Bob Gutsell
President
NZ Sport Fishing Council
PO Box 54242, The
Marina, Half Moon Bay,
Auckland 2144
secretary@nzsportfishing.org.nz

Planning Permissions and Land Unit
Department of Conservation
PO Box 10420
Wellington 6143
New Zealand
waihekeproposal@publicvoice.co.nz

20 March 2022

Submission: Proposed Hākaimangō-Matiatia (Northwest Waiheke) Marine Reserve

Contents

The Submitters

1. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the proposed Hākaimangō-Matiatia (Northwest Waiheke) Marine Reserve, under the Marine Reserve Act 1971.

2. 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.

3. The New Zealand Angling and Casting Association (NZACA) is the representative body for its 35 member clubs throughout the country. The Association promotes recreational fishing and the camaraderie of enjoying the activity with fellow fishers. The NZACA is committed to protecting fish stocks and representing its members' right to fish.

4. The New Zealand Underwater Association is comprised of 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.

5. Yachting New Zealand is the national sports organisation in New Zealand for the sport of sailing at all levels. They are a not-for-profit organisation of approximately 25 employees around the country and over 250 member organisations, comprising not only of sailing

and boating clubs and class associations, but also many leading organisations in the marine industry and individuals that continue to support their work.

6. The Outboard Boating Club of Auckland (OBC) is a landmark for boatowners across the nation, based out of East Auckland. The OBC represents 1876 members.

7. The Whakatakataka Bay Sportfishing Club Incorporated is affiliated with the OBC, with a membership of 72 members.

8. Warkworth Gamefish Club NZ has a steady core of around 300 members, based at Sandspit on the east coast near Warkworth.

9. 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].

10. Our representatives are available to discuss this submission in more detail if required. We look forward to positive outcomes from this review and would like to be kept informed of future developments. Our contact is Helen Pastor, secretary@nzsportfishing.org.nz.

Recommendations

11. **The Minister of Conservation rejects** this proposal based upon —

    a. Inability of the proposed marine reserve area to enhance marine biodiversity in surrounding areas.

    b. Although marine reserves are effective for educational, scientific and engagement purposes, there is a gap in their ability to protect biodiversity, especially fish and other migratory species populations. The decline of fish species, marine mammal species, seabird species and benthic habitat destruction is mainly due to bottom-contact mobile harvesting methods, bulk-harvesting methods, overallocation of quota and land-based runoff. Marine reserves do not address these issues and therefore marine reserves are not the answer to failed fisheries management.

    c. After consulting stakeholders affected by the application for this marine reserve (Local iwi/hāpu, Waiheke community groups, groups affected by the implementation of this reserve), we have concluded that many community groups are divided on this proposal, and there is no support by the Ngāti Pāoa Trust Board for this application. Please refer to 'differing perspectives' for more information.

    d. A section 186A (Fisheries Act 1996) temporary closure is already in place within 1 nautical mile of the Waiheke Island coastline and encompasses 21400 hectares. This is already protecting coastal species such as kōura [crayfish], pāua, tipa [scallops] and kūtai [mussels]. Unlike this application, the rāhui is widely supported by the community.

    e. The issues highlighted by the applicants 'decline of fish populations and land run-off' (throughout the entire Hauraki Gulf Marine Park) do not align with purposes of the Marine Reserves Act 1971. Section 3.1 states the purposes of marine reserves as —

       "For the scientific study of marine life, areas of New Zealand that contain underwater scenery, natural features, or marine life, of such distinctive quality, or

so typical, or beautiful, or unique, that their continued preservation is in the national interest."[1]

f. Other than referencing the cultural and social significance of the entire Hauraki Gulf Marine Park, the applicants have failed to present any 'underwater scenery, natural features, or marine life, of such distinctive quality, or so typical, or beautiful, or unique, that their continued preservation is in the national interest' within the select proposed area. This is outlined further in the section 'Proposed area'.

g. The issues highlighted in the proposed marine reserve area are not geographically isolated issues. These issues encompass the entirety of the Hauraki Gulf Marine Park and other areas nationwide. Hence the justification should be addressed under the Fisheries Act rather than spatially under the Marine Reserve Act 1971.

12. **The Minister of Conservation recognises and takes appropriate action** to address long-standing concern of declining marine life and biodiversity, and environmental stressors by —

a. Recommending the Minister of Oceans and Fisheries ban mobile bottom contact fishing methods such as scallop dredging and bottom trawling within 12 nautical miles of Aotearoa's coastline.

b. Introduce adaptive fisheries management. An ecosystem-based approach in accordance with the oceans vision, objectives and principles for the Oceans and Fisheries portfolio, which the Hon. David Parker, the Minister of Oceans and Fisheries presented on the 26 June 2021[2].

[1] https://www.legislation.govt.nz/act/public/1971/0015/latest/DLM398102.html

[2] https://www.beehive.govt.nz/release/government-adopts-oceans-vision

Background

'Protected areas will survive only if they are seen to be of value, in the widest sense, to the nation as a whole and to local people in particular.' - IUCN 2004.

Around the Hauraki Gulf Marine Park (HGMP) fish populations are declining and the inshore environment is degrading. Calls for marine protection are growing louder in response to the recent Revitalising the Gulf[3] , which is the Government action-plan response to the 2016 Sea Change Hauraki Gulf Marine Spatial Plan[4]. It is amazing to witness community efforts to engage with fisheries management of the HGMP, which are only increasing with these Government changes, however, unawareness means most often this only translates into a demand for more marine reserves.

We acknowledge marine reserves can be useful in education as a control in marine environment experiments, but there are gaps in their ability to protect fish and migratory species populations.

A marine reserve is no protection against wider biodiversity loss, as we have witnessed with Goat Island marine reserve. Populations of crayfish in the marine reserve are now similar or lower than crayfish populations outside the marine reserve since 2014[5] (and Tāwharanui Marine Reserve), a sad reflection of the depleted crayfish population on the northeast coast of the North Island, which supports the case of migratory species - marine reserves are a symptom-based cure that do not address all the underlying issues.

We ask the question, what are the alternative tools available to protect marine life from becoming depleted in the first place?

There is simply no need to close this area in perpetuity to all fishing, restricting whanau to gather kai moana and restricting access for future generations with little reason or scientific basis. Tikanga-based traditional methods, such as mātaitai, taiāpure, and enforcing rāhui by section 186A closures, have proven with proper management, fishing and marine conservation

[3] https://www.doc.govt.nz/globalassets/documents/our-work/sea-change/revitalising-the-gulf.pdf

[4] https://www.nzsportfishing.co.nz/wp-content/uploads/2021/06/Seachange-Spatial-Plan-Dec16.pdf

[5] https://www.doc.govt.nz/nature/habitats/marine/type-1-marine-protected-areas-marine-reserves/marine-reserve-report-cards/cape-rodney-okakari-point-goat-island-marine-reserve/rock-lobster/#:~:text=There%20has%20been%20a%20decline,recorded%20in%20the%202006%20survey.

can co-exist. For example, a case study on a mātaitai placed around Paterson Inlet (Stewart Island) on scallops showed more scallop density in the mātaitai as opposed to the surrounding marine reserve[6]. This proves both the effectiveness of traditional management tools, and the ineffectiveness of marine reserves if placed in the wrong area.

Marine reserves

13. The author of the application explains at length that the objective of the marine reserve is to address the population decline of inshore species and land-based pollution around the greater Hauraki Gulf Marine Park.

14. Albeit valid concerns, the proposed marine reserve simply can't address these concerns. The issues outlined in this application are due to failures in our fisheries management regime, the Quota Management System (QMS). The key drivers being:

    a. Overallocation of keystone species

    b. Ongoing use of mobile fishing techniques which damage the benthic environment and reduce the productivity of the entire ecosystem.

    c. Land-based runoff and pollution.

    d. Justifying the establishment of reserves by arguing the benefits of spillover effects, genetic variation and regeneration of juvenile fish are extremely tenuous arguments at best, which we do not support. Whatever the possible benefits, marine reserves cannot be justified as fisheries management tools.

15. If we continue to use spatial plans as a substitute for Fisheries Management, the fishing pressure will be displaced elsewhere. Interestingly, this is also highlighted in the application (section 1.4) as below —

[6] Twist, B., Hepburn, C., & Rayment, W. (2015). Distribution of the New Zealand scallop (Pecten novaezealandiae) within and surrounding a customary fisheries area. *ICES Journal of Marine Science: Journal du Conseil. 73. fsv228*. 10.1093/icesjms/fsv228.

"Waiheke Island community's strong support for marine reserves is in keeping with its long history of environmental awareness and activism, especially regarding the marine environment. In 1901 Waiheke Island residents drew up a petition objecting to the destructive impacts of trawling in the inner Gulf – one of several from Aucklanders at that time."[7]

16. In the Māori Methods and Indicators for Marine Protection project, DoC clearly states marine reserves, although meet some conservation objectives, often conflict with iwi/hāpu objectives for marine management[8]

17. This is the case happening on Northwest Waiheke. It is known marine reserves are a conservation tool that have been developed independently of Māori, and in this case, the application for the marine reserve within the Ngāti Pāoa rohe moana was not developed in step with Ngāti Pāoa.

Proposed area

18. The DOC website describes the implementation of marine reserves to expand scientific knowledge of marine ecosystems —

    "Type 1 Marine reserves are the highest level of marine protection established under the Marine Reserves Act 1971…. The main aim of a marine reserve is to create an area free from alterations to marine habitats and life, providing a useful comparison for scientists to study. Marine reserves may be established in areas that contain underwater scenery, natural features, or marine life of such distinctive quality, or so typical, beautiful or unique that their continued preservation is in the national interest"[9]

19. The above statement is used by the applicants as their basis for their application (Section 1.2), under the Marine Reserve Act 1971. We question what research is

[7] Peart, R. (2017). A 'sea change' in marine planning: the development of New Zealand's first marine spatial plan. *Policy Quarterly. 13.* 10.26686/pq.v13i2.4658.

[8] https://www.doc.govt.nz/globalassets/documents/science-and-technical/sap242entire.pdf

[9] https://www.doc.govt.nz/nature/habitats/marine/type-1-marine-protected-areas-marine-reserves

proposed to undergo in this area, which is abundant with fish, but no more unique than other areas of the Hauraki Gulf Marine Park. We cannot see a suitable basis for scientific research in this area.

20. There is no evidence in section 4 of the application to show that this specific area of the Hauraki Gulf Marine Park is so unique as compared to other areas in the HGMP, that their continued preservation is in the national interest. The extensive Sea Change process identified the priority areas for new MPAs.

21. The eCoast case studies initially proposed a similar area (referred to as PMR1) as a marine reserve in 2016. This was subsequently rejected by Auckland Council's Environment and Community Committee. This reinforces the fact this area does not hold any distinctive or unique marine features justifying a marine reserve [10]. However, this reference is used as the showcase for marine biodiversity in this application 29 times.

22. There are some very optimistic claims in the proposal of the benefits to the snapper population and economy from the establishment of the marine reserve. Daily egg production surveys identified the main snapper spawning areas in the Hauraki Gulf as the eastern and western areas, not the central Hauraki Gulf or Waiheke. The smallest snapper prefers very shallow water with fine seagrass. As they grow, they shift to slightly deeper seagrass and horse mussel beds. There is evidence that snapper spawning areas are selected to maximise transport to adjacent nursery ground areas. See appendix 1.

23. In addition to questioning the validity of the applicants research, under section 11 of the application, the article referred to (Sala & Giakoumi, 2017) is not a peer-reviewed study, with comments such as " biomass of whole fish assemblies in marine reserves is on average: greater than in adjacent unprotected areas [than no-take marine reserves]"[11] is based on data that is mostly unpublished, and by a single person, rather than a 'meta-analysis' as claimed.

[10] https://www.aucklandcouncil.govt.nz/about-auckland-council/how-auckland-council-works/local-boards/all-local-boards/waiheke-local-board/docswaihekeplans/waiheke-north-western-coastline-ecologoical-survey.pdf

[11] Sala, E. & Giakoumi, S. (May-June 2018). No-take marine reserves are the most effective protected areas in the ocean, *ICES Journal of Marine Science*, Volume 75, Issue 3, Pages 1166–1168, https://doi.org/10.1093/icesjms/fsx059

Mana whenua action

24. A Section 186A temporary closure that already encompasses the entire island enables mana whenua to provide for customary conservation and management practices. Tāngata whenua associated with an iwi can request an area closure and/ or prohibition of fishing methods to protect, sustain, or in respect of an aquatic (fish, seaweed, shellfish) species. A section 186A closure uses principles of rāhui[12].

25. Timed management is a crucial component of customary management tools, as areas are temporarily closed, or bylaws are made to ensure marine biodiversity and kai moana can replenish and self-sustain for generations to come.

26. Tikanga-based action is important for empowering Māori for future generations. This rāhui is a reclamation of indigenous rights, and Ngāti Pāoa, and other iwi and hāpu taking local action need to be uplifted in strengthening their current closure management processes, instead of being overridden by new closure management processes.

27. The way for the Government to support kaitiakitanga over rohe moana is by first and foremost combating the issue of marine life depletion, and destruction of benthic communities by banning mobile bottom-contact fishing methods such as scallop dredging and bottom trawling from our inshore waters.

28. Tikanga-based traditional management tools such as rāhui provide a more focused, nuanced approach to localised fisheries management. They are inclusive and require ongoing community involvement.

29. Engaging the community is crucial as it allows for proactive restoration, something not allowed within a Marine Reserve. Adaptive management is a preferred option.

30. A marine reserve means taking future goal setting out of the hands of mana whenua and local communities.

[12] https://www.legislation.govt.nz/act/public/1996/0088/1.0/DLM397974.html

Current Waiheke marine life protection

31. A section 186A (Fisheries Act 1996) closure is already in place by Waiheke mana whenua Ngāti Pāoa, within 1 nautical mile of the Waiheke Island coastline, already protecting coastal species such as kōura, pāua, tipa and kūtai from 2021 until 2023.

    a. This has seen commercial fishing effort transfer away from Waiheke and focus on other areas of the Gulf. This will undoubtedly have had detrimental impacts on the benthic environment inside the Rohe Moana of Ngāti Hei, Ngāti Manuhiri and Ngāti Rehua.

32. The size of the rāhui area is 21400 hectares. This represents a significantly larger area already under protection of further depletion for key species than the proposed marine reserve area, which is 2350 hectares.

33. The Ngāti Pāoa rāhui has unified the community. It is supported by a wide range of community and nationwide organisations. This includes but is not limited to New Zealand Sport Fishing Council, New Zealand Underwater Association, Waiheke Marine Collective, Local body councils LegaSea, Yachting New Zealand, Outboard Boating Club, Waiheke Fishing and Recreation Club, and others. It's clear that without community support, this application will not deliver the desired result.

Existing Hauraki Gulf marine life protection

34. A section 186A (Fisheries Act 1996) closure is also currently in place by eastern Coromandel mana whenua Ngāti Hei, encompassing an area of almost 2500km² or 250000 hectares off eastern Coromandel to protect tipa [scallops] until 2023.

35. The Ngāti Manuhiri rāhui on all scallop harvesting was placed in 2022, with a current application for a section 186A closure pending for approval for public consultation by the Minister of Oceans and Fisheries. Ngāti Manuhiri placed this rāhui specifically in response to fishing effort displacement, where scallop fishers were coming to fish in

their rohe moana due to closures in the above other areas of the Hauraki Gulf Marine Park[13].

Fishing effort displacement

36. All mana whenua in the above examples of section 186A closures agree this solution is only temporary while the community research longer-term solutions. In usual cases it is known closures and bylaws would be enough to replenish fish populations, but that this is not the case if over-fishing and bulk-harvesting are occurring[14].

37. A closure in perpetuity, as proposed with this marine reserve, will not address, or solve the issue of declining marine life populations.

38. The above examples show closures only lead to fishing effort displacement if the fishing effort itself is not addressed.

39. Fishing effort displacement is defined as changes in fishing behaviour and patterns (moving to other fishing grounds) occurring in response to spatial constraints without sufficient management measures.[15]

Differing Perspectives

40. There is a division and distinct lack of community and mana whenua support for this proposed marine reserve.

41. **We understand the following groups have not offered support for this proposal**:
    a. Ngāti Pāoa Iwi Trust
    b. The Waiheke Marine Project
    c. (Waiheke Island) Coastal Custodians
    d. Waiheke Fishing and Recreational Club

[13] https://waateanews.com/2022/02/09/ngati-manuhiri-calls-rahui-to-stem-scallop-loss/

[14] https://www.tandfonline.com/doi/pdf/10.1080/00288330.2003.9517198

[15] McLeod, M.(2014). Assessing the potential levels and effect of fisheries displacement as a consequence of possible management measures for future inshore Marine Protected Areas, *Scottish MPA Project.*

42. We have confirmation that The Waiheke local board, Auckland City Council and Hauraki Gulf Forum are only offering conditional support.

43. The Waiheke Marine Project (WMP) is a direct collaboration with Waiheke mana whenua and local community groups working together as a pilot for community involvement in marine conservation. Ngāti Pāoa are mana whenua involved with the WMP. WMP Steering Group member, Dean Ogilvie of Ngāti Pāoa states --

    "*We think back to the unity that was created at Future Search in 2020, and we remain committed to the 9 commitments that were unanimously agreed at that event. It's about the partnership with the community, embracing mutual respect, and supporting mana whenua connection and leadership*."

44. Exclusion of human interaction with the marine environment limits people's ability to assist with proactive restoration. For example, the kōura rewilding program which Ngāti Pāoa and the Waiheke Marine Project are both heavily invested in.

45. For many, humans are inextricably connected with the environment. It's part of their identity. They are derived from the lands and waters. It's who they are. A marine reserve will disconnect these communities from areas of real cultural significance.

Hauraki Gulf Species under threat

46. The commercial fishing industry harvests more than 9500 tonnes annually from the Hauraki Gulf Marine Park[16]. The increased fishing effort includes —

    a. A 30% increase in the three-year period before the marine park was established. Around 21000 tonnes of fish were reported as caught commercially between 2016-17 and 2018-19.

[16] https://www.aucklandcouncil.govt.nz/about-auckland-council/how-auckland-council-works/harbour-forums/docsstateofgulf/state-gulf-full-report.pdf

b. The greatest proportion of fish landed was caught using indiscriminate bulk harvesting methods including purse seining and mobile bottom contact fishing methods (74%).

c. A dramatic increase in the amount of keystone species being harvested will result in detrimental effects on marine mammals, seabirds and other apex predators that migrate annually to the gulf to feed. Examples of this include —
    i. 470% increase in the harvest of Blue Mackerel
    ii. Pilchards went from a minor species with reported landings of 1 tonne before the park was established to reported landings of 376 tonnes in the recent period.
    iii. Three-year landings of jack mackerel and skipjack tuna increased by 16% and 76% respectively.

47. Many of the species identified such as snapper, whales and dolphins and sharks are migratory throughout their life. Others such as crayfish, scallops and mussels are migratory while in their larval form. They drift long distances on the currents before settling. Without taking an ecosystem management approach and setting objectives such as restoring wider populations to the internationally recognised 50% of unfished biomass, a marine reserve won't facilitate an increased population around the wider Hauraki Gulf Marine Park, or further afield.

New Zealand Sport Fishing Council policy on marine reserves

48. The NZSFC is not opposed to the establishment of marine reserves in situations where it has been clearly established that a need for special protection exists. This should not include average or typical examples of marine habitats, but rather areas that are "particularly fragile and/or vulnerable to a range of potential impacts and enforcement is more practical than other mechanisms." The onus should be on the proposer to justify the need for marine reserve status.

49. Justifying the establishment of reserves by arguing the benefits of spillover effects, genetic variation and regeneration of juvenile fish are extremely tenuous arguments at

best, which we do not support. Whatever the possible benefits, marine reserves cannot be justified as fisheries management tools.

50. The nature of our fishing activities utilises many of our offshore islands, many of which appear to be targeted for marine reserve status. The NZSFC will vigorously oppose any marine reserve proposal that attempts to take the total area around any offshore island, such as has occurred at the Poor Knights. Such action seriously disadvantages our members. If marine reserve status can be justified in the case of any offshore island, it must follow the basic pattern of the Tuhua (Mayor Island) reserve, where only a portion of the waters are reserved for "no-take", such compromise to be reached through genuine negotiation between our members and other stakeholders.

51. That all marine reserves applications have had ample notification in a timely manner to enable meaningful submissions and consultation by the public, affected NZSFC clubs, and the Council itself.

Revitalising the Gulf & Sea Change

52. In June 2021, the Minister for Oceans and Fisheries, David Parker announced Revitalising the Gulf. In this, the government outlined the establishment of 11 high protection areas with customary take and 5 benthic protected areas.

53. The Government's Revitalising the Gulf action plan does little to defend the Hauraki Gulf Marine Park from ongoing destructive fishing practices. It still allows for bottom trawl 'corridors' and commercial scallop dredging.

54. A Spatial Plan for the Hauraki Gulf branded as 'Sea Change - Tai Timu Tai Pari' largely sponsored by Auckland Council and the Waikato Regional Council was completed in 2016. The non- statutory plan was 4 years in the making and not all elements could be agreed on by the stakeholders involved. The final product was a mixture of compromises that was not meant to be pulled apart. Being non-statutory, implementation was up to the Government. The ministries of Conservation and Fisheries proceeded to pull the document apart and applied their own silo-ed thinking, resulting in the flawed Revitalising the Gulf document.

Proposal

55. DoC put out an application to create a new marine reserve by the Friends of the Hauraki Gulf Inc for public consultation on 2 February 2022, with submissions due 20 March 2022.

56. The proposed Hākaimangō-Matiatia Marine Reserve is off the northwest coastline of Waiheke Island, Auckland. The proposal covers 2,350 ha off the north-western corner of Waiheke Island. It would span from Hākaimangō Point to Matiatia Point.

Submission

57. **The submitters appreciate** the opportunity to submit in opposition to the Proposed Hākaimangō-Matiatia (Northwest Waiheke) Marine Reserve, under the Marine Reserve Act 1971.

58. **The submitters know** the proposal does not enhance marine biodiversity in the suggested area and surrounding areas. The proposed area also does not contribute to protection of highly migratory species, nor does it address overfishing. Preserving marine biodiversity of *"such distinctive quality, or so typical, or beautiful, or unique, that their continued preservation is in the national interest"*[17] is a crucial component outlined in section 3.1 of the Marine Reserves Act 1971.

59. **The submitters know** there is already adequate protection in place addressing key species decline around Waiheke Island.

    a. A section 186A (Fisheries Act 1996) closure placed by Ngāti Pāoa is already in place within 1km of the Waiheke Island coastline, protecting coastal species such as kōura, pāua, tipa and kūtai. Unlike this application, the rāhui is widely

[17] https://www.legislation.govt.nz/act/public/1971/0015/latest/DLM398102.html

supported by the community, and there is further planning by Ngāti Pāoa to manage their rohe moana in the future.

b. The closed area is 21,400 hectares in size, protecting a much more significant portion of the coast than the proposed marine reserve, while addressing the issue of overfishing, with potential of iwi-led future management of the area.

60. **The submitters realise** the issues highlighted in the application encompass the entirety of the Hauraki Gulf Marine Park and other areas nationwide. The issues highlighted in the proposed marine reserve area are not geographically isolated issues, and closing off this area will only result in unwanted fishing displacement for the Hauraki Gulf Marine Park.

61. **The submitters call for more realistic solutions.** There are shortcomings in the ability of marine reserves to protect biodiversity, especially fish and migratory species populations, and they do not address bottom-contact mobile harvesting methods and bulk-harvesting methods that are mainly responsible for marine life decline. Closing an area in perpetuity will subsequently result in the public being unable to access kai moana from this area. To achieve meaningful success the Government needs to take back control of our inshore fisheries by dismantling the Quota Management System and the accumulated power associated with quota rights. Then we can start to implement change by —

    a. Resetting catch limits to enable fish stocks to be restored to 50% of their unfished natural stock size.

    b. Banning inshore bottom trawling, dredging and industrial indiscriminate bulk fishing methods.

    c. Issuing commercial permits for mixed finfish species, not single species. Electronic monitoring and onboard cameras will be mandatory.

    d. Ensuring conservation by monitoring recreational fishing regulations to keep pace with a growing fish resource.

    e. Use a range of measures including Māori tikanga-based management tools to enable finer scale management of regional waters to meet local needs.

62. **The submitters understand** the need for the Marine Reserve Act 1971 to be reviewed and refreshed. As below —

    a. The 1971 Marine Reserves Act is outdated legislation. We are currently aware of the 25-year review discussion, but this is yet to be legislated. Meanwhile, the proposed area will be closed in perpetuity.

    b. In the Māori Methods and Indicators for Marine Protection project, there is a clear statement the Act needs to be reviewed to become more relevant to Māori[18]. This statement was made 15 years ago, back in 2007.

63. It is known DoC resources are currently stressed as it is. DoC does not have the resources to monitor the current marine reserves. Any new reserves initiated will be managed and administered by an under-resourced DoC. There is already a marine reserve at the southern end of Waiheke, and this has seen little investment.

64. **The submitters are** also concerned about the cost of education, enforcement, and management by DoC, all for an area that does not require protection. It is better to invest in resources that address the issues, not the symptoms.

65. **The submitters suggest** funding that would be used in resourcing the marine reserve (see above point) should instead be used to further Government staff education in traditional management tools. It has been highlighted by DoC in previous projects that there is a lack of Government staff knowledge in traditional Māori tools, and a lack of knowledge by some mana iwi/hāpu in Government-established tools, as below —

    a. In the Marine Protected Areas Policy and Implementation Plan (2005), by DoC, it is stated traditional management systems and Government management systems can and should work together, with proper education around all systems being a two-way process with Government agencies and communities[19].

[18] https://www.doc.govt.nz/globalassets/documents/science-and-technical/sap242entire.pdf

[19] https://www.doc.govt.nz/globalassets/documents/conservation/marine-and-coastal/marine-protected-areas/mpa-policy-and-implementation-plan.pdf

66. **The submitters support** exercising the use of tikanga Māori principles and mātauranga Māori into fisheries management, with the ideal of incorporating traditional methods into ecosystem-based marine management, as both methods of fisheries management co-exist perfectly.

    a. In using traditional tools alongside ecosystem-based management, this works accordingly with all principles outlined in section 2 of the Hauraki Gulf Marine Park Act 2000[20].

67. **The submitters view the application as dismissive** to the management systems already in place as well as future planning by Ngāti Pāoa and the local community to protect and manage their rohe moana. A marine reserve is placed in perpetuity, and Waiheke Island coastal marine areas are important for customary and recreational fishing. **We cannot support further strip backs of critical access to kai moana.**

[20] https://www.legislation.govt.nz/act/public/2000/0001/latest/DLM53131.html

Appendix

1. **Snapper spawning areas**

The main snapper spawning areas detected in the Hauraki Gulf daily egg production survey were the eastern and western areas, not the central Hauraki Gulf. The smallest snapper prefers very shallow water with fine seagrass. As they grow they shift to slightly deeper seagrass and horse mussel beds. There is evidence that snapper spawning areas are selected to maximize transport to adjacent nursery ground areas.

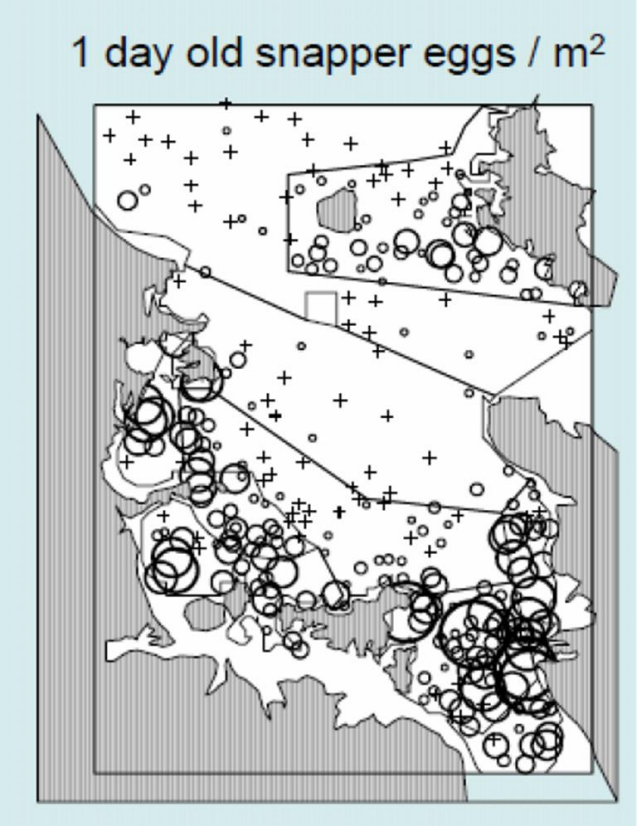

Figure 1. Snapper egg abundance (proportional to circle size) from the daily egg production method survey for stage 0 to 6 eggs.

Zeldis, J. R. and Francis, R. I. C. C. 1998. A daily egg production method estimates of snapper biomass in Hauraki Gulf*, New Zealand. – ICES Journal of Marine Science, 55*: 522–534.