Blue cod 3.

Yours Faithfully
Selwyn Stevens
Legasea

From: [Gordon Hill](#)
To: [FMSubmissions](#)
Subject: Submission on the Review of Sustainability Measures for Blue cod (BCO 3) for 2021/22
Date: Friday, 23 July 2021 9:46:33 AM

2021 Sustainability Review
Fisheries Management, Fisheries New Zealand
PO Box 2526, Wellington 6140.

Name of submitter:
Gordon Hill

Organisation:

Email:

Fish stock(s) this submission refers to:
BCO3

Your preferred option as detailed in the discussion paper:
OPTION 3 - Cut the commercial catch limit by 33%, ban inshore trawling, allow for existing annual recreational catch, review unfair rules applying to daily catch limits.

Date of Submission:
23/07/2021

Details supporting your views:
Bottom trawling destroys the marine environment and is Totally unsustainable.

Also commercial catch limits must be reduced to make the allotment of blue cod more equitable with recreational fishers.

I want David Parker, Minister of Oceans and Fisheries, to make a precautionary decision for Blue cod 3 so future generations have access to an abundant fishery.

I support LegaSea in advocating for Option 3.

I am concerned that bottom trawling continues in areas where recreational fishing is limited to 2 blue cod per person, per day.

I am concerned about the impacts of bottom trawling on the seabed and other marine life. I want the Minister to ban bottom trawling within 12 nautical miles of the South Island's east coast.

I am concerned that fishing effort displaced from the Canterbury region is having a detrimental effect on fishing in other areas especially Kaikoura and Moeraki.

I believe the rules applying to recreational fishing are unfair and need to be reviewed.

I understand that the weather limits the number of days people can fish off the east coast of the South Island.

I agree that it is not reasonable or safe for people to travel 60kms offshore to return with just 2 blue cod.

I agree that the red zone around Canterbury needs to be changed to orange to allow people

to take a maximum of 6 blue cod for a day's fishing.

I want David Parker to approve a transit rule so people fishing offshore can return home with a legal blue cod catch.

I support a rule change to encourage maximum use of blue cod catch by permitting filleting of blue cod at sea so the carcass can be used as crayfish bait, just as commercial fishers can do.

I am concerned not enough information is being collected to better understand the stock status of Blue cod 3.

Yours Faithfully
Gordon Hill

From: [Lindsay Wright](#)
To: [FMSubmissions](#)
Subject: Submission on the Review of Sustainability Measures for Blue cod (BCO 3) for 2021/22
Date: Thursday, 22 July 2021 6:13:46 PM

2021 Sustainability Review
Fisheries Management, Fisheries New Zealand
PO Box 2526, Wellington 6140.

Name of submitter:
Lindsay Wright

Organisation:
Aotea Offshore

Email:

Fish stock(s) this submission refers to:
BCO3

Your preferred option as detailed in the discussion paper:
OPTION 3 - Cut the commercial catch limit by 33%, ban inshore trawling, allow for existing annual recreational catch, review unfair rules applying to daily catch limits.

Date of Submission:
22/07/2021

Details supporting your views:
Trawling is non selective and destroys demersal habitat.....allowing it to continue is insanity.

I want David Parker, Minister of Oceans and Fisheries, to make a precautionary decision for Blue cod 3 so future generations have access to an abundant fishery.
I support LegaSea in advocating for Option 3.

I am concerned about the impacts of bottom trawling on the seabed and other marine life. I want the Minister to ban bottom trawling within 12 nautical miles of the South Island's east coast. We are one of a handful of countries worldwide that permit trawling fish species during their spawning seasons.

Yours Faithfully
Lindsay Wright
Aotea Offshore