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8 February 2022

Submission: Review of Hāpuku and Bass (HPB 7 & 8) for 2022-23

Recommendations

1. **The Minister sets** a Total Allowable Catch (TAC) for HPB 7 & 8 for the first time, reduces the Total Allowable Commercial Catches (TACCs) applying in each area and sets aside sufficient allowances to provide for expected mortality from Māori customary and recreational fishing, and due to other fishing related mortality.
2. **The Minister makes precautionary decisions for HPB 7 & 8** by implementing the following package of measures:
 - a. Setting a TAC to enable hāpuku and bass stocks to rebuild to B50, a level consistent with 50% of the estimated unfished biomass.
 - b. Setting a conservative TACC based on an average of the past 5 year's catches minus 25%.
 - c. Removing hāpuku and bass from the combined recreational daily bag limit with kingfish.
 - d. Reducing the recreational daily bag limit to 2 per person per day.
 - e. Introducing an amateur accumulation limit of 4 per person.
3. **The Minister approve** the following settings for HPB 7 –
 - a. The TAC is set at 129 tonnes.
 - b. The TACC is set at 77 tonnes.
 - c. The Minister sets aside an allowance for Māori customary fishing interests of 20 tonnes.
 - d. The Minister sets aside an allowance for recreational fishing interests of 28 tonnes.
 - e. The Minister sets aside an allowance for other fishing related mortality of 4 tonnes.

4. **The Minister** approve the following settings for HPB 8 –
 - a. The TAC is set at 56 tonnes.
 - b. The TACC is set at 38 tonnes.
 - c. The Minister sets aside an allowance for Māori customary fishing interests of 8 tonnes.
 - d. The Minister sets aside an allowance for recreational fishing interests of 8 tonnes.
 - e. The Minister sets aside an allowance for other fishing related mortality of 2 tonnes.
5. **The Minister acknowledges** that TACC reductions will not be enough to rebuild depleted hāpuku and bass abundance, and that effort controls and some area closures will be required during the stock rebuilding period.
6. **The Minister prohibits bottom fishing in the** Cook Strait hāpuku spawning ground, an area south of Brothers Islands.
7. **The Minister requires** separate reporting for hāpuku and bass in commercial fisheries and recreational harvest surveys, and ensures this information is made available to all stakeholders in machine readable format, to enable effective stock monitoring in the future.
8. **Fisheries New Zealand develop** a method for monitoring changes in relative abundance and age structure of hāpuku and bass.
9. **The Minister reviews** HPB 7 & 8 within 3 years so management can be better informed by improved commercial catch reporting, abundance and catch at age information.

The submitters

10. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the review of hāpuku and bass (HPB 7 & 8) for 2022-23. Fisheries New Zealand's (FNZ) Discussion paper 2021/26 was received on 14 December 2021, with submissions due by 8 February 2022.
11. The NZ Sport Fishing Council is a recognised national sports organisation of 55 affiliated clubs with over 36,200 members nationwide. The Council has initiated LegaSea to generate widespread awareness and support for the need to restore abundance in our inshore marine environment. Also, to broaden NZSFC involvement in marine management advocacy, research, education and alignment on behalf of our members and LegaSea supporters. legasea.co.nz.
12. The NZSFC acknowledges that some affiliated clubs in the regions affected by this review will be making a separate submission to this collective effort.
13. The New Zealand Angling and Casting Association (NZACA) is the representative body for its 35 member clubs throughout the country. The Association promotes recreational fishing and the camaraderie of enjoying the activity with fellow fishers. The NZACA is committed to protecting fish stocks and representing its members' right to fish.
14. The New Zealand Underwater Association comprises three distinct user groups including Spearfishing NZ, affiliated scuba clubs throughout the country and Underwater Hockey NZ. Through our membership we are acutely aware that the depletion of inshore fish stocks has impacted on the marine environment and the wellbeing of many of our members.

15. Collectively we are *'the submitters'*. The joint submitters are committed to ensuring that sustainability measures and environmental management controls are designed and implemented to achieve the Purpose and Principles of the Fisheries Act 1996, including "maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations..." [s8(2)(a) Fisheries Act 1996].
16. Our representatives are available to discuss this submission in more detail if required. We look forward to positive outcomes from this review and would like to be kept informed of future developments. Our contact is Helen Pastor, secretary@nzsportfishing.org.nz.

Background

17. There have been concerns about the depleted state of hāpuku stocks for many years. Significant changes were observed in the hāpuku fishery as commercial fishing activity grew in the early 1930s. Issues of concern even in those early days of fishery development were the diminishing numbers of groper in most accessible inshore areas and a decline in their average size (Graham 1953). From the 1930s to 70s total catches of hāpuku and bass from New Zealand waters ranged from 1000 and up to 2000 tonnes per annum (Plenary 2021).
18. Management and reporting of both species are combined as HPB. Hāpuku and bass were introduced into the Quota Management System (QMS) in 1986. The review of HPB 1 & 2 in 2021 was the first and only review of any HPB stock since 1986.
19. Despite the heavy commercial exploitation of hāpuku and bass stocks since the early 1930s, there is poor scientific evidence to support ongoing management. Fisheries New Zealand (FNZ) classify HPB as low knowledge stocks with no reliable estimates of biomass or yield. There is no evidence of any plans to increase the knowledge on these species, except for updated recreational harvest estimates in 2024.
20. FNZ held stakeholder meetings during 2021 to discuss peoples' views of the fishery and their suggestions for future management. FNZ report there was general concern about depletion in HPB 7 and localised depletion in HPB 8, with few hāpuku found inshore.
21. In 2020 the New Zealand Sport Fishing Council (NZSFC) ratified a policy supporting the restoration of hāpuku and bass stocks in New Zealand waters. A strategy was developed to rebuild stocks in eastern waters, in anticipation of the review of HPB 1 & 2 in 2021. Following the 2021 review the Minister reduced the TACs, TACCs and allowances in HPB 1 & 2.
22. The NZSFC's policy's objectives supports the Minister rebuilding population levels so ecosystem function can be restored, and so hāpuku and bass can be managed as a high value niche fishery providing for commercial, Māori customary and recreational fishing interests.

FNZ proposals

23. Currently only a Total Allowable Commercial Catch (TACC) has been set in HPB 7 & 8. As part of this review the Minister is obliged to set for the first time a Total Allowable Catch (TAC) and set aside a tonnage of fish to allow for non-commercial fishing interests, both Māori customary and recreational, and other mortality caused by fishing, before varying the TACC.

24. The current 235.5 t TACC in HPB 7 has not been reached since 2004-05. The 80.1 t TACC in HPB 8 has not been reached since 2010-11. FNZ advise the status quo is not an option and a reduction to the under-caught TACCs is warranted.
25. FNZ also note that HPB 7 & 8 share a border with HPB 2. They propose to disincentivise misreporting of commercial catch between areas by increasing the deemed value rates in HPB 7 & 8 to align with the rates applying in HPB 2.

Table 1: Proposed changes to the Total Allowable Catch (TAC), Total Allowable Commercial Catch (TACC) and allowances for HPB 7 and HPB 8, in tonnes. Source: Fisheries New Zealand.

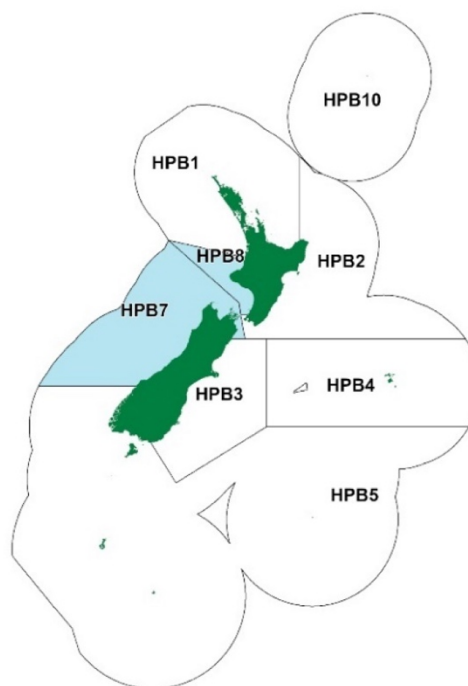
HPB 7							
Option	TAC	TACC	Allowances			Recreational Measures	
			Customary Māori	Other mortality	Recreational	Daily Limits	Additional regulations
Current settings	N/A	235.5	N/A	N/A	N/A	5 per person	Included in the combined daily limit of 5 with kingfish with a maximum of 3 kingfish
Option 1	164	110 ↓ (125.5 t)	20	6	28	2 per person	Remove from the combined daily limit of 5 with kingfish and: -Introduce daily limit of 2 hāpuku/bass -Introduce accumulation limit of 3
Option 2	136	83 ↓ (152.5 t)	20	5	28		
HPB 8							
Option	TAC	TACC	Allowances			Recreational Measures	
			Customary Māori	Other mortality	Recreational	Daily Limits	Additional regulations
Current settings	N/A	80.1	N/A	N/A	N/A	5 per person	Included in the combined daily limit of 5 with kingfish with a maximum of 3 kingfish
Option 1	87	65 ↓ (15.1 t)	10	4	8	2 per person	Remove from the combined daily limit of 5 with kingfish and: -Introduce daily limit of 2 hāpuku/bass -Introduce accumulation limit of 3
Option 2	76	55 ↓ (25.1 t)	10	3	8		

26. FNZ also propose to reduce recreational daily bag limits. The 2017–18 National Panel Survey (NPS) estimated the recreational harvest of hāpuku/bass was 35.4 t (CV = 0.35) in HPB 7 and 6.2 t (CV = 0.49) in HPB 8. (The 2011-12 NPS survey estimate for HPB 8 was higher, 25.6 t). Approximately 90% of daily bag sizes in HPB 7 were three or fewer hāpuku/bass, and around 90% of daily bag sizes in HPB 8 were two or fewer hāpuku/bass. Most of the catch came from the Cook Strait area, Marlborough Sounds and across to Cape Campbell. Fewer bass are caught from the South Island.

Discussion

Commercial catches

27. Hāpuku and bass are caught as bycatch in commercial longline fisheries targeting school shark and bluenose (HPB 7 & 8), ling (HPB 7) and trawl fisheries targeting tarakihi (HPB 8).
28. In the last 3 fishing years commercial fishing effort in HPB 7 & 8 has changed from bottom longlines to Dahn line. This change could be due to the requirement to use streamer (tori) lines on longlines that pose a danger to seabirds.
29. Commercial catch and fishing effort have been declining in HPB 7 & 8 over the last 8 years. Despite increases in port price, some commercial fishers report they have switched their attention to other species.
30. In 2019-20 and 2020-21 catches may have been affected by Covid-related issues. In 2019-20 catch in HPB 7 was 79 t and 78 t in 2020-21. In HPB 8 catch in 2019-20 was 33 t and 43 t in 2020-21.
31. The TACCs proposed by FNZ in Options 1 & 2 are not sufficient to enable a rebuild in either HPB 7 or 8. The Minister has a statutory obligation to ensure sustainability (Supreme Court 2009). To meet this obligation the submitters have recommended the Minister apply new TACCs to rebuild HPB 7 & 8. Our recommended TACCs are based on the average of the last 5 years of commercial catch minus 25%.
32. For HPB 7, FNZ propose in Option 1 a 110 t TACC on the basis that it is consistent with current commercial landings. Reduced catches in the past two years maybe Covid-related however, the average annual catch in HPB 7 over the past 5 years is 102.6 t.
33. FNZ's Option 2 for HPB 7 is 83 t, based on a 25% decrease to current commercial landings. In our view, a 25% reduction to the 5 year average is a more precautionary approach. As such, we have recommended the Minister reduce the HPB 7 TACC from 236 t to 77 t.
34. For HPB 8, FNZ propose in Option 1 a 65 t TACC on the basis that it is consistent with long-term average commercial landings. Commercial catches have reduced over the last two years however, the average annual catch in HPB 8 over the past 5 years is 50.6 t.
35. FNZ's Option 2 for HPB 8 is 55 t, based on current commercial landings. The last time that level was reached was in 2017-18, when 61 t were landed. We submit that a 25% reduction to the 5 year average is a more precautionary approach. We recommend the Minister rebuild HPB 8 by reducing the TACC from 80.1 t to 38 t.



Stock depletion

36. Hāpuku and bass have been fished down over the last 70 years, depletion is not a novel issue for these stocks.
37. Large Quota Management Areas (QMAs) and increased efficiency due to the advent of high resolution sounders and GPS has enabled catches of HPB to be maintained despite obvious overfishing. Vessels move from one fishing ground to another causing serial depletion. Shifting effort to maintain the catch rate makes catch per unit of effort (CPUE) unreliable as a way of monitoring changes in abundance (Paul 2005).
38. Depletion of other fish stocks also affects the management of HPB. In the early 2000s hāpuku and bass were mostly caught as bycatch in trawl fisheries targeting hoki and barracouta in HPB 7, and tarakihi in HPB 8. The proportion of targeted catch in HPB 8 has increased from 30% in the early 2010s to 45% in 2020-21. This change could be attributed in part to the depletion of tarakihi and reduction of TACCs in TAR 2 & TAR 7 from 2018 onwards, and several years of reductions in bluenose TACCs.
39. Fisheries New Zealand and its predecessors have made little effort to improve data collection of the status of hāpuku and bass. FNZ seems to be resigned to accepting that HPB is classed as a 'low knowledge' stock therefore not warranting any further efforts to gather real-time data.
40. The review of HPB 7 & 8 highlights the need for separate species reporting and management of hāpuku and bass, and more localised management. Until this new data is available the submitters recommend the Minister makes a precautionary decision for both HPB 7 & 8.
41. We submit the Minister sets a TAC in HPB 7 & 8 to enable hāpuku and bass stocks to rebuild to B50, a level consistent with 50% of the estimated unfished biomass.

Enabling holistic management

42. TACC reductions will not be enough to rebuild depleted hāpuku and bass abundance. Effort controls and some area closures will be required during the stock rebuilding period. Having closed areas for comparison could help in assessing changes in the fishery, if compliance is high. A mix of extractive and non-extractive sampling could be used.
43. Reports suggest that the Cook Strait is a hotspot for spawning hāpuku (Paul 2005). Although the exact location is unknown, the hotspot is thought to be south of Brothers Islands (Johnston 1983). To assist in the rebuild, the Minister must close the spawning ground to bottom fishing.
44. Hāpuku caught in depth over 60 metres suffer from barotrauma and may not survive catch and release. Small hāpuku caught in shallower waters may be released using a descender rig, however this takes some practice to successfully release fish.
45. We submit that the review of the Fisheries Act 1996 must include provisions for removing vulnerable species from the QMS. The review must also enable the introduction of alternative management controls that limit fishing effort to levels appropriate for the fishery. These new provisions will enable hāpuku and bass to be treated as a high value niche commercial, Māori customary and recreational fishery that maintains stock levels and ecosystem function.

Non-commercial harvest - HPB 7

46. The 2017–18 National Panel Survey (NPS) of HPB 7 estimated the recreational harvest of hāpuku/bass was 35.4 t (CV = 0.35). Approximately 90% of daily bag sizes in HPB 7 were three or fewer hāpuku/bass. Most of the catch came from the Cook Strait area, Marlborough Sounds and across to Cape Campbell. Fewer bass are caught from South Island waters.
47. **FNZ propose** in HPB 7 Option 2 the Minister sets the TAC at 136 t and then sets aside:
- 20 t to allow for Māori customary fishing interests;
 - 28 t to allow for recreational fishing interests;
 - 4 t to allow for other, fishing related mortality;
 - With the remaining 83 t to be allocated as the TACC.
48. **We submit** in HPB 7 the Minister sets the TAC at 129 t and then sets aside:
- 20 t to allow for Māori customary fishing interests;
 - 28 t to allow for recreational fishing interests;
 - 4 t to allow for other, fishing related mortality;
 - With the remaining 77 t to be allocated as the TACC.
49. FNZ also propose to reduce the daily bag limit so the total annual recreational catch fits, on average, within the 28 t allowed for within the TAC.
50. The submitters support the non-commercial allowances proposed for HPB 7 on the basis that the TAC is reduced to 129 t, as described above, and that management of HPB 7 is aimed at achieving B50, so there are more fish in the water in the future.
51. Currently the recreational daily bag limit is 5 per person, included in the combined daily limit of 5 with kingfish, with a maximum limit of 3 kingfish. FNZ propose the Minister:
- removes hāpuku and bass from the combined limit (5);
 - introduces a daily limit of 2 hāpuku or bass; and
 - introduces an accumulation maximum limit of 3 hāpuku or bass.
 - We submit** in support of a & b with **an accumulation maximum of 4 per person**.
52. An accumulation limit of 4 recognises that, in general, the fish caught in the southern areas are smaller than those taken in HPB 1 & 2. It also recognises that fishing in these areas is not for the faint hearted. These offshore trips are well planned, expensive and rare, so a take home catch of 4 after an overnight or multi-day trip is a reasonable outcome.
53. Ministerial support for a 4-max accumulation limit also fulfils the Minister's duty to manage fish stocks in a manner that enables people to provide for their social, economic and cultural wellbeing from fishing.
54. When HPB 1 & 2 were reviewed in 2021 FNZ proposed a recreational daily bag limit of 2 and an accumulation limit of 3. The submitters supported those proposals on the basis that:
- the fish stocks were managed to achieve B50;
 - the fishery was bycatch for all fishers; and

- c. some areas were closed to fishing for 10 years.
55. We received some pushback from recreational interests following the Minister's September 2021 decisions for HPB 1 & 2. The adverse reaction was in response to David Parker's decision to cut the daily bag limit and impose an accumulation limit, while failing to ensure the fishery would be managed as a bycatch fishery with area closures to protect the remaining fish from exploitation.
 56. So, while we consider the 2-daily bag limit and 4-max accumulation limit is a reasonable response to enable recreational fishers to contribute to the rebuild of HPB 7, we also acknowledge that recreational fishers are bearing the brunt of the rebuild. This contribution to conservation and rebuilding the stock needs to be taken into account in future management decisions. We therefore submit cautious support for these reductions.
 57. FNZ propose the Minister sets aside 20 t to allow for Māori customary fishing interests. There is poor information to guide the Minister's decision. The 20 t allowance has been proposed by FNZ after discussions with Te Waka a Māui me Ōna Toka Iwi Forum.
 58. We support the Minister setting aside 20 t to allow for Māori customary fishing interests in HPB 7 while also acknowledging that some customary harvest is taken under the amateur fishing regulations.

Non-commercial harvest - HPB 8

59. The 2017–18 National Panel Survey (NPS) estimated the recreational harvest of hāpuku/bass was 6.2 t (CV = 0.49) in HPB 8. The 2011-12 NPS survey estimate for HPB 8 was higher, at 25.6 t. Around 90% of daily bag sizes in HPB 8 were two or fewer hāpuku/bass. Most of the catch came from the Cook Strait area.
60. The high CV of 0.49 associated with the estimated 6.2 t of recreational harvest means there is a lot of uncertainty around the estimate. This uncertainty requires the Minister to make a precautionary decision when setting the TAC, allowances and TACC in HPB 8.
61. **FNZ propose** in HPB 8 Option 2 the Minister sets the TAC at 76 t and then sets aside:
 - a. 10 t to allow for Māori customary fishing interests;
 - b. 8 t to allow for recreational fishing interests;
 - c. 3 t to allow for other, fishing related mortality;
 - d. With the remaining 55 t to be allocated as the TACC.
62. Given the statutory duty on the Minister to ensure sustainability, **we submit the Minister** sets the TAC at 56 t and then sets aside:
 - a. 8 t to allow for Māori customary fishing interests;
 - b. 8 t to allow for recreational fishing interests;
 - c. 2 t to allow for other, fishing related mortality;
 - d. With the remaining 38 t to be allocated as the TACC.

63. The submitters support the alternative non-commercial allowances proposed above (in 62) on the basis that the TAC is reduced to 56 t, as described above, and that management of HPB 8 is aimed at achieving B50, so there are more fish in the water in the future.
64. FNZ also propose to reduce the daily bag limit so the total annual recreational catch fits, on average, within the 8 t allowed for within the TAC.
65. Currently the recreational daily bag limit is 5 per person, included in the combined daily limit of 5 with kingfish, with a maximum limit of 3 kingfish. In HPB 8 FNZ proposes the Minister:
 - a. removes hāpuku and bass from the combined limit (5);
 - b. introduces a daily limit of 2 hāpuku or bass; and
 - c. introduces an accumulation maximum limit of 3 hāpuku or bass.
66. The same daily bag and catch limits were proposed when HPB 1 & 2 were reviewed in 2021. The submitters supported those proposals on the basis that:
 - a. the fish stocks were managed to achieve B50;
 - b. the fishery was bycatch for all fishers; and
 - c. some areas were closed to fishing for 10 years.
67. We received some pushback from recreational interests following the Minister's September 2021 decision. The adverse reaction was in response to David Parker's decision to cut the daily bag limit and impose an accumulation limit, while failing to ensure the fishery would be managed as a bycatch fishery with area closures to protect the remaining fish from exploitation.
68. **We submit** in support of hāpuku and bass being removed from the combined daily bag limit with kingfish, a daily bag limit reduction from 5 to 2 per person, and **an accumulation maximum of 4 per person.**
69. An accumulation limit of 4 recognises that in general the fish caught further south are smaller than those taken in HPB 1 & 2. It also recognises that fishing in these areas is not for the faint hearted. These offshore trips are well planned, expensive and rare, so a take home catch of 4 after an overnight or multi-day trip is a reasonable outcome.
70. We consider the 2-daily bag limit and 4-max accumulation limit is a reasonable response to enable recreational fishers to contribute to the rebuild of HPB 8. We also acknowledge that recreational fishers are bearing the brunt of the rebuild. This contribution to conservation and rebuilding the stock needs to be taken into account in future management decisions. We therefore submit cautious support for these reductions.
71. FNZ propose the Minister sets aside 10 t to allow for Māori customary fishing interests. There is poor information to guide the Minister's decision.
72. We submit in support of the Minister setting aside an 8 t allowance to provide for Māori customary fishing interests, as some customary harvest is taken under the amateur fishing regulations and this contributes to setting a conservative TAC for the first time. A conservative TAC will help guide future management of this much valued fishery for the benefit of future generations.