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SUBMISSION ON THE DRAFT HAURAKI GULF FISHERIES PLAN

EXECUTIVE SUMMARY

1. The Department of Conservation (**DOC**) and Fisheries New Zealand (**FNZ**) are currently implementing "Revitalising the Gulf – Government action on the Sea Change Plan" (**Revitalising the Gulf**), with reforms to marine conservation and management intended to improve the health of the Hauraki Gulf Marine Park. Revitalising the Gulf was released in June 2021 in response to the 2016 Sea Change - Tai Timu Tai Pari Marine Spatial Plan (**Sea Change**).

2. From September to October 2022 DOC conducted a separate process to consult on marine protection measures. The draft Hauraki Gulf Fisheries Plan was subsequently released on 17 January 2023 and deals specifically with fisheries management issues within the Revitalising the Gulf strategy.

3. While the draft Fisheries Plan includes some worthwhile objectives and management actions, the submitters **do not support** the draft Hauraki Gulf Fisheries Plan as it stands because the draft plan does not propose sufficient meaningful actions to restore ecosystem function nor does it propose actions to enable implementation of ecosystem-based fisheries management. The draft plan fails to achieve the environmental bottom lines in the Fisheries Act 1996 and does not meet the purpose of the Hauraki Gulf Marine Park Act 2000. Success will only be achieved by making the Marine Park a separate fisheries management area, as agreed in Sea Change.

4. Sea Change clearly stated a requirement for a time-bound transition away from destructive mobile bottom-contact fishing methods, into innovative fishing methods that reduce seafloor damage and unwanted bycatch. However, the draft Hauraki Gulf Fisheries Plan ignores much of the Sea Change advice.

5. We are disappointed that FNZ has once again proposed a raft of measures that largely serve the interests of quota holders.

6. From Sea Change to Revitalising the Gulf there has been over a decade of planning. This has delayed any meaningful action yet wasted so much precious resource, including peoples' goodwill developed during the Sea Change process.

7. Our team is highly committed and invested in this ongoing process. Members of the New Zealand Sport Fishing Council have been involved throughout the entirety of this process, from establishment of the Sea Change Tai Timu Tai Pari planning process in 2013, to Roundtables (2014), Stakeholder Working Group (2015), and most recently the Hauraki Gulf Fisheries Plan Advisory Group.

8. We do not accept the approach taken by FNZ in the draft plan, to cherry-pick elements of Sea Change and ignore the remainder. The outcome of Sea Change was a carefully struck balance between marine protection and fisheries management that produced a remarkable consensus among stakeholders.

9. FNZ and the Minister must not underestimate the public's desire to see meaningful change in the Hauraki Gulf Marine Park. Put simply, there is very strong public support (84%)[1] for removing destructive fishing methods from Gulf waters, such as bottom trawling, so decision-makers cannot expect widespread public support or meaningful stakeholder collaboration if they proceed with the current draft plan.

10. The Hauraki Gulf Alliance is a coalition of organisations, businesses and clubs working together to advocate for the removal of all bottom trawling, scallop dredging and Danish seining from the Hauraki Gulf Marine Park. In August 2022, organisations LegaSea, Greenpeace NZ, WWF NZ, and Forest & Bird launched a petition. So far, the petition has over 33,600 signatures from public who want bottom trawling, scallop dredging and Danish seining removed from the Hauraki Gulf Marine Park, forever.

11. We make the following **recommendations**:

    a. A total ban on bottom trawling, scallop dredging and Danish seining in the Hauraki Gulf Marine Park.

    b. Include in the plan timely actions to restore ecosystem function and biodiversity by rebuilding the abundance of fish stocks to a minimum of 50 percent of their estimated, unfished biomass.

    c. The Hauraki Gulf Marine Park is to be designated as a separate Fisheries Management Area so the Minister can meet his statutory obligations, to ensure sustainability, by setting species specific catch limits to regulate how much fish is removed from the environment.

    d. Integrate the Sea Change package of measures into the draft Fisheries Plan to achieve a balance between marine protection proposals and fisheries management controls.

    e. Otherwise amend the detail of the draft plan as set out in this submission.

12. The Hauraki Gulf Marine Park Act 2000 recognises the national significance of the interrelationship between the Hauraki Gulf, its islands, and catchments and the ability of that interrelationship to sustain the life-supporting capacity of the environment of the Hauraki Gulf

[1] Horizon Research. "Hauraki Gulf Survey," Hauraki Gulf Forum. October 2021. https://gulfjournal.org.nz/wp-content/uploads/2021/11/Hauraki-Gulf-poll-final.pdf

and its islands. This statutory requirement has not been adequately met so people are missing out on the full benefits of having a marine park on the doorstep of our largest population base that is providing for the community's wellbeing through protection of its natural resources and mauri/life force.

Structure of submission

13. This submission is structured to address:

    a. The Submitters;

    b. Procedural, legal, environmental, and social context;

    c. The specific provisions of the Draft Hauraki Gulf Fisheries Plan;

    d. Outcome sought.

The Submitters

14. The New Zealand Sport Fishing Council (**NZSFC**) is a recognised national sports organisation with over 36,000 affiliated members from 53 clubs nationwide. The Council has initiated LegaSea to generate widespread awareness and support for the need to restore abundance in our inshore marine environment. Also, to broaden NZSFC involvement in marine management advocacy, research, education, and alignment on behalf of our members and LegaSea supporters. Further information can be found at www.legasea.co.nz.

15. The New Zealand Angling and Casting Association (**NZACA**) is the representative body for its 24 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.

16. 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…".

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

CONTEXT

Procedural context

18. The planning process that became Sea Change was initiated by the Auckland Council and Waikato Regional Council, supported by iwi/hapū, the DOC and Ministry for Primary Industries (**MPI**).

19. In 2011 the Hauraki Gulf Forum released a draft plan for the Gulf waters and proposed some marine protected areas. Implementation of the plan was expected by 2015. Discussions continued and a stakeholder working group was established in December 2013.

20. In 2014 seven 'Roundtables' were established to focus on specific aspects that were affecting the Gulf. Those Roundtables were: Fish Stocks; Biodiversity & Biosecurity; Water Quality, Aquaculture; Accessible Gulf; and Infrastructure & Commercial Uses. NZSFC participated in the Fish stocks and Biodiversity & Biosecurity roundtables.

21. By the end of 2014 the Roundtables completed their discussions and a formal handover of information to the Stakeholder Working Group (**SWG**) occurred in February 2015. The SWG was expected to report to government in June 2015.

22. The process stalled in 2015. Renewed interest in the process led to a new independent chair being appointed to the SWG in September 2015. The NZSFC had one representative on the SWG until his departure in October 2015. The NZSFC nominated a new representative to the Working Group in December 2015.

23. In December 2016 the Sea Change Tai Timu Tai Pari Hauraki Gulf Marine Spatial Plan was released however it wasn't widely published until March 2017. Critical elements of the Sea Change Plan included:

    a. Transition away from mobile, bottom contact fishing methods;

    b. Creation of a separate Fisheries Management Area for the Hauraki Gulf Marine Park;

    c. Marine protection to be included as an integrated package of management measures;

    d. Establishment of a Hauraki Gulf Fisheries Plan Advisory Group.

24. Since its inception, the Hauraki Gulf Forum has published regular reports on the condition of the marine environment. The 2017 State of the Environment report showed continuing declines in fish populations and the health of the marine environment. The 2020 State of our Gulf report also highlighted ongoing loss of biodiversity and benthic habitats.

25. In April 2020, the Government released a stakeholder and iwi strategy overview in response to Sea Change. In June 2020 the NZSFC submitted a comprehensive response to the government's strategy. The submission was a joint statement from a range of organisations concerned about the ongoing degradation and lack of meaningful response to address the well-known issues affecting the Gulf.

26. In June 2021, the Government released the Revitalising the Gulf strategy, which includes elements cherrypicked from the original Sea Change plan. The Strategy action points relating to fish populations and marine environments in the Hauraki Gulf Marine Park include the draft Hauraki Gulf Fisheries Plan, Hauraki Gulf Marine Protected Areas, and trawl corridors.

27. In April 2022, officials confirmed the appointment of representatives to participate in the Hauraki Gulf Fisheries Plan Advisory Group. Their role was to inform and amend the draft Hauraki Gulf Fisheries Plan. One representative from the NZSFC was accepted onto the Group. There were only four Group meetings during the remainder of 2022. This proved to be inadequate given the scale of reforms required to achieve the stated objectives.

28. At a similar time, other stakeholder groups, such as an Iwi advisory group, were established in isolation. What was recorded as input from each stakeholder group was not shared with the other groups and input and information was segregated and stonewalled by FNZ. It is understood that the Fisheries Plan Advisory Group requested to meet with participants of other advisory groups to discuss ideas and collaborate effectively. Instead, FNZ only showed one short power point from the Iwi Advisory Group, which was not informative. Further requests from the Advisory Group to collaborate with the other groups were declined by officials.

29. Representatives on the Advisory Group have been unable to publicly discuss how the content of the Fisheries Plan has evolved throughout the process due to the conditions set out in the Group's Terms of Reference. Similarly, the nature and extent of any 'trawl corridors' remains confidential. It is this type of constraint that denies the public adequate information to make informed decisions even this far into the development process. We believe the efforts by officials to withhold vital information including the Fisheries Plan and the location of 'trawl corridors' are unnecessary and obstructive.

30. In January 2023, the draft Hauraki Gulf Fisheries Plan was released for public consultation.

31. We are disappointed and concerned that the Government's Revitalising the Gulf strategy does little to defend the Hauraki Gulf Marine Park from ongoing destructive fishing practices. Instead, the Government is relying on DOC to create 18 new marine protected areas to remedy over a century of damage.

32. The proposed pockets of marine protected areas will merely shift fishing effort into the wider Gulf and beyond, with no intent to manage the displaced effort or other fisheries issues. A bit like a balloon, if you squeeze it in one place the rest is put under pressure. This is not an acceptable way to treat the Gulf's neighbours in Northland and the Bay of Plenty.

33. It is unacceptable that after so much public investment in the Sea Change and later planning process, the fishery interventions so urgently needed are absent. A plan to deliver a plan for fisheries management sometime in the future is not bold nor is it transformative, it is merely a tick-the-box exercise by officials. We cannot keep ignoring the degradation of the Hauraki Gulf Marine Park waters - all while denying the public access to popular areas and expecting to pass the cost of destructive fishing on to the public and future generations.

Legal context

Fisheries Act 1996

34. The draft Hauraki Gulf Fisheries Plan is proposed to be made under section 11A of the Fisheries Act 1996. Section 11A provides a broad discretionary power for the making of fisheries plans. However, that power must be exercised in manner that conforms to the purpose and principles of the Fisheries Act 1996 as those provisions have been interpreted by the Courts.

35. The Supreme Court in *New Zealand Recreational Fishing Council Inc v Sanford Limited* [2009] NZSC 54, [2009] 3 NZLR 438 held at [39]-[40] that "Utilisation", and "ensuring sustainability" in the purpose of the Fisheries Act are "two competing social policies" however the ultimate priority is with "ensuring sustainability":

> *… The statutory purpose is that both policies are to be accommodated as far as is practicable in the administration of fisheries under the quota management system. But recognising the inherent unlikelihood of those making key regulatory decisions under the Act being able to accommodate both policies in full, s 8(1) requires that in the attribution of due weight to each policy that [the weight] given to utilisation must not be such as to jeopardise sustainability.* ***Fisheries are to be utilised, but sustainability is to be ensured.***
>
> ***This ultimate priority is recognised in the two definitions****. The first consideration in the definition of "utilisation" is the conserving of fisheries resources. Their use, enhancement, and development, to enable fishers to provide for their social, economic and cultural wellbeing, are considerations which follow. The definition of "ensuring sustainability", on the other hand, reflects the policy of meeting foreseeable needs of future generations which is concerned with future utilisation. These complementary definitions apply whenever those terms are used in the Act.*

36. The decision of the High Court in *The Environmental Law Initiative v Minister for Oceans and Fisheries* [2022] NZHC 2969 was issued just prior to the draft Hauraki Gulf Fisheries Plan being opened to consultation. Citing the findings of the Supreme Court, the decision found that:

    a. The Fisheries Act 1996 contains ***mandatory environmental bottom lines*** in its purpose of "ensuring sustainability" and in its "environmental principles":[2]

        i. associated or dependent species should be maintained above a level that ensures their long-term viability;

        ii. the biological diversity of the aquatic environment should be maintained;

        iii. habitat of particular significance for fisheries management should be protected.

    b. The Fisheries Act 1996 is to be interpreted and applied in a manner consistent with New Zealand's international law obligations relating to fishing, which imports both an "ecosystem approach" and a "precautionary approach";[3] and

    c. The Minister for Oceans and Fisheries had been misadvised by Fisheries New Zealand as to the best available information concerning the causes of kina barrens in the north-east of New Zealand and accordingly his decisions on the Total Allowable Catch ("**TAC**") for the CRA1 fishery did not comply with the mandatory environmental principles and were unlawful.[4]

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2 *The Environmental Law Initiative v Minister for Oceans and Fisheries* [2022] NZHC 2969, paragraphs [11], [108], [117].

3 Ibid at [15]-[18].

4 Ibid at [118].

37. The decision was not appealed by the Minister for Oceans and Fisheries.

38. While the immediate subject matter of the decision concerned the CRA 1 fishery, the High Court's legal findings are of general application to all decisions made under the Fisheries Act 1996. The significance of *The Environmental Law Initiative v Minister for Oceans and Fisheries* [2022] NZHC 2969 cannot be overstated; it represents a paradigm shift in application of the Fisheries Act 1996. Adverse environmental effects of fishing activities on biodiversity can no longer be balanced or traded off against utilisation objectives; the Fisheries Act contains environmental bottom lines for the maintenance of the biological diversity of the aquatic environment. Moreover, people exercising functions under the Act have a duty to remedy or mitigate ***any*** past, present, future, or cumulative effects of fishing on ***any*** stock and the aquatic environment. This includes the adverse historical effects of fishing that have present day adverse effects on the biological diversity of the aquatic environment e.g. Kina barrens and the destruction of benthic habitats by mobile bottom contact methods.

39. The statement of legislative context at 5.1 of the draft Hauraki Gulf Fisheries Plan is inconsistent with these findings of the Superior Court as it does not expressly recognise the ultimate priority placed on the Minister to ensure sustainability and apply the mandatory environmental bottom line approach of the Fisheries Act 1996.

Hauraki Gulf Marine Park Act 2000

40. The Hauraki Gulf Marine Park Act 2000 (among other things):

    a. Recognises the national significance of the interrelationship between the Hauraki Gulf, its islands, and catchments and the ability of that interrelationship to sustain the life-supporting capacity of the environment of the Hauraki Gulf and its islands;

    b. Establishes the Hauraki Gulf Marine Park that is the subject of the draft Plan;

    c. Establishes statutory objectives for the management of the Hauraki Gulf Marine Park, its islands, and catchments.

41. It is axiomatic that a Fisheries Plan for the Hauraki Gulf Marine Park must be consistent with the statutory objectives for the management of the Marine Park set out in section 8:

    a. The protection and, where appropriate, the enhancement of the life-supporting capacity of the environment of the Hauraki Gulf, its islands, and catchments;

    b. The protection and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments;

    c. The protection and, where appropriate, the enhancement of those natural, historic, and physical resources (including kaimoana) of the Hauraki Gulf, its islands, and catchments with which tangata whenua have an historic, traditional, cultural, and spiritual relationship;

    d. The protection of the cultural and historic associations of people and communities in and around the Hauraki Gulf with its natural, historic, and physical resources;

    e. The maintenance and, where appropriate, the enhancement of the contribution of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and

catchments to the social and economic well-being of the people and communities of the Hauraki Gulf and New Zealand; and

f. The maintenance and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments, which contribute to the recreation and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf and New Zealand.

42. Simply put, these management objectives do not permit a fisheries plan that facilitates ongoing environmental degradation from destructive fishing practices.

Environmental context

43. The marine environment of the Hauraki Gulf Marine Park has been degraded and neglected for far too long. Bottom trawling has been occurring in the Hauraki Gulf Marine Park for over 120 years, with trawlers commissioned for some species from 1899. Over the years technology has advanced, starting from steam-powered vessels with small nets, to now where boats are larger and faster, and their nets have also increased in size and robustness.

44. In the Hauraki Gulf Marine Park, adverse effects of mobile, bottom-contact, industrial fishing have been evident for decades. The best available information clearly demonstrates that bottom trawling, scallop dredging and Danish seining have significant adverse environmental effects on marine biodiversity and habitats of significance to fisheries management.

45. There are many peer-reviewed studies highlighting adverse effects of bottom trawling and scallop dredging on seafloor habitats and marine species populations, for example:

> "Disturbance, through bottom fishing activities such as dredging and trawling, has impacts not only on the commercially-targeted species, but also on the benthic communities and habitats, the resident biota, and on key ecosystem functions (Thrush & Dayton 2002). These effects include the modification of sedimentary characteristics through sediment removal and turnover (Guerra, García et al. 2003), and damage or destruction of many species, particularly large, habitat-forming epibenthos. These changes to habitats can cause ongoing modification of ecosystem functioning (de Juan et al. 2009)."[5]

> "The total number of epifaunal organisms was significantly reduced following a single pass of a trawl (90%) or scallop dredge (59%), as was the diversity of the associated community and the total number of M. modiolus at the trawled site. At both sites declines in anthozoans, hydrozoans, bivalves, echinoderms, and ascidians accounted for most of the change. A year later, no recovery was evident at the trawled site."[6]

46. Bottom trawling also disturbs and re-suspends vast quantities of sediment. This alters natural sediment fluxes and reduce organic carbon turnover (Pusceddu et al. 2014), the depth of the oxic layer in sediments (Churchill 1989, Warnken et al. 2003, Bradshaw et al. 2012), reducing morphological complexity and benthic habitat heterogeneity. The mixing of sediments and

[5] Baird S.J., Hewitt J., Wood B.A. (2015). Benthic habitat classes and trawl fishing disturbance in New Zealand waters shallower than 250 m. *New Zealand Aquatic Environment and Biodiversity Report No.144.*

[6] Cook R., Farin as-Franco J.M., Gell F.R., Holt R.H.F., Holt T., et al. (2013) The Substantial First Impact of Bottom Fishing on Rare Biodiversity Hotspots: A Dilemma for Evidence-Based Conservation. *PLoS ONE 8(8): e69904.* doi:10.1371/journal.pone.0069904

overlying water can alter the chemical makeup of the sediment and have considerable effects in deep, stable waters (Rumohr 1998). Chemical release from the sediment can also be changed, as shown for phosphate in the North Sea (ICES 1992, noting lower fluxes were observed after trawling events). The nature and extent of these effects in the Hauraki Gulf remains poorly understood and a precautionary approach is required.

47. Devastating impacts on Gulf fish populations are evident through numerous peer-reviewed case studies, for example:

> "For many of the principal exploited species, noticeable declines in abundance occurred in the late 19th century and early 20th century. The historical narratives indicate that the declines were first evident in species such as oysters, grey mullet and flat fishes in sheltered, shallow, easily accessed areas, but later progressed to species with a wider inshore distribution such as snapper (*Pagrus auratus*) and blue cod (*Parapercis colias*), or a deep-water refuge such as hapuku or groper. McKenzie & MacDiarmid (2012) have estimated that the combined biomass of exploited species in the Hauraki Gulf is now about 41% of the biomass present in 1930."[7]

48. It is ridiculous for FNZ to propose that commercial scallop dredging using the archaic Victorian Box Dredge be allowed to continue, especially as recreational scallop dredging will be banned due to adverse effects of dredging on seafloor species. The Box Dredge is a destructive tool that discards and damages more scallops than the amount that make it to market. For example:

> "Studies show it is estimated the self-tipping box dredge only has 40% catch efficiency for scallops"[8].

49. International studies for scallop dredging using a box dredge, the same type of commercial dredge used commercially in the Hauraki Gulf Marine Park show:

> "Mortality for scallops is **4-8 times higher** from fishing gear than by natural mortality. There is an estimated **12-22% of stock caught by a scallop dredge being landed as catch**, with the rest wasted through dredge associated mortality."[9]

50. Seafloor damage in the Hauraki Gulf Marine Park relates directly to shellfish dredging:

> "More importantly, the loss of extensive mussel beds has significantly altered the benthic ecosystem, removing hard surfaces upon which many invertebrate species settled, thus directly and indirectly impoverishing the communities preyed upon by several ecologically and economically important finfish species."[10]

51. In addition, exotic seaweeds *Caulerpa brachypus* and *Caulerpa parvifolia*, which are unwanted organisms under the Biosecurity Act 1993, have been detected at Aotea/Great Barrier Island and Ahuahu/Great Mercury Island, posing a high biosecurity threat to the Hauraki Gulf. A

[7] MacDiarmid A.B, Mckenzie A., Abraham E. (2016). Top-down effects on rocky reef ecosystems in north-eastern New Zealand: a historic and qualitative modelling approach. *New Zealand Aquatic Environment and Biodiversity Report No. 171.*
[8] Beentjes M.P., Baird S.J. (2004). Review of dredge fishing technologies and practice for application in New Zealand. *New Zealand Fisheries Assessment Report July 2004.* NIWA.
[9] Morrison M. Population Dynamics of of the scallop *Pecten Novaezelandiae* in the Hauraki Gulf. PhD Diss., University of Auckland, 1999. http://hdl.handle.net/2292/1706
[10] Paul L.J. (2012). A history of the Firth of Thames dredge fishery for mussels: use and abuse of a coastal resource. *New Zealand Aquatic Environment and Biodiversity Report No.94 2012*. NIWA.

controlled area notice has been imposed by MPI to seek to prevent the spread of these unwanted organisms, but no restrictions are proposed for mobile bottom contact fishing which presents an obvious and serious risk of spread. Other marine pests which are present or potentially present in the Hauraki Gulf that are likely to be spread by mobile bottom contact methods are: Wakame (Asian kelp, Mediterranean fan worm, Australian droplet tunicate, Clubbed tunicate/leathery sea squirt, Asian paddle crab, Carpet sea squirt. Again, a precautionary approach is required.

52. Removal of the mobile bottom contact fishing methods as recommended has numerous long-term benefits, from encouraging habitat rebuild to recovery of fish populations. The removal of these methods is necessary to meet long term objectives of ecosystem-based fisheries management, which cannot otherwise be met if mobile, bottom-contact fishing continues.

Social and economic context

53. It is anticipated that quota owners will submit that economic considerations require a continuation of mobile, bottom-contact fishing. This argument would fail to acknowledge and address the environmental bottom lines in the Fisheries Act 1996. Such an argument would also ignore the fact that commercial fishers who do not use these destructive methods are economically viable.

54. By way of example, Lee Fish, established in 1957, operates from Leigh Harbour in the Northern Hauraki Gulf. Over the past 66 years, Lee Fish has maintained a successful and productive longline fleet. Their website explains why they chose to longline over other industrial harvest methods. They were low on resources and fortunately, long-line fishing was also the most economical way to harvest fish (it used less diesel and could be done with smaller boats and less gear than trawling as well as resulting in a much better product).

55. This logic is more relevant now than it was then. In comparison to industrial techniques, longlining dramatically reduces the environmental impacts of commercial fishing. Longline-caught fish are better quality and demand a premium enabling companies to make more profit per kilo of fish harvested. This is proven in Lee's long-standing supply relationship with the Japanese market, where customers pay a premium for the best quality fish. Transitioning to a low-impact, high-value fishery is entirely possible yet it is missing from the Fisheries Plan.

56. In addition, any economic cost to the commercial sector from a move away from bottom contact methods must be seen in the context of the massive social and economic benefits of tourism and recreational angling within the Hauraki Gulf Marine Park.

57. The most comprehensive study of the economic contribution of recreational fishing, Recreational Fishing in New Zealand: A Billion Dollar Industry (Southwick 2017), estimated $970 million in direct contribution nationally, on an annual basis. At least one third of this economic activity takes place in the Hauraki Gulf. The Hauraki Gulf is on the doorstep of the largest and most affluent city in New Zealand, with more sheltered waters and anchorages than anywhere else in the North Island.

58. While fishing is a passion for thousands of people, for many it is one part of a day or weekend on the water enjoying the many amenities of the Hauraki Gulf Marine Park has to offer.

59. Snapper is by far the largest recreational fishery in New Zealand, both in catch and in economic activity generated. The economic contribution of the recreational snapper fishery in the upper

North Island was estimated to be $335 million in direct spending and $236 million in indirect and induced contributions, supporting the equivalent of 2,630 full time equivalent jobs[11].

60. The economic activity of the commercial sector as outlined on Page 57 of the Sea Change plan clearly shows that snapper is the most valuable commercial species caught in the Marine Park generating about $7.6 million per year, based on the value of ACE, with snapper comprising 85% of the quota value and catch value from just 19% of the catch by weight. The remaining 8,500,000 kg of catch are worth about $1,300,000. This is a dismal economic return from the extraction of this tonnage of fish biomass from a marine park.

61. There is ultimately a strong economic and social case which supports taking strong actions to enhance the ecology of the marine park.

THE DRAFT HAURAKI GULF FISHERIES PLAN

62. The Submitters now address the structure and wording of the draft Hauraki Gulf Fisheries Plan.

Plan Structure

63. The Submitters generally support the hierarchical structure of the plan moving from desired outcomes to management objectives, and on to specific management actions. This structure should provide discipline to the drafting and implementation of the plan. It is critical that the plan is internally coherent in its vertical integration i.e. management objectives should be wholly consistent with desired outcomes, and management actions wholly consistent with objectives.

Desired outcomes

64. The desired outcomes are supported by the Submitters. It is unclear why these desired outcomes have been allocated to Part A of the draft plan and not included in Part B which constitutes the Section 11A Fisheries Plan. No explanation has been provided of why this structure has been adopted and the Submitters are concerned that this reflects doubt on the part of FNZ as to the ability of the plan to deliver on the Desired outcomes. The desired outcomes must be included in Part B of the plan as an essential element of the statutory plan.

Management Objectives

65. The management objectives are now addressed in turn. It is noted that in general the management objectives are appropriate, yet the management actions that are proposed are disjointed and will fail to achieve the objectives and meet the environmental bottom lines of the Fisheries Act 1996.

Management Objective 1.1 - Protect marine benthic habitats from any adverse effects of bottom contact fishing methods, to enable passive and active restoration that support ecosystem services.

[11] Holdsworth, John; Rea, Trish; Southwick, Rob. Recreational Fishing in New Zealand - A Billion Dollar Industry. Produced for the New Zealand Marine Research Foundation. March 2016.

66. This management adheres to the environmental bottom lines in the Fisheries Act 1996 and is strongly supported, although we note the recent High Court CRA 1 decision that clarified "the Minister must take into account ***any effects*** of fishing on ***any stock and the aquatic environment***. 'Effect means the direct or indirect effect of fishing, including any positive, adverse, temporary, permanent, past, present, future and/or cumulative effect[12]". It is applicable to all marine benthic habitats, the species that rely on the benthic environment, and all effects of any fishing methods.

67. The recognition of the statutory need to enable active and passive restoration of benthic habitats that support ecosystem services is also strongly supported. This is consistent with the duty under the Fisheries Act to remedy the adverse effects of fishing and consistent with the statutory objectives in the Hauraki Gulf Marine Park Act 2000 which seek the enhancement of the life-supporting capacity of the environment of the Hauraki Gulf where appropriate. Given the degraded state of the benthic environments of the Marine Park, there can be no debate that enhancement is appropriate.

68. The Submitters seek a minor drafting amendment to reflect that protection of benthic environments is a goal in and of itself (and not only to enable restoration) and to correct a grammatical error:

> Management Objective 1.1 - Protect marine benthic habitats from any effects of bottom contact fishing methods and, enable passive and active restoration that supports ecosystem services.

Management Objective 1.2 - Protect marine habitats, that have been identified as having ecological importance, from any adverse effects of fishing.

69. This management objective reflects the environmental bottom line in section 9(c) of the Fisheries Act 1996 and is supported however, we would go further and note that there are three environmental principles in s9 of the Act that together must be adhered to. Also, s9(c) does not specify that these areas need to be 'identified', just that they ought to be protected.

Management Objective 1.3 - Mitigate the impacts of fishing on the marine food chain.

70. This management objective reflects the environmental bottom line in section 9(a) of the Fisheries Act 1996 and is supported. Again, this does not go far enough to adhere to the purpose of the Act (s8) which sets out the mandatory requirement on the Minister to ***ensure sustainability*** by, in part, avoiding, remedying, or mitigating any adverse effects of fishing on the aquatic environment.

Management Objective 1.4 - Reduce fishing-related deaths of non-fish and protected species, working towards zero deaths by 2050.

71. 2050 is not an acceptable goal. The Minister has a mandatory obligation to avoid, remedy or mitigate the effects of fishing now, not in 27 years' time. 2030 would be an acceptable goal if measures were put in place starting in 2023.

Management Objective 2.1 - At the QMA level, ensure all harvested stocks of wild marine species are at are at or above target levels.

[12] At [22]

72. This management objective reflects the Minister's statutory duty at the QMA level and does nothing to address issues that are particular to the Hauraki Gulf Marine Park. This objective exposes the fundamental weakness of an area-based plan which sits within a vast Fisheries Management Area (FMA).

73. The quota management areas for most wild stocks are too large for this objective to be achieved. Also, there are few stocks in the Hauraki Gulf with sufficient information to inform managers of the status of those stocks in relation to targets. The limited information available is usually based on self-reported commercial catch effort records, which in the absence of observer coverage, have proven to be of variable quality since the QMS began in 1986.

74. For the Fisheries Plan to succeed the FMA must be split into smaller management units so specific catch limits and stock level targets can be set for each area and species. These smaller units will need to be monitored and assessed separately to determine their status in relation to the stock target. If the large FMAs are not split, then there is no possibility of setting a specific management target for species within the Hauraki Gulf Marine Park.

75. A number of questions arise:

    a. What if the fisheries needs of the Hauraki Gulf Marine Park require a higher level of abundance that the target for FMA 1? Will FNZ set stock targets in FMA 1 to meet the needs of the Marine Park?

    b. If the Marine Park is suffering from localised depletion of fisheries resources, how will QMA level stock management decisions materially assist?

76. The Submitters consider that a separate FMA for appropriate species is essential to achieving the desired outcomes.

Management Objective 2.2 - Address localised depletion of fisheries resources within the Hauraki Gulf.

77. This management objective is supported. To succeed, smaller management areas with specified catch limits are required.

Management Objective 2.3 - Ensure appropriate allocation of shared stocks by improving characterisation of recreational and customary fisheries.

78. A characterisation of non-commercial fisheries may be helpful, in the meantime the Minister has a statutory duty to firstly set the TAC for a fish stock, then set aside sufficient allowances to cover the estimated mortality associated with non-commercial fishing, both recreational and Māori customary interests.

Management Objective 2.4 - Decrease the mortality of undersized fish caused by all harvesting sectors and methods.

79. This management objective is supported. This objective needs to be based on realistic estimates of mortality caused by fishing, then using these estimates as a baseline to measure progress over time.

80. The submitters are already providing leadership in this area for the recreational sector through the FishCare programme[13] which could be supported by FNZ.

Management Objective 2.5 - Ensure harvest of intertidal species is sustainable.

81. This management objective is aspirational because there are no reliable estimates of stock status for many of our intertidal species in the Hauraki Gulf Marine Park. If sustainability was the overriding concern, the submitters believe there may be no or extremely limited harvest of species in the intertidal zone.

82. While harvest must be sustainable, it should also be recognised that there are other factors such as population density, habitat and contamination which influence the abundance of intertidal species.

Management Objective 3.1 - Improve participation and engagement of tangata whenua and all stakeholders in fisheries management.

83. This management objective is a must and strongly supported. However, our experience with the development of the Fisheries Plan has seen tangata whenua talking with officials in one room, the Advisory Group in another room with no interaction between groups. If we are to achieve any improvement, there must be open collaboration of all interests in the fishery.

Management Objective 3.2 - Support input and participation of tangata whenua in fisheries management planning and decision making and have regard to tangata whenua-led kaitiakitanga, tikanga and mātauranga Māori.

84. This management objective is supported. As above, any improvement must include the collaboration of all interests in the fishery.

Management Objective 3.3 - Increase capacity for tangata whenua and stakeholder participation in fisheries management.

85. This management objective is supported. As above, any improvement must include the collaboration of all interests in the fishery.

Management Objective 3.4 - Partner with others working to improve the condition of the Hauraki Gulf.

86. This management objective is supported.

Management actions

87. The proposed management actions are now addressed by reference to the management objectives under which they reside.

Management Actions under objective 1.1 - Protect marine benthic habitats from any adverse effects of bottom contact fishing methods, to enable passive and active restoration that support ecosystem services.

88. As noted above, healthy benthic habitats are a cornerstone of the productivity and health of the Hauraki Gulf Marine Park. Mobile bottom contact fishing methods such as bottom

[13] https://fishcare.co.nz/

trawling, Danish seining and dredging have significantly altered benthic habitats in the Gulf, reducing benthic biodiversity, modifying species' interactions, and removing nursery areas. The use over many decades of the Victorian Box Dredge to commercially harvest scallops has contributed to the complete closure of this fishery.

89. The greatest effects of bottom contact methods are on low energy environments (including the resuspension of fine sediments) and biogenic habitats, with a key issue being the removal of larger, long lived, slow growing, fragile, erect, sedentary species, and associated habitat complexity. Impacted species groups include sponges, bryozoans, seaweeds, hydroids, polychaete worms, soft and hard corals, and horse mussels. There are some sponges which have a quick recovery period, however there are a large number of sponges and corals (such as black corals), which can take over a century to recover, if they do at all. Re-suspension of fine sediments by trawling, Danish seining and dredging is also a serious concern. Little effort appears to have been made by FNZ to understand the extent and effect of this re-suspension.

90. The submitters support the exclusion of all scallop dredging from the Marine Park. There is no reasonable explanation from officials justifying why recreational scallop dredging ought to be banned from the Marine Park while commercial dredging is still permitted when the fishery reopens.

91. Management actions 1.1.1 and 1.1.4 propose ongoing bottom trawling, Danish seining, and commercial scallop dredging (albeit with a stated intention to limit their footprints). This is inconsistent with the management objective which is to protect marine benthic habitats from any adverse effects of bottom contact fishing methods. All mobile bottom contact fishing methods need to be prohibited from the waters of the Hauraki Gulf Marine Park.

92. This action cannot be achieved under current proposals; therefore the submitters do not accept defining or permitting any trawl corridors.

93. It is misleading to consult on the draft Fisheries Plan in isolation from any management guidance on the design or criteria for "trawl area" or any specific proposals for where these areas will be and their scale. FNZ has indicated that consultation on the trawl corridors will occur mid-2023. The proposal for ongoing trawling should be consulted on as a package so that the general public can see the full detail of what is proposed and where.

94. Ultimately, the continued operation of bottom contact fishing methods is causing ongoing chronic damage and preventing recovery of habitats of significance. A time-bound transition of fishing methods that impact benthic habitat out of the Hauraki Gulf by 2025 was a central tenet of Sea Change. This action remains critical to revitalising the Hauraki Gulf Marine Park, yet the suite of management actions under Objective 1.1 fail to sufficiently deliver on this.

95. The management actions must be amended to incorporate:

    a. An immediate prohibition on all mobile, bottom contact fishing methods in the Hauraki Gulf Marine Park; or

    b. A specified date of 2025 for the exclusion of bottom trawling and Danish seining from the Hauraki Gulf Marine Park:

        i. If these methods are to continue until 2025, management guidance for interim trawl corridors requiring these to demonstrate that these avoid any more than minor adverse effects on benthic environments.

96. Appropriate support needs to be provided to ACE Fishers (as opposed to quota owners) to enable an equitable transition to techniques that do not damage benthic habitats and allow ongoing sustainable commercial utilisation. The progressive removal of mobile bottom contact methods such as bottom trawling, Danish seining and dredging out of the Hauraki Gulf is the most effective means of achieving the outcomes that people and communities of the Gulf are seeking.

Management Actions under objective 1.2 - Protect marine habitats, that have been identified as having ecological importance, from any adverse effects of fishing.

97. Management action 1.2.1 is supported noting the need to comply with the mandatory sustainability provisions in s8 of the Act. This action is necessary to adhere to the environmental bottom line of section 9(c) of the Fisheries Act 1996.

98. The High Court has confirmed the Minister's statutory duty to remedy, address and mitigate any past, present, positive, adverse, temporary, permanent, or cumulative effects of fishing on the aquatic environment, not just areas that have been identified as having ecological importance.

99. In our recent submission in response to the Ministry's proposals for habitats of particular significance for fisheries management we highlighted the need for a broader view to be taken by officials. That is, there is an obligation to consider all the effects of fishing on the marine environment, not just areas of particular significance for fisheries management, or in this case, areas that have ecological importance.

100. Management action 1.2.2 is to *"Collaborate with the Department of Conservation to implement marine protection proposals in Revitalising the Gulf for the protection of habitats and biodiversity."* The Submitters do not support the implementation of DOC's marine protection proposals when the critical and interconnected fisheries management measures from Sea Change are not enacted by the Fisheries Plan.

101. Management action 1.2.3 proposes to "Explore" the concept of Special Management Areas (SMAs). The plan needs to go further than simply exploring SMAs. The concept was comprehensively debated and agreed upon during the Sea Change process. The concept is well understood, and the community is able to discuss appropriate gear restrictions and alternative fishing practices, to contribute to conservation. Management action 1.2.3 needs to be for the *implementation* of SMAs in collaboration with the Department of Conservation alongside implementation of any marine protection proposals. The integration of management and protection is an essential element of a successful plan.

Management Actions under objective 1.3 - Mitigate the impacts of fishing on the marine food chain.

102. Forage fish populations are critical to many Hauraki Gulf food webs, including for protected marine mammals. If this is to be achieved the first action is to review the TACs and TACCs for forage fish species. Purse seiners catch important forage fish such as mackerel species. By 2019, blue mackerel commercial catch was 470% higher compared to catches in 2000, the year the Marine Park was established.[14] Yet, at such a high environmental cost, blue mackerel

[14] State of the Gulf 2020 page 39.

from Fishery Management Area 1 are exported at $1.72 per kilo (Seafood NZ, 2021). The TACC does not constrain commercial catch, the TACC is either exceeded or under caught.

103. The intent of management actions 1.3.1 and 1.3.2 to undertake research and ensure impacts of removals don't adversely affect the marine food chain in the Hauraki Gulf is supported. However, the submitters are concerned that these management actions will simply result in more research, talk, and delay, without taking action that reduces excessive harvest of forage fish using damaging bulk harvesting methods.

104. Management actions 1.3.3 is supported.

105. Management action 1.3.4 is supported but it is too limited to only the environmental impacts of kina barrens. The management action must be expanded to also address **the causes** of Kina barrens. The causes of kina barrens in the North East are well understood and the Fisheries Plan needs to directly address these by putting in place management settings that ensure the populations of snapper and crayfish are rapidly rebuilt in order to keep kina populations under control.

Management Actions under objective 1.4 - Reduce fishing-related deaths of non-fish and protected species, working towards zero deaths by 2050.

106. As noted above, given that we have an increasing awareness of mitigation measures to protect seabirds, the target ought to be 2030. However, non-fish benthic organisms (including protect species such as Black Coral[15]) will not be protected until bottom trawling, dredging and Danish seining is prohibited from Marine Park waters.

107. Management actions 1.4.1 and 1.4.2 are supported.

108. Management action 1.4.3, 1.4.4 and 1.4.5 are supported if recreational fishing representatives are included in the development of the reporting system.

109. Management actions 1.4.6, 1.4.7 and 1.4.8 are supported.

Management Actions under objective 2.1 - At the QMA level, ensure all harvested stocks of wild marine species are at are at or above target levels.

110. Management action 2.1.1 "Work with tangata whenua and stakeholders (recreational, customary, commercial, non-take) to determine their fisheries resource needs and priorities within the Hauraki Gulf" is supported. This process is not about meeting peoples' needs. In practice, submitters consider that B50 is the minimum biomass of all stocks necessary to rebuild fish abundance and biodiversity in the Hauraki Gulf Marine Park.

111. Management action 2.1.1 is focused on the Hauraki Gulf Marine Park, which results in a disjoint with management action 2.1.2 with is focused on TACs at a QMA level. This mismatch between spatial scale will create significant problems in implementation. What if the fisheries needs of the Hauraki Gulf Marine Park require a higher level of abundance that the target for FMA 1? Will FNZ set stock targets in FMA 1 to meet the needs of the Marine Park, or will the needs of the Marine Park be short-changed by QMA management targets? Only with a

[15] https://www.mpi.govt.nz/dmsdocument/46591-AEBR-265-Hauraki-Gulf-Marine-Park-habitat-restoration-potential page 92.

separate Fisheries Management Area can there be a coherent approach to management of abundance to meet the needs of Marine Park stakeholders.

112. Subject to the above, management action 2.1.3 "Identify and prioritise stocks or groups of stocks for management interventions. Input these recommendations into annual sustainability round and research prioritisation processes" is supported.

113. Management action 2.1.4 addresses support for development of reference points for the Coromandel scallop fishery while working with industry on a long-term management strategy. We support this conditionally, however, the public will need to be involved in the development of the reference points and the long-term strategy. It is a public resource requiring public input. No internal measures are acceptable; self-regulation is what led to the demise of the Coromandel scallop fishery.

Management Actions under objective 2.2 - Address localised depletion of fisheries resources within the Hauraki Gulf.

114. The only way to achieve this objective is to:

a. Establish separate management areas for each species in the Hauraki Gulf Marine Park; then

b. Rebuild fish stocks to a minimum target biomass of 50% of their estimated original unfished size (B50); and

c. Apply a Type 2 MPA Seafloor Protection Area – to enable the Minister to ban all mobile bottom contact fishing methods from the Territorial Sea, within 12nm of the coastline; then

d. Only permit the use of low impact fishing techniques in the Type 2 MPA inshore zone.

115. The submitters support the intent of management action 2.2.1 to define and develop criteria for localised depletion and for setting targets for recovery. This process must be undertaken in close consultation with local communities.

116. The submitters also support management action 2.2.2 to collect data and/or initiate research to identify key stocks and areas that may suffer from localised depletion within the Hauraki Gulf. Again, this process must be undertaken in close consultation with local communities.

117. Management action 2.2.3 provides that "for stocks at risk of localised depletion, develop criteria on a per-species or species group basis. Develop approaches for more responsive management within the park." The first part of the management action appears to duplicate 2.2.1. However, taken with the second sentence, the management action appears to be directed at a form of "decision rule". We need more clarification on these action points before supporting their inclusion in the Plan.

118. Management action 2.2.4 is significant and illustrates why the Fisheries Plan will fail to deliver without the creation of an FMA for the Marine Park. 2.2.4 provides: *"For key stocks utilised by all sectors that suffer from localised depletion, explore voluntary removal agreements with industry, combined with monitoring using new ER/GPR data"* [emphasis added]. This management action belies that without a separate FMA, all that FNZ can do to seek to reduce commercial catch of shared fisheries that suffer localised depletion is seek voluntary

agreements with industry. If these voluntary agreements are not forthcoming, then no action will be taken by industry to address localised depletion.

119. The Minister has a statutory obligation to ***ensure sustainability*** and that is achieved by setting the Total Allowable Catch (TAC). As argued in the judicial review of the Minister's TAC decisions for east coast tarakihi fish stocks, Royal Forest & Bird v Minister of Fisheries (2021), the Minister cannot leave this obligation to voluntary arrangements that are not enforceable.

120. The submitters do not accept voluntary removal agreements with industry unless all interests are involved in those discussions. This is a public fishery and non-commercial fishing, environmental and communities of the Hauraki Gulf Marine Park all need the opportunity to have a say.

121. FNZ has stated that it is concerned at the administrative complexity of creating a new FMA for the Hauraki Gulf and so has not been progressed this to date. It is noted that SCA CS area aligns very closely with the marine park boundaries and therefore it is possible and appropriate to have management areas of this scale. Any administrative challenges should not mean that splitting QMAs for appropriate stocks in response to localised depletion should be off the table entirely and the Fisheries Plan silent on the matter. The submitters consider that this management action should clearly signal the potential to split QMAs for shared stocks that suffer localised depletion. Amended drafting to achieve this is:

> *Management Action 2.2.4*
>
> *For key stocks utilised by all sectors that suffer from localised depletion, explore QMA splitting for appropriate stocks, combined with monitoring using new ER/GPR data.*

122. This however is unlikely to be enough. In recent history QMAs have only been split because there was support from commercial interests. Conversely, the legislation for the Minister splitting a QMA is stacked against public interests. Section 25A of the Act requires agreement from at least 75% of quota owners, or a Minister brave enough to exercise his discretion and apply s25B to split a QMA.

123. The submitters support management action 2.2.5 "For key recreational/customary stocks that suffer from localised depletion, review recreational bag limits (species-specific and mixed) and/or review bulk harvesting methods."

124. The submitters support management action 2.2.4 "Review netting restrictions, to protect vulnerable reef species and other non-target species."

Management Actions under objective 2.3 - Ensure appropriate allocation of shared stocks by improving characterisation of recreational and customary fisheries.

125. Management actions 2.3.1 and 2.3.2 are supported. A strong amateur charter vessel reporting framework supports the early adoption of Special Management Areas.

126. Officials need to make more effort to engage with charter operators, listen to their views and take them into account as these are professional operators spending many hundreds of hours on the water. They know what actions are feasible when hosting people on board and they know the Hauraki Gulf well.

127. Management action 2.3.3 and 2.3.4 are supported. In terms of 2.3.4, this is about building trusting relationships with tangata whenua, this takes time and commitment, a hard task when there is a revolving door for officials who come and go.

128. Management action 2.3.5 has partial support. There is already good information on recreational harvest of the main species caught in the Hauraki Gulf. We would support increasing the frequency of recreational harvest surveys to gather Park-specific data as long as these are well publicised, supported by the recreational fishing representative organisations and results widely published. However, we would caution against doing them too often because this may lead to resistance due to survey fatigue.

129. In relation to management action 2.3.5, projects using self-selected fisher reporting have shown a strong avidity bias in who will participate. In some cases self-reporting can be used to characterise fisheries and detect relative changes. We do not support surveys to estimate total harvest based on a self-selected sample of fishers with no defined sample frame, valid way of scaling results, or methods for reducing bias.

130. Management action 2.3.6 is supported, taking into account the limitations mentioned in 2.3.5. However, this management action should not be used as back door support for additional taxes or levies on recreational anglers. The most obvious source of funds for research to improve information on recreational fishing would be the road user tax which is paid on marine fuel and used to pay for roads.

Management Actions under objective 2.4 - Decrease the mortality of undersized fish caused by all harvesting sectors and methods.

131. Management action 2.4.1 acknowledges that there is insufficient information about undersized mortality to define trigger points that initiate a management response. If mortality levels are uncertain then the Minister has a statutory obligation to make a precautionary decision when setting aside a tonnage to allow for fishing related mortality. The management action should also state what the management response is to achieve, i.e. initiate a management response to substantially reduce undersized mortality.

132. Management action 2.4.2 is supported.

133. Management action 2.4.3 is supported however, officials must recognise and take responsibility for decisions made over time that have alienated many recreational fishers and caused them to now distrust advice from MPI and/or FNZ.

Management Actions under objective 2.5 - Ensure harvest of intertidal species is sustainable.

134. These management actions are supported for the reasons set out above.

Management Actions under objective 3.1 - Improve participation and engagement of tangata whenua and all stakeholders in fisheries management.

135. Management action 3.1.1 is a mandatory requirement under the Fisheries Act 1996.

136. Management actions 3.1.2 to 3.1.5 are supported.

137. Coastal iwi and hapū around the Hauraki Gulf Marine Park are increasingly using localised management tools due to the failure of Fisheries New Zealand to adequately address localised

depletion. Improved participation, led by mana whenua needs to be at the forefront for future Gulf fisheries management.

Management Actions under objective 3.2 - Support input and participation of tangata whenua in fisheries management planning and decision making and have regard to tangata whenua-led kaitiakitanga, tikanga and mātauranga Māori.

138. The High Court recently identified that the Minister needs to consider a range of information before setting sustainability measures. Traditional indigenous science such as mātauranga Māori needs to be increasingly incorporated as a legitimate form of data collection and resource monitoring and research in fisheries management.

Management Actions under objective 3.3 - Increase capacity for tangata whenua and stakeholder participation in fisheries management.

139. These management actions are strongly supported.

Management Actions under objective 3.4 - Partner with others working to improve the condition of the Hauraki Gulf.

140. Collaboration is a goal worth pursuing however this action needs clarification given that the Minister of Oceans and Fisheries has ultimate responsibility for ensuring sustainability and protecting the marine environment from any effects of fishing.

141. Management action 3.4.1 is supported. Mismanagement of land use and the failure to reduce land run-off means there are few controls on the level of sediments and contaminants entering waterways and the inshore marine environment. Councils must be held more accountable for improving land management practices.

142. Management actions 3.4.3, 3.4.4 and 3.4.5 are strongly supported.

CONCLUSION AND OUTCOME SOUGHT

143. The outcomes that the Submitters seek are that the Draft Fisheries Plan be amended so that:

a. There is a total ban on bottom trawling, scallop dredging and Danish seining in the Hauraki Gulf Marine Park.

b. The plan includes timely actions to restore ecosystem function by increasing marine biodiversity and rebuilding the abundance of fish stocks to a minimum of 50 percent of their estimated, unfished biomass.

c. The Hauraki Gulf Marine Park is to be designated as a separate Fisheries Management Area so the Minister can meet his statutory obligations, to ensure sustainability, by setting species specific catch limits to regulate how much fish is removed from the environment.

d. the Sea Change package of measures is integrated into the draft Fisheries Plan to achieve a balance between marine protection proposals and fisheries management controls.

e. The other detailed drafting recommendations in this submission are adopted.

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