



Public Submissions Received for the 2023 Review of Sustainability Measures for pāua (PAU 2)

Central and lower North Island pāua (PAU 2) submissions and
responses

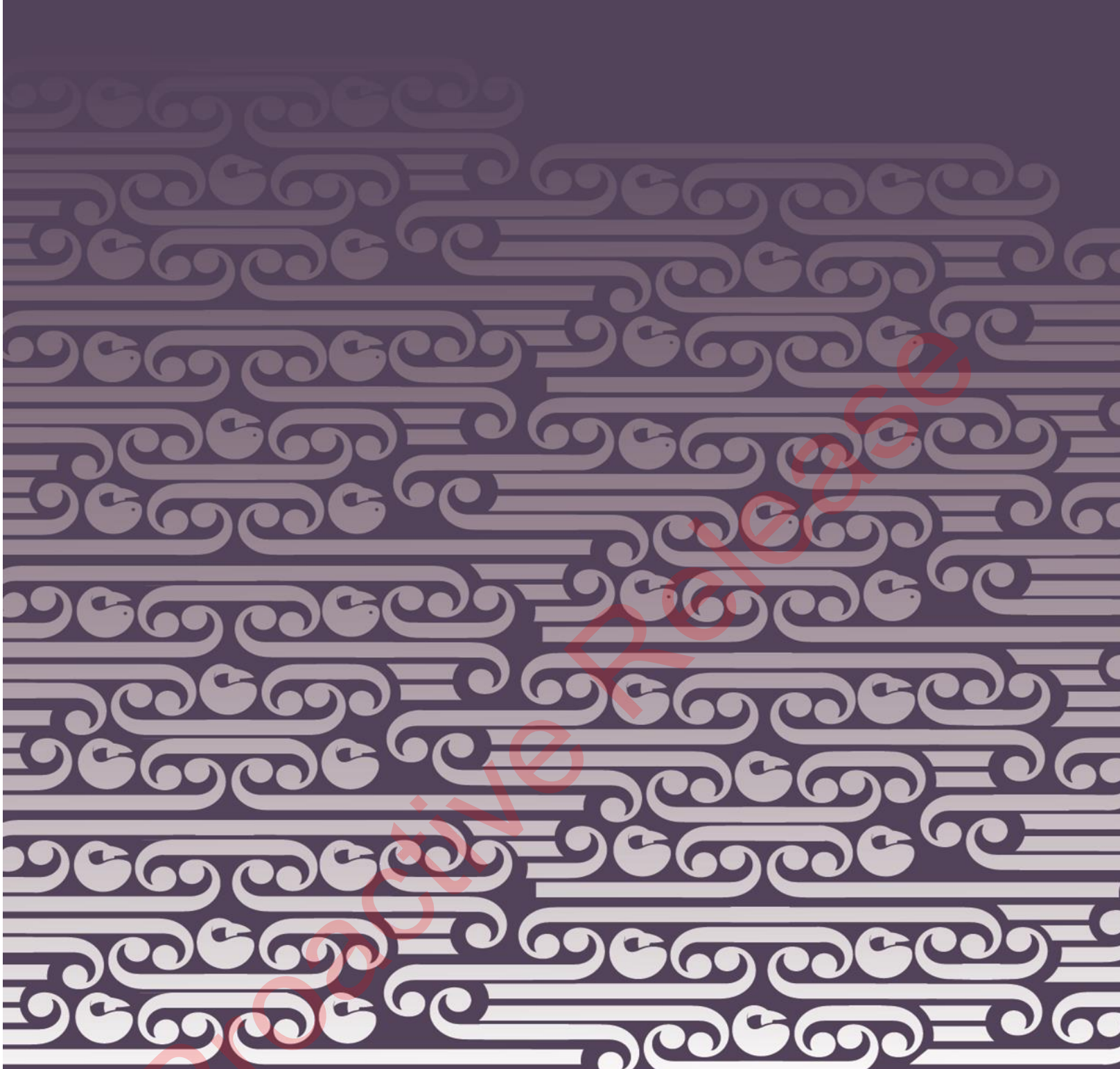
April 2023

Table of submissions and responses to public consultation on 2023 proposals for the central and lower North Island pāua (PAU 2) fishery

No.	Name/Organisation
1	Te Ohu Kaimoana
2	New Zealand Sport Fishing Council, LegaSea, New Zealand Angling & Casting Association and New Zealand Underwater Association (Joint Submission)
3	s9(2)(b)(ii)
4	PauaMAC2
5	NZ Rock Lobster Industry Council
6	Mai Paritu tae atu ki Turakirae Fisheries Forum
7	Ngāti Kahungunu Iwi Incorporated and Mai Paritu tae atu ki Turakirae Customary Fisheries Forum (Joint Submission)
8	Te Tai Hauāuru Fisheries Forum
9	Te Hapu O Ngai Te Oatua
10	Ngāti Pāhauwera Development Trust
11	Ngāi Tūmapūhia-ā-Rangi ki Mōtūwairaka ki Wairarapa
12	Oparure Marae
13	Taranaki Iwi Fisheries Limited
14	Ngāruahine Fisheries Limited
15	Te Atiawa Iwi Holdings Management Ltd and Te Atiawa Taranaki Holdings
16	Te Pataka o Tangaroa
17	Maruehi Fisheries Limited
18	Te Kura Kaupapa Maori o Te Parehuia o Rongomaiwahine
19	V. Wall
20	S. Gray
21	L. Williamson
22	B. Gay
23	L. McKay
24	J. Greer
25	T. Gay
26	S. Boyd
27	B. Gay
28	D. Bruce
29	M. Gay
30	A. Gay
31	P. Stewart
32	H. Harwood
33	B. Collett
34	S. McRoberts
35	S. Nelson

36	M. Webley
37	R. Te Nahu
38	J. Shanly
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41	T. Rutherford
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43	B. Whyman
44	J. Williams
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47	R. Lenihan
48	T. Hageraats
49	J. Blyth
50	J. Lamarche
51	D. Paton
52	E. Farmer
53	F. Ngatai
54	H. Berge
55	P. Halstead
56	H. McLaren
57	R. Anderson
58	A. Forward
59	N. Davey
60	J. Webb
61	R. Kireka
62	R. Thompson
63	G. Griffith-Jones
64*	S. Stanley

*A supplementary submission providing commentary of another submission was accepted late.



Te Ohu Kaimoana's Response to the Review
of Sustainability Measures for the 1 April
2023/2024 fishing year

Te Ohu
Kaimoana


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Our response to this year's sustainability review

1. E te Minita, tēnei te mihi ki a koe i tēnei āhuatanga o te wā. This document provides Te Ohu Kaimoana's advice for your review of the sustainability measures for April 2023/24.
2. Our role in this review process arises from our responsibility to protect the rights and interests of iwi/Māori and to assist the Crown to discharge its obligations under both Te Tiriti and the Deed of Settlement¹. We note in particular that Te Tiriti guaranteed that Māori would maintain tino rangatiratanga over our fisheries resources, the need for both parties to work toward furthering the fisheries settlement, and the requirement to interpret and use powers under the Fisheries Act in a manner consistent with the fisheries settlement². Our response to the sustainability round and the fisheries management measures proposed by Fisheries New Zealand (FNZ) is shaped by the following:

Te Ao Maori-centred fisheries management

3. Te Hā o Tangaroa kia ora ai tāua is the guiding principle of Te Ohu Kaimoana and endorsed by iwi. It translates to the 'breath of Tangaroa sustains us'. Māori rights in fisheries are not just a right to harvest but also to use the resource in a way that provides for social, cultural, and economic well-being now, and for future generations. Te Hā o Tangaroa kia ora ai tāua, the basis for our advice, does not mean that Māori have a right to use fisheries resources to the detriment of other children of Tangaroa: rights are an extension of responsibility and are enduring through generations to come. It is an expression of the unique and lasting connection Māori have with the environment and contains the principles we use to analyse and develop modern fisheries policy, including the positions we have provided in this response.

Protection of the settlement

4. Any regulatory decision that may potentially undermine the settlement without very clear reasoning as to how it will remain consistent with Te Tiriti and the fisheries settlement is a cause for concern. An enduring fisheries settlement is not supported by low-level regulatory decision-making that diminishes the value of settlement assets³.

¹ Māori Fisheries Deed of Settlement 1992. The Deed is, in part, given effect to by the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 and the Māori Fisheries Act 2004. The Ohu Kaimoana's statutory purpose is set out in s 32 of the Māori Fisheries Act 2004.

² See Article 2 of te Tiriti o Waitangi, s 32(b) of the Māori Fisheries Settlement Act 2004, and Fisheries Act 1996, s 5.

³ Note s 32(d) of the Māori Fisheries Settlement Act 2004.

Ki uta ki tai – A mountains to sea approach

5. There is growing awareness and concern over the impacts that human land-based activities have on our marine ecosystems. The connectivity between the land and sea means that onshore activities have flow-on effects to freshwater and marine environments—negative impacts such as sedimentation, nutrification and deforestation affect the ability for Māori to maintain aspects of their relationship with Tangaroa. The principles of Te Hā o Tangaroa require a reciprocal relationship with Tangaroa and the aquatic life within it. In essence, marine health degradation directly reduces people's ability to sustain their economic, cultural, and social wellbeing from the marine environment.
6. This issue is relevant to this year's sustainability review as it contains three stocks that have concerns about habitat degradation affecting their abundance. Kōura (crayfish), tipa (scallops) and pāua occupy inshore environments where their habitats are particularly vulnerable to land-based pollutants. The increasing plight of kina barrens are also contributing to habitat degradation of other inshore taonga and need to be better understood. Broader and more holistic conversations need to be had to address local depletion of these stocks, as well as kina barrens, and must include land-based activities that negatively impact the crucial environment of these taonga.

Whānau Māori accessing kaimoana under the recreational regulations

7. We acknowledge the integral role of recreational fishing as the lifeblood for many of our coastal communities, particularly for Māori. In our view, our communities that fish for their whānau, hapū and iwi sit outside our conceptualisation of the recreational sector. We note that some iwi actively encourage this form of fishing to occur in accordance with customary fishing regulations, but in other situations individuals are able to make an open choice.

Improved recreational catch information

8. Because recreational take is so poorly understood, management focuses on constraining commercial catch rather than understanding total harvest. A more accurate understanding of recreational catch across all stocks within this consultation process, including amateur charter vessels, will strengthen the current assessment process and provide a better insight into the health of these stocks to support improved management. We urge FNZ to address these reoccurring concerns and explore different methods and initiatives for understanding recreational catch. Potential avenues may include reporting catch and managing what fish can be returned to Tangaroa and under what circumstances.

Māngai and tautoko for Māori interests

9. We work on behalf of 58 Mandated Iwi Organisations⁴ (MIO) who represent iwi throughout Aotearoa. Further to this we support the Asset Holding Companies (AHCs) who hold Māori Fisheries Settlement Assets on behalf of their MIOs. Those assets include Individual Transferable Quota (ITQ) and shares in Aotearoa Fisheries Limited (trading as Moana New Zealand), which owns 50% of Sealord Group Limited.
10. We do not intend for our response to conflict with or override any response provided independently by iwi, through their MIOs or AHCs.

Summary

11. Based on our analysis and engagement with representatives from iwi, relevant to the stocks below, Te Ohu Kaimoana's positions can be found below in the table below.

Fish stock	FNZ's Proposal	Our Position
Kōura (CRA1)	↓	We support an alternative option for CRA.
Pāua (PAU2)	-	We support setting a TAC and Option 2 until further information becomes available.
Tipa (SCACS)	↓	We support Option 2 and FNZ working with iwi to shape research, appropriate management measures and recovery strategies.
Kina (SUR7A)	-	We support Option 1 and FNZ to work directly with iwi in the management of their moana and taonga.

⁴ MIO as defined in The Maori Fisheries Act 2004: in relation to an iwi, means an organisation recognised by Te Ohu Kai Moana Trustee Limited under section 13 (1) as the representative organisation of that iwi under this Act, and a reference to a mandated iwi organisation includes a reference to a recognised iwi organisation to the extent provided for by section 27.

Inshore Stocks

Kōura – Northland (CRA1)

Our view

- We propose an alternative option for CRA1.

	TAC	TACC	Customary	Recreational	OSFM
Option 1.1	188	105	20	22	41

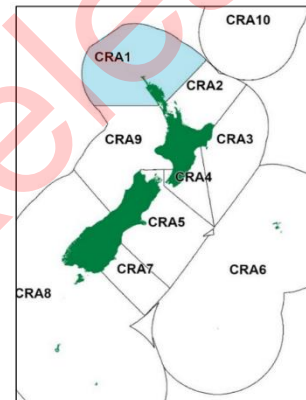
Proposed Options

Table 1: Proposed management options (in tonnes) for CRA 1 from 1 April 2023.

Option	TAC	TACC	Allowances		
			Customary Māori	Recreational	All other mortality caused by fishing
Option 1 (current settings)	193	105	20	27	41
Option 2	182 ↓ (11 t)	99 ↓ (6 t)	20	22 ↓ (5 t)	41
Option 3	172 ↓ (21 t)	89 ↓ (16 t)	20	22 ↓ (5 t)	41
Option 4	151 ↓ (42 t)	71 ↓ (34 t)	20	19 ↓ (8 t)	41

Table 2: Proposed recreational daily limit options for CRA 1 from 1 April 2023.

	Combined daily limit ²	Max spiny rock lobster daily limit
Option A (current settings)	6	6
Option B (proposed for Options 2 and 3 above)	6	3 ↓ (3)
Option C (proposed for Option 4 above)	6	2 ↓ (4)



Ngā whakaaro matua - rationale

Modest decrease in the TAC

- Based on the best available information, the CRA1 stock is at a sustainable level of harvest, and the projections indicate a high probability (83%) of an increase in biomass. However, due to past reductions of the recreational allowance without adjusting recreational daily bag limits, we see it appropriate to reduce the TAC to 188 tonnes.

The best available information does not require TACC adjustments

- There is no sustainability concern under the current commercial catch (status quo - Option 1), and this option also enables the fishery to increase above the agreed reference level of 454 tonnes.
- Our position is to support the retention of the current TACC setting.

Aligning recreational bag limits to the recreational allowance

15. We have commented in the past, and particularly on the CRA1 stock, that recreational adjustments to the recreational allowance do not constrain the recreational sector. Regulatory changes such as bag limits and accumulation limits must occur in this sector to contribute to a TAC decrease and a corresponding reduction in the recreational allowance. We are pleased that Options 2, 3, and 4 propose decreases in daily bag limits.
16. To ensure sustainable fisheries, the recreational sector must be actively managed. Aligning past reductions in the recreational allowance by reducing daily bag limits is required to achieve this. We support the reduction of 3 kōura (spiny rock lobster) within a daily bag limit of 6 is necessary to manage recreational take. This reduction will also assist with constraining the increase of recreational catch as the CRA1 biomass looks to increase. These adjustments are necessary as recreational take is so poorly understood.

Local concerns: Complex issues require broader, holistic conversations

17. We acknowledge the localised depletion of kōura and the growing issue of kina barrens within areas of Te Tai Tokerau, however it is poor management to expect TAC and TACC reductions alone, across the wider fisheries management area to address these concerns.
18. Decreasing the TAC may contribute to fast tracking the increase of kōura populations in CRA1 generally, but effectively managing local concerns will require wider conversations to address the myriad of impacts upon the stocks and areas of concern.
19. More holistic and localised approaches to tailor management efforts to specific issues are needed, and we encourage FNZ to integrate perspectives and solutions from governing agencies, industries, stakeholders, and mana whenua to do so.

Local solutions: Supporting iwi to utilise appropriate tools to address local concerns

20. We strongly support the concerns that both Te Tai Tokerau Iwi fisheries forums have expressed regarding localised depletion issues. The CRA1 fisheries management area is extensive and too large an area to impose general reductions in order to combat localised concerns. Alongside better management of recreational fishers, the tools provided for in the Fisheries (Kaimoana Customary Fishing) regulations 1998 (customary regulations) are more suited to address sustainability concerns at the hāpori level.
21. We strongly encourage FNZ to work with whānau, hapū and iwi quota holders to identify more appropriate, fine scale management tools to address kina barrens and kōura depletion in specific areas, such as tools within the customary regulations. This must be done in a way that does not shift pressure from one bay to another but address each local concern as interconnected issues which impact on the collective.

Appropriate consultation timeframes

22. We express our disappointment in the lack of time iwi/ Māori were provided to fully engage in the CRA1 review. With less than a month to consult for this stock, it is insufficient and further places pressure on iwi quota holders to hastily feed information to their various marae and hapū in order to receive informed positions from their people. Given the nature of quota management areas encapsulating numerous rohe of iwi, and the consecutive cuts in the TAC in the past fishing years, it is essential that each iwi within CRA1 can work collaboratively to find equitable solutions to address local concerns, and with support from FNZ.

Pāua – East Cape, Hawke’s Bay, Wellington Taranaki (PAU2)

Our view

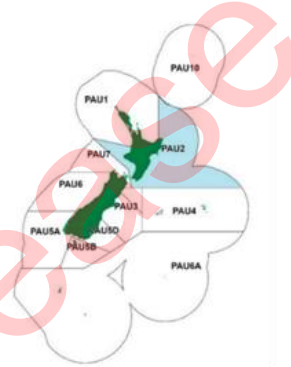
- We support setting a TAC for PAU2.
- We support Option 2 until further information on recreational harvest is gathered.

Proposed Options

Table 1: Proposed management options (in tonnes) for PAU2 from 1 October 2023.

Option	TAC	TACC	Allowances			Recreational Daily Limit
			Customary Māori	Recreational	All other mortality caused by fishing	
Current settings	N/A	121.19t	N/A	N/A	N/A	10 per fisher*
Option 1	227.19t	121.19t	12t	83t	11t	10 per fisher*
Option 2	192.19t	121.19t	12t	48t	11t	5 per fisher*
Option 3	175.19t	121.19t	12t	31t	11t	3 per fisher*

*Of each species (blackfoot pāua and yellowfoot pāua).



Ngā whakaaro matua - Rationale

Setting the TAC

23. We support the setting of a TAC limit to reflect the reductions of the recreational daily bag limit and setting of the recreational allowance. We support Option 2 as a conservative TAC limit, until further information on recreational harvest is gathered.

Maintaining the TACC

24. We support leaving the TACC limit at the current setting due to their being no concerns raised from our commercial entities.

Reduction of the recreational daily limit and allowance setting

25. Pāua are a highly valued customary, commercial and recreational fishery. The importance of decreasing the recreational daily bag limit for PAU2 is evident within the consultation document. Iwi and their kaitiaki continue to respond to mass depletion within their own rohe moana by utilising tools in the customary regulations (establishing s186A closures).
26. Examples include the s186A closure in Waimārama and three mātaimai along the Hawke’s Bay coastline which all prohibit pāua harvesting. We also note the recently gazetted s186A closure in Western Taranaki, which also

includes the prohibition of pāua harvesting, and the recent consultations for s186A closures (that both prohibit shellfish harvesting) for the Napier Port and Tangoiro/Waihirere and Motuoroi, north of Gisborne.

27. These closures alone are not an effective nor on-going management tool as compared to FNZ, local mana whenua and kaitiaki have limited tools and resources to manage recreational fishing.
28. Given the high level of uncertainty with the current estimate for the recreational catch, and feedback we have received from iwi, we believe constraining the recreational allowance to 48-tonne and a daily bag limit of 5 provides a more precautionary approach until further fine-scale information is available to better assess which pāua populations within PAU2 are at risk of decline and those that can be sustainably harvested.

Supporting the concerns of mana whenua

29. We believe the current review, recommended by the Mai Paritu ki Turakirae Fisheries forum, to manage recreational fishing is a positive step towards meaningful management of the recreational sector for PAU2 fisheries.
30. The reductions to the recreational daily bag limit is also supported by the iwi of the Te Taihauāuru Iwi Fisheries Forum FMA8 to ensure the sustainability of the pāua fishery.

Local concerns demand broader effective management

31. While we have already raised the above concerns, the actions taken by tāngata whenua (implementing s186A closures) demand a broader effective fisheries management response. Fisheries closures, whether temporary or permanent, displace fishing efforts to neighbouring areas, which increase fishing pressure and localised depletion in vicinal areas. We strongly encourage FNZ to support iwi in addressing their local concerns as interconnected issues which impact on the collective.

Solutions to effectively manage PAU2

32. The 2017/2018 National Panel Survey (NPS) represents the best information available however confidence in this data is low due to an estimate for the recreational catch sitting at 83 tonnes (± 25).
33. Comprehensive fine-scale information on the recreational harvest is needed in order to strengthen the current assessment process and provide better insight into the health of pāua to support improved management. We recognise that effective fine-scale management can be complicated, costly, and highly political. Nevertheless, it must be urgently pursued – there is no alternative way of achieving the purpose of the Fisheries Act and complying with the Crown's obligations under the Fisheries Settlement.

34. We encourage the exploration of different methods and initiatives for understanding fine-scale information on the recreational harvest in pāua fisheries and to conduct a further assessment once the current temporary closures for pāua in the QMA have been lifted. If the status of the PAU2 fishery is subsequently assessed above the target level (based on evidence, science and mātauranga), then FNZ can initiate a further review of the TAC to determine the appropriate response.
35. We encourage FNZ to work with iwi to find holistic and local solutions that consider all the impacts pāua populations face at a fine scale, given the magnitude of the PAU2 QMA. These include land-use practices that introduce additional sediment, nutrients, and pollutants. This will require committed resources and time to ensure enduring solutions. In the interim, we support the additional management measures proposed by the Pāua 2 Industry Association (PauaMAC2) to give confidence that the recreational catch will be constrained to the recreational allowance until further information and future management measures can be implemented at a fine scale.

Tipa – Coromandel Scallops (SCACS)

Our view

- We support Option 2.
- We encourage FNZ to work with iwi on shaping the research needed as well as the appropriate recovery strategies and management solutions to address the decline in the SCACS fishery.

Proposed Options

Table 1: Proposed management options for SCACS. All figures are in tonnes of meatweight.

Option	Closure	TAC	TACC	Allowances		
				Customary Māori	Recreational	All other mortality caused by fishing
Current settings (Status quo)	Partial closure (s11)	19	5	10	3	1
Option 1	Full closure (s11)	19	5	10	3	1
Option 2	Full closure (s11)	11 ↓ (8 t)	0 ↓ (5 t)	10	0 ↓ (3 t)	1

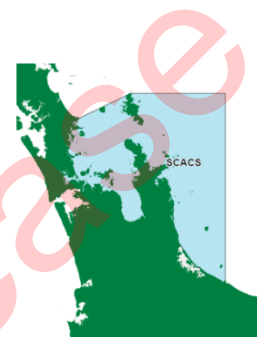


Figure 1: Quota Management Area (QMA) for SCACS.

Ngā whakaaro matua - Rationale

Our position is that the TAC should be set to reflect the state of the fishery

36. We support a s11 closure in helping to protect scallop beds from the direct and indirect impacts of fishing activity, and provide the greatest chance of recovery to greater abundance. We note that this closure will not prohibit customary fishing. This is in line with the feedback we have received from MIO's. However, the management settings of the TAC, TACC, and allowances for SCACS should be reduced to recognise that no fishing would occur, and the TAC should be set to reflect the state of the fishery. Under Option 1, cost recovery levies will be payable and there may be a net cost for iwi holding quota in these fisheries. Hence, we support Option 2 to protect the sustainability of stock while alleviating the financial burden on iwi settlement quota interests.

Iwi are integral to creating successful fisheries management solutions

37. There is a sustainability issue in SCACS that needs to be addressed. Iwi need to be actively involved in any decision-making regarding the future of these scallop fisheries. The consultation document itself highlights how iwi have exercised their rangatiratanga and used customary tools to improve the health of scallop populations. Examples provided include s186A closures for East Coromandel and Waiheke Island at the request of Ngāti Hei and Ngāti Paoa respectively. In addition, we note that Ngāti Manuhiri has applied for a s186A closure that would cover the remaining two areas open to commercial and recreational scallop fishing. However, these measures have not led to the recovery of the stock.

38. We encourage FNZ to work with iwi to find holistic solutions that consider all the impacts that scallop populations face. These include land-use practices that introduce additional sediment, nutrients and pollutants. This will require committed resources and time to ensure enduring solutions.
39. There is a need to prioritise and commit funding to a long-term research plan for SCACS to better understand some of the issues (both fishing and non-fishing, including habitat) and develop appropriate management and recovery strategies. While a full closure of the area will not be enough to improve the health of the SCACS fishery, we note the planned research outlined in the Government's Revitalising the Gulf strategy, and in the recent release of the draft Hauraki Gulf Fisheries Plan. We see an opportunity through the strategy and plan to obtain further environmental information on the SCACS fishery area.
40. We recommend a full stock assessment of the entire SCACS QMA to understand the abundance of the stock within the entire area (i.e. the SCACS fishery extends south from Leigh to Maketū on the northeast coast of the North Island and encompasses the Hauraki Gulf and the Western Bay of Plenty). We strongly encourage such research to be shaped and to draw upon mātauranga of iwi in the Hauraki and Bay of Plenty rohe, who have customary (commercial and non-commercial) rights in SCACS QMA.

Kina – Kura Te Au, Tory Channel - Marlborough Sounds - (SUR7A)

Our view

- We support Option 1.
- We strongly encourage FNZ to work directly with iwi in the management of their moana.

Proposed options

Table 1: Proposed management options.

Option	Description
Option 1	Regulatory change to prohibit commercial kina dredging in Tory Channel (all areas).
Option 2	Regulatory change to prohibit commercial kina dredging in specified areas of Tory Channel, while allowing it in depths greater than 50 m, where dredging would be less impactful.
Option 3	No regulatory change. Commercial fishers may voluntarily agree not to dredge for kina in Tory Channel.

Fisheries New Zealand

Review of commercial kina dredging in Tory Channel / Kura te Au, Marlborough Sounds • 1



Ngā whakaaro matua – Rationale

We support a ban on all dredging in Kura Te Au

41. To align fully with the purpose of the consultation, we support a full ban on all dredging within Kura Te Au, including commercial kina dredging and recreational dredging for all species.
42. Kina within Kura Te Au are of high quality, and the likelihood of shifting fishing efforts elsewhere is therefore low. Since the 2013/14 fishing year, the SUR7A annual catch entitlement (ACE) caught ranged from 90%-106% of the available TACC. The increase in kina dredging within the last three years indicates an increased dependence on this fishing method by commercial fishers.

We support iwi, as Treaty partners, to determine the future of their moana and taonga

43. The sustainability of the kina stock is not under review. It is only appropriate that we encourage FNZ to consider alternative fishing management, including, where selective harvest is possible, within these ecologically significant environments. Under Option 1, prohibiting kina dredging is indefinite. It is essential that alternative fishing methods are explored in order for commercial fishers to ensure avoiding localised depletion in shallower depths. Iwi must be at the forefront of these decisions and deliberations.
44. It is of the utmost importance that iwi, as kaitiaki and quota holders are involved and engaged within this process and must extend to a partnership rather than consultation. Iwi of Te Tau Ihu for many generations have conducted

their kaitiaki responsibilities to ensure that taonga such as kina can be harvested for the benefit of all who rely on Kura Te Au waters. Iwi localised knowledge and experience in generational customary fishing will provide holistic lenses and solutions to enhance such a management framework.

Proactive Release

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24 March 2023

Submission: Review of Pāua 2 (PAU 2) management for 2023-24

Recommendations

1. **The Minister acknowledges** his statutory duty to make a precautionary decision given the uncertain, unreliable and inadequate information available for managing Pāua 2.
2. **The Minister applies FNZ Option 1 until:**
 - a. New recreational harvest estimates are available, expected next year.
 - b. PAU 2 is split into a minimum of three smaller management areas.
 - c. Stock assessments are completed for each of the smaller management areas.
 - d. FNZ support mana whenua, local clubs and communities to collaborate and find effective solutions to address depletion and rebuild abundance in each area.
3. **The Minister encourages** an Ahu Moana approach to localised management of pāua, as per NZSFC policy of fine-scale spatial management to maintain a high-value niche fishery.
4. **The Minister rejects any cuts to the recreational daily bag limit** until the above measures have been given effect.
5. **Fisheries New Zealand acknowledge** the need to produce more balanced proposal options in future that take account of the statutory obligations on the Minister to allow for non-commercial fishing interests in a fish stock before the TACC is set or varied.

The Submitters

6. The New Zealand Sport Fishing Council (**NZSFC**) appreciates the opportunity to submit on the review of sustainability measures for Pāua 2 (PAU 2) for 2023-24. Fisheries New Zealand's

(FNZ) Discussion paper 2022/23 was received on 16 December 2022, with submissions due by 8 February 2023. On 1 February FNZ advised the deadline had been extended until 24 March.

7. The NZ Sport Fishing Council is a recognised national sports organisation of 53 affiliated clubs with over 36,000 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.
8. 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.
9. The New Zealand Underwater Association comprises three distinct user groups including Spearfishing NZ, affiliated scuba clubs throughout the country and Underwater Hockey NZ. Through our membership we are acutely aware that the depletion of inshore fish stocks has impacted on the marine environment and the wellbeing of many of our members.
10. 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].
11. Our representatives are available to discuss this submission in more detail if required. We look forward to positive outcomes from this review and would like to be kept informed of future developments. Our contact is Helen Pastor, secretary@nzsportfishing.org.nz.

Background

12. The commercial fishery for pāua dates from the mid 1940s where the shell was sold and the meat was dumped. Markets were found for the meat by the late 1950s.
13. Fisheries New Zealand (FNZ) is currently reviewing some of the sustainability measures for pāua in Quota Management Area (QMA) PAU 2 for the 1 October 2023 fishing year.
14. Currently, only a Total Allowable Commercial Catch (TACC) exists in PAU 2. Due to this review, a Total Allowable Catch (TAC) must be set, and allowances made for non-commercial fishing interests and fishing related mortality.



15. There are increasing concerns around Taranaki, Wairarapa and Hawke's Bay regarding localised pāua depletion, which FNZ and some iwi/hapū and local communities have attributed to increased pressure on the fishery by amateur fishers.
16. Like other intertidal shellfish species around coastal New Zealand, pāua are threatened with overharvest in many areas, on top of other major threats to pāua recruitment. FNZ state in their proposal document that in the PAU 2 fishery threats to recruitment may be attributed to climate change effects on food sources and habitats, as well as overfishing.

Introduction into the QMS

17. Pāua was introduced into the Quota Management System (**QMS**) in 1986-87. A provisional quota of 100 tonnes (t) was determined by the then Ministry of Fisheries to be the sustainable yield from PAU 2.
18. Pāua 2 fishers who were dissatisfied with their quota allocations successfully appealed to the Quota Appeal Authority (**QAA**) and by 1990 the quota for the PAU 2 area had increased from 100 t to 121.19 t. The TACC has not been reviewed since 1989-90.
19. At the time, the Ministry had the opportunity to advise the Minister to exercise prudence and reduce the inflated TACC back to the estimated sustainable 100 t level, as determined by its own research. No such action was taken.
20. The Ministry allowed the QAA to circumvent the intent of the QMS, which was to limit commercial catches to sustainable levels, and instead allowed the extra catch to be taken.
21. Cumulatively, a total of 705 t of additional commercial harvest in excess of the initial annual 100 t quota has been taken by commercial fishers in PAU 2 between 1986-87 and 2020-21 due to these successful appeals to the QAA.

Proposal

22. Currently, only a Total Allowable Commercial Catch (**TACC**) has been set in PAU 2. As a part of this review, the Minister of Oceans and Fisheries is required to set a Total Allowable Catch (**TAC**) for the first time.
23. As a part of setting a TAC, the Minister has a statutory duty to set aside a tonnage of fish to 'allow for' for non-commercial interests - Māori customary and recreational, and other mortality caused by fishing (including illegal take), before altering the TACC.
24. The current TACC in PAU 2 is 121.9 tonnes. The most recent data (the fishing year 2020/21) shows the average commercial catch in the 10 years between 2011-2021 to be around 121 tonnes. However, in 5 of those 10 years, the TACC was exceeded, with the maximum amount overcaught being in the 2020/21 fishing year when the TACC was exceeded by 5.07 tonnes.

25. FNZ's preference is for the Minister to retain the current TACC under all three proposed options for the future management of Pāua 2.
26. FNZ proposes a 12 tonne allowance for Māori customary fishing in all options. Previous data indicate fluctuations in customary harvest, with an average of 11 tonnes a year across PAU 2. Fisheries New Zealand estimates customary catch is underreported so they propose to add an extra tonne onto the average catch amount reported.
27. FNZ proposes three different options for recreational catch allowances and three options for daily bag limits. In 2017/18 the National Panel Survey (NPS) estimated recreational catch in PAU 2 at 83.22 tonnes, and in the 2011/12 NPS, the estimate was similar, at 81.85 tonnes.
28. **Table 1:** Proposed management options for PAU 2, from 1 October 2023. Options for Total Allowable Catch (TAC), Total Allowable Commercial Catch (TACC), allowances for non-commercial interests and fishing related mortality. In tonnes (t). **Source:** Fisheries NZ.

Option	TAC	TACC	Allowances			Recreational Daily Limit
			Customary Māori	Recreational	All other mortality caused by fishing	
Current settings	N/A	121.19t	N/A	N/A	N/A	10 per fisher*
Option 1	227.19t	121.19t	12t	83t	11t	10 per fisher*
Option 2	192.19t	121.19t	12t	48t	11t	5 per fisher*
Option 3	175.19t	121.19t	12t	31t	11t	3 per fisher*

*Of each species (blackfoot pāua and yellowfoot pāua).

Discussion

29. We can only imagine how abundant PAU 2 might be now if the commercial catch limit was reset to the original assessed sustainable harvest limit of 100 t, prior to QAA increases. It's possible we wouldn't even need to be having this review. Yet now we have another proposal that seeks to protect the TACC on behalf of quota holders at the expense of the public's access and interests in our pāua fishery.
30. We remind the Minister of the Supreme Court's discussion –
- The meaning of "utilisation" includes "using....fisheries resources to enable people to provide for their social, economic and cultural wellbeing". The notion of people providing for their wellbeing, and in particular their social wellbeing, is an important element of recreational interests.¹
31. We object to the bias apparent in the FNZ proposal paper. FNZ advise there is no sustainability issue in PAU 2 however, because they are reviewing the fishery a TAC must be set for the first time. Firstly, they use sustainability as justification to protect the existing TACC and set aside 12 t to provide for Māori customary fishing interests. Then they propose reductions of 50% or 70% to the individual daily bag limit applying to recreational fishers and use that as a basis to propose an overall allowance for recreational fishing interests. This is not compliant with the scheme of the Act.

¹ New Zealand Recreational Fishing Council Inc And Anor v Sanford Limited And Ors SC 40/2008 [28 May 2009]. At [54].

32. The Minister must apply the relevant findings of the High Court CRA 1 decision to take an ecosystem-based approach to managing PAU 2, and as part of that, create an environmental bottom that must not be exceeded. Churchman J identifies the key lever in ensuring sustainability is the setting of the TAC².
33. The Minister must use best available information to make a precautionary decision when setting the TAC to ensure sustainability, as required by the international obligations in s5 of the Act, and in the purpose of the Act (s8).
34. The High Court also raised the mandatory obligation on the Minister to take account of **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 effect³.
35. There is no evidence in the proposal paper that FNZ have given any regard to **any** of the effects of pāua fishing on the stock itself or the marine environment, aside from targeting recreational harvest. This is not a balanced nor lawful approach.
36. PAU 2 is a massive QMA encompassing all of the lower North Island. Within PAU 2 there is a variety of habitats and a range of depths where pāua are harvested. Varying water temperatures and currents impact recruitment success and growth rates of pāua.
37. FNZ notes that in Taranaki and some areas of Hawke's Bay blackfoot pāua are stunted and do not grow to the commercial and recreational minimum legal size (**MLS**) of 125mm. A different MLS of 85mm was introduced for blackfoot pāua in the area between the Awakino and Whanganui Rivers on the west coast, from 1 October 2009. At that time some of the current submitters objected to reducing the MLS due to sustainability concerns.
38. The efforts by mana whenua to now apply customary management tools to large areas along the southwest coastline due to sustainability concerns indicates to us that allowing the harvest of pāua down to 85mm since 2009 was not a precautionary decision.

Localised depletion

39. Most commercial fishing for pāua occurs on the southeast coast of the lower North Island, between Turakirae Head and Castlepoint. FNZ is confident the self-reported data they receive from commercial fishers in this area is adequate to inform the annual Fisheries Assessment Plenary report.

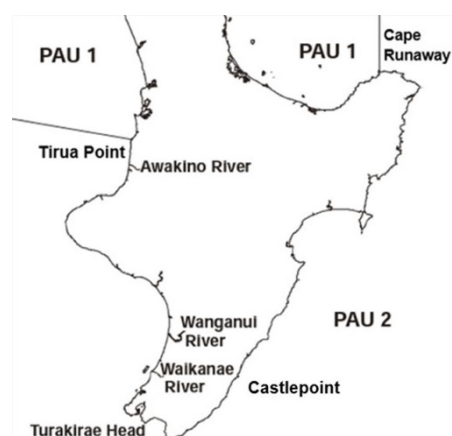


Figure 1: Boundaries of PAU 2.

² Environmental Law Initiative v Minister for Oceans and Fisheries [2022] NZHC 2969 [11 November 2022] At [11]

³ At [22]

40. The 2022 Plenary report advises –

Where commercial fishing occurs, the biomass of pāua is likely to be at or above the target of 40% unfished biomass, that current catch levels are very unlikely to cause the biomass of the stock to be at or below the soft and hard limits, and that overfishing is very unlikely to be occurring with current commercial catch levels.⁴

41. We submit the PAU 2 QMA is too large to effectively manage pāua at this scale. A QMA this big inevitably means localised depletion is masked by catches across the whole QMA. It is simply not feasible to realistically measure Catch Per Unit of Effort (**CPUE**) across an area encompassing the west and east coasts of the whole lower half of the North Island. We note these comments from early Ministry of Fisheries Plenary reports –

There is however a large amount of literature on abalone which suggests CPUE may not be proportional to abundance as it is possible to maintain high catch rates despite a falling biomass. This occurs because pāua tend to aggregate and divers move among areas to maximise their catch rates. Therefore, any apparent stability in CPUE should be interpreted with caution.⁵

A large portion of PAU 2, including the Wellington south coast, is closed to commercial fishing. This means that the CPUE series collected from the commercial catch and effort data are exclusive of this large area. Given that it is widely believed that the level of illegal harvesting is high around Wellington, the abundance of pāua in the fishery as a whole will not be captured very well by the CPUE index, which will only reflect abundance outside of the closed area. This is a cause for concern if stocks in the closed area are being depleted.⁶

42. The QMS is blunt tool that cannot adequately address issues related to localised depletion of pāua. This leaves mana whenua to gather enough resources so they can ask for Ministerial approval to apply customary management tools, in an attempt to restore abundance in their rohe moana. However, because the management area is so large it is unlikely their efforts will have much impact beyond their rohe or an impact for any longer than the duration of a 2-year temporary closure. We remind FNZ that it is the Minister's statutory duty to **ensure sustainability**, a weighty responsibility that cannot be passed onto mana whenua as they have no meaningful control over the TAC or outside their rohe.
43. If the issue is not sustainability but localised depletion, then it is not reasonable for FNZ to exploit this opportunity to recommend a recreational allowance lower than existing harvest levels and reduce daily bag limits, while leaving the TACC intact.
44. Information given in the FNZ proposal document uses the 2021 stock assessment data. The stock assessment only applies to the southeast area of PAU 2, between Turakirae Head and Castlepoint, as that was the information available. (See Figure 1)
45. Since information is not available for the entire fishery, the Minister must take a cautious approach.

⁴ Fisheries Assessment Plenary, May 2022: stock assessments and stock status. Compiled by the Fisheries Science and Information Group, Fisheries New Zealand, Wellington, New Zealand.

⁵ Fisheries Assessment Report. Pāua – Wellington/Wairarapa/Taranaki. 2009. Ministry of Fisheries. At [673]

⁶ Fisheries Assessment Report. Pāua – Wellington/Wairarapa/Taranaki. 15 June 2010. Ministry of Fisheries. At [684]

Setting the TAC and allowances

46. In 2011/12 overall recreational harvest in PAU 2 was estimated to be 81.85 t, in 2017/18 estimated harvest was 83.22 t. A new recreational harvest estimate from the 2022/23 NPS is expected in 2024.
47. FNZ propose three different TACs, based on varying reductions to the overall recreational allowance and daily bag limit. The TACC proposed in all options is status quo, 121.9 t. The proposed allowance for Māori customary interests is 12 t. In all three proposed options, FNZ determine the TAC by adding the TACC and allowances together. This is not in accordance with the scheme of the Act.
48. The scheme of the Act is:
- The Minister must ensure sustainability by firstly setting the TAC; then
 - Allowances are set aside for non-commercial fishing interests both Māori customary and recreational, and for fishing related mortality.
 - The remainder of the TAC is allocated to quota holders as the TACC.
49. In 2009 the Supreme Court quoted an earlier Court of Appeal decision⁷ that said:
- It is important to recognise that what is allowed for by the Minister in respect of the interests for which he **must allow** before setting the TACC, is not a quota as such. To take recreational fishers as an example, **the 'allowance' is simply the Minister's best estimate of what they will catch during the year**, they being subject to the controls which the Minister decides to impose upon them e.g. bag limits and minimum lawful sizes. Having set the TAC, the Minister in effect apportions it between the relevant interests. **He must make such allowance as he thinks appropriate for the other interests before he fixes the TACC.** That is how the legislation is structured. [our emphasis added]
50. Non-commercial fishing, both Māori customary and recreational interests, are not part of the QMS that's why a tonnage is set aside to 'allow for' those interests; and unlike the TACC, the allowances are not a fixed proportion of the TAC.

Daily Bag Limits

51. FNZ estimates recreational harvest has increased since the last survey estimate of 83 t. FNZ advise that tangata whenua and recreational fishers along the Hawke's Bay, Wairarapa and Taranaki coastlines estimate recreational harvest has increased particularly during the summer months. Areas closest to population centres and with easy road access are most popular.
52. The Mai Paritu tae atu ki Turakirae Fisheries Forum (representing iwi and hapū from Gisborne to South Wairarapa) are seeking a review to reduce daily bag limits (**DBL**) from 10 to 5 or 3 in their respective rohe moana areas.

⁷ New Zealand Recreational Fishing Council Inc And Anor V Sanford Limited And Ors SC 40/2008 [28 May 2009]. [At 55]

53. FNZ proposes the Minister applies any changes to the recreational DBL across the entire PAU 2 fishery.
54. Pāua 2 is one of the biggest pāua fisheries in the motu, important for commercial, Māori customary and recreational interests. The 2017/18 NPS notes that 66% of all recreational landings of blackfoot pāua nationwide was harvested from the PAU 2 management area.
55. Most recreational pāua is harvested by hand, gathered by people wading from shore or diving.
56. Based on the 2017/18 estimates, FNZ advise that 69% of people harvest between seven to ten pāua per day of fishing. The NPS also shows that –
- a. 17% of people harvested between one to three pāua per day.
 - b. 26% of people harvested up to five pāua per day.
 - c. 71% harvested between 6 to 10 pāua per day; and
 - d. 52% harvested the maximum of 10 pāua per day.
57. FNZ's Options 1,2 & 3 retain the status quo for Māori customary and commercial interests.
- 58. We submit the proposed reductions in FNZ's Option 2 and 3 will have a disproportionate effect on recreational fishers.** A reduction to 5 per person (pp), per day, means 71% of recreational harvesters in 2018 would have been impacted. A reduction to 3 pp, per day, means 80% of people impacted. This is unacceptable.
- 59. We remind the Minister this is not a sport fishery; these people are gathering pāua to put kaimoana on the table.**
60. And, unlike the TACC, recreational bag limits do not increase once they have been decreased.
61. Our members and supporters have over the years demonstrated a willingness to support conservation and voluntarily reduce their harvest to help rebuild depleted fish stocks or stocks in obvious trouble. Recent examples include voluntary reductions in CRA 2, Hauraki Gulf pink maomao, Coromandel scallops.
62. This current proposal has drawn a mixed response from our members and supporters. If there is a sustainability issue then the general feedback has been that all sectors need to contribute to conservation. However, because FNZ has advised there is no sustainability issue, more a local depletion issue, the feedback to us has been that commercial and recreational catches need to be reduced.
63. Around Gisborne and up the coast pāua fishing has been hard for years. There is even more concern that the pāua and cray fisheries around the east coast will be in a worse state now due to the impacts of extreme weather events, including Cyclones Hale and Gabrielle. There were many reports of dead pāua and crayfish all along the coastline after these events.

64. **We only support bag limit reductions on the basis that –**

- a. The QMA is split into a minimum of 3 smaller manageable areas;
 - b. Stock assessments are completed for each of the smaller management areas;
 - c. The public is involved in the review to achieve the above outcomes.
 - d. FNZ support mana whenua, local clubs and communities to work together taking an [Ahu Moana approach](#) so interested and affected parties can collaborate and find solutions suitable and workable for each area.
65. MPI clearly doesn't have the capacity to monitor and enforce regulations across the entire PAU 2 area so any localised solution that has community support ought to be attractive to both compliance staff and mana whenua.
66. The submitters have supported numerous customary management proposals in the past including the recent roll-over of the 2-year temporary closure to pāua harvest in Waimārama, south of Napier. However, relying on mana whenua to use section 186A of the Fisheries Act is not a long term solution to addressing sustainability, that is the statutory duty of the Minister.
67. The submitters strongly object to any reduction to the recreational daily bag limit in areas not experiencing depletion. FNZ advise that the southeast coast between Castlepoint and Turakirae Head is where most commercial fishing occurs for pāua. The only possible outcome of bag limit reductions in the shared areas is to prop up the unsustainable TACC allocated to the commercial sector in the fishery by a previous Minister, Ministry and Quota Appeals Authority process. This would be unacceptable.
68. If it is true that the pāua biomass in the area between Castlepoint and Turakirae Head is likely above 40% of unfished biomass then we do not accept a cut to the recreational daily bag limit if the TACC is retained.

Poaching

69. Currently, there is no allowance set aside to account for other mortality including poaching, the illegal harvest of pāua. FNZ acknowledge that "illegal harvest is likely high around Wellington and on the Wairarapa coast". An estimate of 10 t was used in the stock assessment. FNZ now propose the Minister sets aside 11 t of the TAC to 'allow for' all mortality associated with fishing including poaching.

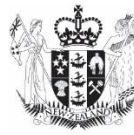
70. Section 21(1) of the Fisheries Act 1996 is as follows –

In setting or varying any total allowable commercial catch for any quota management stock, the Minister shall have regard to the total allowable catch for that stock and shall allow for – (a) the following non-commercial fishing interests in that stock, namely –

- (i) Māori customary non-commercial fishing interests; and
- (ii) Recreational interests; and

(b) All other mortality to that stock caused by fishing.

71. We agree the Minister must 'allow for' the mortality associated with illegal harvest, and agree that 11 t is reasonable.
72. Again, this process smacks of bias against recreational interests.
- a. Firstly because FNZ seek to protect the existing TACC under all three proposed options; Then
 - b. FNZ propose the Minister sets aside 11 t for other mortality, an amount greater than what is estimated to be taken; Yet
 - c. FNZ still recommend the Minister reduces the recreational allowance by 42% in Option 2 and 63% in Option 3; And
 - d. To achieve these reductions, cuts to the daily bag limit will impact between 70% and 80% of amateur fishers.
73. We have a proven record of conservation and acknowledge the Minister's duty to make an allowance for illegal harvest. However, we reiterate the Minister's statutory obligation under s21 to set aside all allowances before the remainder of the TAC is available to allocate as a TACC.



Submission Form

Review of sustainability measures for pāua (PAU 2)

Once you have completed this form

Email to: FMsubmissions@mpi.govt.nz

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

2023 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Friday 24 March 2023.

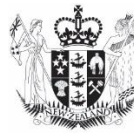
Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter or contact person: s9(2)(b)(ii)	
Organisation (if applicable):	s9(2)(b)(ii)
Email:	s9(2)(b)(ii)
Fishstock(s) this submission refers to:	PAU2
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option C (daily bag limit of 3)

Official Information Act 1982

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



Submission:¹

Details supporting your views:

Proactive Release

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



Introduction

We are writing this submission in the capacity of s9(2)(b)(ii) , however I will introduce ourselves as individuals to begin.

s9(2)(a), s9(2)(b)(ii)

I have lived in Wellington all my life and have been an avid free-diver and spearfisherman/gatherer for the last 13 years. I dive for pāua, crayfish, scallops and to spearfish approx 40 days per year. I

s9(2)(b)(ii)

. For the past 7 years I have lived on Wellington's South coast in Lyall Bay and spend a large proportion of my days diving in this area (Breaker Bay, Tarakena Bay, Red Rocks and further around area, along with Makara and Kapiti Island). Just

s9(2)(b)(ii)

s9(2)(a), s9(2)(b)(ii)

At a young age, my father taught me to me snorkel and gather kai. I have been living on the Wellington south coast in Owhiro bay for the last 6 years. I am an avid freediver, spearfisher and merman. s9(2)(b)(ii)

In the last 5 years I have assisted Dr Tom McCowan from the Pāua Industry Council with pāua survey work around the country, as a diver and scientist.

We are both people who love spending time in the ocean, whether it be fishing, surfing/body boarding, and of course diving/spearfishing/gathering kai moana. s9(2)(b)(ii)

We love that there has been an increase in recreational users of our coastlines including people harvesting kai moana, but with that comes the need to address any sustainability issues that may arise from the increased pressure on any fisheries due to this. For this reason, we welcome Fisheries New Zealand sustainability review on PAU2 and thank you for taking the time to read our submission.

Daily Bag Limit and Challenges of PAU2

Through our own experience in the ocean including s9(2)(b)(ii)

we feel we have a fairly comprehensive understanding of our local (Wellington) pāua fishery. It is our opinion that the pāua stock in Wellington has been depleted to the point it can be difficult for people to harvest pāua in some of the more popular diving locations around Wellington's coastline. Because of this opinion we believe Option C (reducing the daily bag limit to 3 per person per day).



We also would like to raise an argument to split PAU2 region into smaller sections in the future and highlight the need for accurate survey work to be done not just in the commercial harvest zone of PAU2, but all PAU2. Currently the only information from any area aside from the area in which there is commercial harvest of pāua, is anecdotal evidence. This seems absurd considering the size of PAU2 and its diverse geographic and ecological differences, along with its population differences which include vast areas with little to no population, to densely populated, easy to access coastline such as Wellington. Sub-dividing PAU2 into at least 4 different zones would allow for more appropriate catch limits/daily bag limits within each zone to reflect each zone's characteristics. This along with regular survey work in each zone could allow better understanding of pāua stock in each area and could allow work to be done to increase higher minimum harvest size (MHS) in productive and fast growing pāua fisheries such as Wellington's south coast. Commercially, areas like this are fished at higher MHS of up to 145mm to ensure adequate spawning possibility before harvest in these faster growing areas. Having a higher recreational MHS in areas that can sustain it, could benefit people harvesting a lower daily bag limit of 3 as the overall size of each pāua over time would increase, therefore yielding more meat per pāua. We believe that this could be of huge benefit to the fisheries such as Wellington's South coast, which has been shown in the stock assessments that the Pāua Industry Council has undertaken in areas such as PAU5B, where commercial operators are implementing higher MHS.

There is an argument for stakeholders that due to a lower daily bag limit of 3, the costs to benefits for people to gather pāua will increase, however the cost of severe depletion causing any closures in PAU2 far outweigh this. A consideration for widespread, regular stock assessments to assist in making decisions on whether the stock could sustain future daily bag limit increases could appeal to these stakeholder concerns, while giving the PAU2 stock the best chance to recover quickly.

Increased Pressure on PAU2 Fishery

We have noticed a significant decline in pāua stocks, particularly in the more popular diving locations eg Red rocks area, Moa point/Tarakena bay, Makara coastline around Wellington. In some places that used to be very plentiful of pāua (eg Tongue point, Wellington's south coast), now it can be a struggle to find any pāua let alone a legal one in some of the shallower, easy to reach areas. This is backed up by a huge amount of anecdotal evidence s9(2)(b)(ii)

We have also witnessed a large increase in the numbers of recreational divers around Wellington, particularly through the last few years with covid effecting international and domestic travel. Due to these restrictions on travel, people have been looking to pursue hobbies locally instead, hence the disproportionate increase in people getting into diving over the last 2-3 years. This increase can also be substantiated by the large increase in members on forums on facebook for diving/spearfishing. As an example, since the group Wellington Spearos was formed in March 2016, it has amassed 11800 members with only a few years ago, that number being under half that. This only one of many groups associated with diving/gathering/spearfishing, and by no means represents the entire community with many not using social media. With this large increase in divers in the water, plus greater access to information on whereabouts to go, the pressure on pāua has increased dramatically since the bag limits were set in the 1980s.

Seeing as the current daily bag limits were set in the 1980s, it is reasonable to assume that whatever option is chosen will be in place for some decades to come. Due to this, consideration of how the PAU2 fishery will look in the coming decades needs to be taken into account when making the daily bag limit decision. Therefore, the only option we can see as being suitable for any future pressures on the fishery including population increase, increased fishing, climate change factors, and other unknowns, is to choose Option C – set the daily bag limit at 3 per person per day.



We would like to thank you for reading our submission, as well as thank Baylee Wade and Duncan Petrie s9(2)(b)(ii)

s9(2)(b)(ii)

Proactive Release

Please continue on a separate sheet if required.

Submission on Review of Sustainability Measures for Pāua (PAU 2) for 2023/24

Introduction

1. The Pāua 2 Industry Association (**PauaMAC2**) represents PAU2 quota owners, ACE holders, harvesters and associated pāua industry members. We support the request of the Mai Paritu tae atu ki Turakirae Fisheries Forum to review recreational management options in PAU2 and welcome the opportunity to submit on Fisheries New Zealand's (**FNZ's**) review of sustainability measures.

2. The review of recreational management options for PAU2 is consistent with the draft PAU2 (Wairarapa) Fisheries Plan¹ which includes the following action, to be undertaken by PauaMAC2:

Promote to government fisheries managers the following measures for effective management of the PAU 2 fishery:

- a) *Given the observed increase in recreational fishing pressure in PAU 2:*
 - *Accurate and timely information is required on recreational harvest;*
 - *More effective constraint of recreational harvesting is necessary to reflect shared responsibilities and to protect the pāua fishery for future generations;*
- b) *If a TAC is set for PAU 2, incentives and equity among sectors should be maintained by retaining the current proportionality between the TACC and a reasonable level of recreational catch.*

3. In summary, PauaMAC2:

- Supports:
 - setting a Total Allowable Catch (**TAC**) and allowances for PAU2;
 - retaining the current Total Allowable Commercial Catch (**TACC**) of 121.19 tonnes; and
 - setting a recreational allowance of 48 tonnes (option 2) with a daily bag limit of 3 pāua per fisher (option 3);
- Recommends that, in addition, FNZ should:
 - set a new accumulation limit for PAU2 at two times the daily bag limit;
 - prioritise the collection of reliable recreational catch information in order to fine-tune future management measures; and

¹ PauaMAC2, December 2022. The draft fisheries plan has been submitted to the Minister for Oceans and Fisheries for approval under s.11A of the Fisheries Act.

- deploy extra compliance effort to the PAU2 coastline to support the new daily bag limit.

Support for setting a TAC and allowances

4. PauaMAC2 supports the setting of a TAC and allowances for PAU2. In particular, we consider that setting a recreational allowance for PAU2 will:
 - Help to identify a sustainable and appropriate level of recreational harvest;
 - Enable the setting of recreational management controls to constrain recreational catch within the allowance; and
 - Encourage the collection of more comprehensive and reliable information on recreational harvest so as to ensure catch is managed within the allowance.
5. We note that all options include a TACC of 121.19 tonnes (i.e., the current TACC) and we support this approach. Commercial harvest of PAU2 has been stable since the stock was introduced into the Quota Management System (**QMS**) in 1987 and the 2021 stock assessment indicates that in the area where commercial fishing occurs the pāua stock is likely to be at or above the target level. The pāua industry implements catch-spreading arrangements, which are documented in the draft Fisheries Plan and in the PauaMAC2 Annual Operating Plan, to reduce the risk of localised depletion from commercial harvesting.

Recreational allowance

6. PauaMAC2 supports a recreational allowance of **48 tonnes** (option 2) because it is more likely to ensure sustainability than an allowance based on current estimates of recreational catch, while still providing for a reasonable level of utilisation by recreational fishers. The best available information on recreational harvest is uncertain and out of date.² The information principles in the Fisheries Act provide that *decision makers should be cautious when information is uncertain, unreliable, or inadequate* (s.10).
7. We are aware that customary and recreational fishers have reported increases in recreational fishing pressure in Taranaki, Hawkes Bay and Wairarapa in recent years. This aligns with our own observations of increased recreational fishing for pāua in accessible areas of the Wairarapa coast. The comments that PauaMAC2 compiled from commercial divers during the preparation of the PAU2 Fisheries Plan included:
 - Observations of higher numbers of recreational fishers at Tora, Ngawi and Riversdale and increasing levels of recreational catch, especially from land-based diving; and
 - Based on these observations, suggestions that the PAU2 recreational catch estimate of 82 tonnes could now be as much as several times larger.
8. While it is uncertain whether current recreational fishing effort is sustainable, it is certain that localised depletion of pāua stocks is occurring in areas that are accessible to recreational fishers. Setting the recreational allowance at the level of current estimates fails to address localised

² The National Panel Survey took place in 2017-18.

depletion and potentially threatens the sustainability of the PAU2 stock. A recreational allowance that is meaningfully lower than the best available estimate of recreational catch is therefore necessary.

9. PauaMAC2 considers that options 2 and 3 are consistent with stock management objective in the draft PAU2 (Wairarapa) Fisheries Plan, which is to *Support and enhance the sustainability of PAU 2 by **building and maintaining a buffer of abundance above the default target level of 40% B₀***. The pāua industry has adopted this objective as an ‘insurance policy’ against future risks to the fishery, including risks arising from climate change, ocean acidification and changing land uses.

Recreational management controls

10. PauaMAC2 supports an initial daily bag limit of **3 pāua per person** (i.e., option 3). We are not confident that the daily bag limit FNZ proposes for option 2 (i.e., 5 pāua per person) is sufficient to constrain recreational catch within the recreational allowance for option 2, for the following reasons:

- FNZ’s estimates of catch reductions that could be achieved by different bag limits³ are based on an outdated estimate of recreational catch, not on verified current recreational harvest levels. Recreational harvest estimates from the 2017/18 National Panel Survey are uncertain, and recreational catch is observed to have increased – perhaps significantly – in the intervening five years;
- The Minister for Oceans and Fisheries has a legal obligation to control recreational catch within the allowance. This was confirmed by the Supreme Court in the kahawai decision, where the majority judgement notes that:

*Although what the Minister allows for [when setting a recreational allowance under s.21(1)] is an estimate of what recreational interests will catch, **it is an estimate of a catch which the Minister is able to control**. The Minister is, for example, able to impose bag and fish length limits. The allowance accordingly represents what the Minister considers recreational interests should be able to catch but also **all that they will be able to catch**. The Act envisages that the relevant powers will be exercised as necessary to achieve that goal.*⁴

- It is well known that bag limits cannot constrain catch with a high level of certainty unless the limit is set at a very low level.⁵ The FAO Guidelines for Responsible Fisheries recommend that recreational fishing effort should be controlled not through bag limits, but primarily through licencing and individual season limits – neither of which is currently available in New Zealand. Instead, FNZ is relying solely on the recreational bag limit to constrain catch within the allowance (i.e., no changes are proposed to the minimum legal size or accumulation limits and no other management responses such as

³ FNZ consultation document, paragraphs 69 and 76.

⁴ New Zealand Recreational Fishing Council Inc v Sanford [2009] NZSC 54 [para 56].

⁵ FAO Guidelines for Responsible Fisheries (2012). *Daily bag limits affect harvest expectations and thus fisher behaviour... However, **unless bag limits are very restrictive, potentially displacing effort or severely limiting the take, they will not reduce harvest mortality sustainably** because few recreational fishers actually catch the daily limit.*

vehicle limits or seasonal closures are proposed). However, daily bag limits do not directly control the total amount of recreational catch that can be taken. In light of this uncertainty, the bag limit must be set at a low level in order to constrain the recreational catch within the allowance with any degree of certainty.

11. In addition to the above generic reasons for favouring a bag limit of 3 pāua per person, PauaMAC2 considers that there are specific reasons for setting a more constraining bag limit in PAU2. FNZ will be aware that iwi and hapū throughout PAU2 are responding to observed depletion of local pāua populations by declaring traditional rāhui and applying for temporary closures under s.186A of the Fisheries Act. Recently, temporary closures for pāua have been put in place at Waimārama⁶ (an extension of an existing closure) and western Taranaki.⁷ We note that iwi and hapū elsewhere in PAU2, including in the commercially-harvested area, are considering similar measures in response to localised depletion from high recreational fishing pressure.
12. While the pāua industry understands the concerns that are driving these management responses, we are seriously concerned at the consequences. Fisheries closures – whether temporary or permanent – do not effectively address the underlying management problem of high recreational fishing effort. The closures simply displace fishing effort to neighbouring areas, which increases fishing pressure and risks of localised depletion in adjacent areas. A cascade of closures is likely because when one hapū establishes a s.186A closure, then a neighbouring hapū may choose to protect areas of importance for customary fishing from the impacts of displaced catch by establishing their own s.186A closure or a new mātaihai reserve. In turn, these measures will result in further displacement of fishing effort and additional threats to fisheries sustainability.
13. Temporary closures are not an effective or enduring fisheries management solution to high recreational fishing pressure and PauaMAC2 does not wish to see a proliferation of temporary closures in the commercially harvested area of our fishery. It is far more appropriate to control recreational fishing pressure, with a high degree of certainty, through the setting of a genuinely constraining daily bag limit. This needs to be done immediately and definitively, so as to get ahead of concerns about localised depletion and prevent a cascade of local area closures and associated displacement impacts.
14. When information about the sustainability of recreational catch is uncertain, it is preferable to initially set a lower bag limit and then, if appropriate, increase it in future years so as to better provide for utilisation. The 2021/22 experience at Kaikōura, where the recreational allowance was exceeded by a factor of 8 times – in part because the initial bag limit was not sufficiently constraining – is not one that we want to see repeated in PAU2. Recent changes to the Fisheries Act mean that changes to recreational management settings can be made relatively rapidly. A low bag limit, with opportunity to review it when information improves, provides much stronger incentives for FNZ and the recreational fishing sector to improve the quality and timeliness of information on recreational catch.

⁶ <https://www.mpi.govt.nz/consultations/proposed-further-temporary-fishing-closure-of-waimarama-hawkes-bay/>

⁷ <https://www.mpi.govt.nz/consultations/proposed-temporary-closure-at-taranaki/>

Better information will allow future adjustments of bag limits

15. In order to make full use of the more responsive management approach to recreational settings that the Fisheries Act now enables, it is essential that FNZ prioritises the collection of reliable and timely information on recreational pāua harvesting. The collection of comprehensive recreational catch information will help inform future management approaches – this is necessary not only in order to ensure sustainability, but also to make adequate provision for recreational utilisation of pāua.
16. PauaMAC2 considers that in the longer term it may be appropriate to set different daily bag limits for different sub-areas of PAU2, but sub-area-scale information on which to base a differential bag limit is not currently available.
17. We recommend that urgent consideration should be given to the use of self-reporting of recreational catch, supported by regular, targeted recreational catch surveys to collect information at a scale appropriate for pāua management.

Accumulation limit

18. Accumulation limits are a critical tool for constraining total recreational fishing effort for pāua – we therefore do not understand why FNZ has not consulted on a revised accumulation limit for PAU2. In every other pāua fishery the accumulation limit is set at the level of two daily bag limits.⁸ A daily bag limit of 5 or 3 cannot be effectively enforced if the accumulation limit remains at 20 pāua per person, as a diver could claim that the pāua in their possession were accumulated over many days rather than collected in a single fishing trip.
19. PauaMAC2 recommends that FNZ should urgently consult on setting a new accumulation limit for PAU2 that is twice the new daily bag limit.

Compliance and enforcement

20. The allowance for illegal fishing in PAU2 is relatively high and incentives for illegal harvest may increase if the daily bag limit is reduced. We therefore recommend that the proposed new daily bag limit should be supported by the deployment of additional FNZ compliance resources to operate in the PAU2 area (east coast and west coast).

Toa Pomare
Chair, PauaMAC2

⁸ Fisheries (Recreational Management Controls) Notice clause 4.1.



NZ ROCK LOBSTER INDUSTRY COUNCIL LTD

Ka whakapai te kai o te moana

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24th March 2022

Submission: Review of Sustainability Measures for Pāua (PAU 2) for 2023/24

1. The NZ Rock Lobster Industry Council (NZ RLIC) is the umbrella organisation for the nine regional organisations known as CRAMACs, which operate in each of the rock lobster (CRA) management areas of New Zealand. CRAMAC membership comprises CRA quota owners, processors, exporters, and fishermen (quota share owner-operators and Annual Catch Entitlement (ACE) holders) in each region.
2. NZ RLIC supports the request of the Mai Paritu tae atu ki Turakirae Fisheries Forum to review recreational management options in PAU 2 and welcomes the opportunity to submit on Fisheries New Zealand's (FNZ) review of sustainability measures.
3. NZ RLIC supports the positions taken by the Pāua Industry Council (PIC) and PauaMAC2, the mandated representative organisations for pāua quota owners and commercial harvesters in PAU 2.
4. In summary, NZ RLIC:
 - a. Supports:
 - i. setting a Total Allowable Catch (TAC) and allowances for PAU2;
 - ii. retaining the current Total Allowable Commercial Catch (TACC) of 121.19 tonnes; and
 - iii. setting a recreational allowance of 48 tonnes (option 2) with a daily bag limit of 3 pāua per fisher (option 3);
 - b. Recommends that, in addition, FNZ should:
 - i. set a new accumulation limit for PAU2 at two times the daily bag limit;
 - ii. prioritise the collection of reliable recreational catch information in order to fine-tune future management measures; and
 - iii. deploy extra compliance effort to the PAU2 coastline to support the new daily bag
5. This includes support of the PAU 2 (Wairarapa) Fisheries Plan¹, which provides for PauaMAC2 to:

¹ PauaMAC2, December 2022. NZ RLIC understands that the draft fisheries plan has been submitted to the Minister for Oceans and Fisheries for approval under s.11A of the Fisheries Act.

- a. Promote to government fisheries managers the following measures for effective management of the PAU 2 fishery:
- i. Given the observed increase in recreational fishing pressure in PAU 2:
 - Accurate and timely information is required on recreational harvest.
 - More effective constraint of recreational harvesting is necessary to reflect shared responsibilities and to protect the pāua fishery for future generations.
 - ii. If a TAC is set for PAU 2, incentives and equity among sectors should be maintained by retaining the current proportionality between the TACC and a reasonable level of recreational catch.
6. NZ RLIC supports the setting of a Total Allowable Catch (TAC) and associated allowances. The decision to consult on options that retain the current Total Allowable Commercial Catch (TACC) of 121.19 tonnes reflects the 2021 stock assessment results that, for the portion of PAU 2 where commercial pāua harvesting occurs, local abundance is likely to be at or above the target level. Commercial landings have remained consistent to the TACC since pāua was introduced to the QMS in 1987. NZ RLIC commends the pāua industry on their management approach to the PAU 2 stock, and in particular the implementation of catch-spreading arrangements to mitigate the risk of localised depletion from commercial harvesting.
7. NZ RLIC supports the options that align with the proposals made by the Mai Paritu tae atu ki Turakirae Fisheries Forum for a reduction in the daily bag limit for pāua to address recreational fishing effort. Reports from tangata whenua, and both commercial and recreational fishers indicate an increase in recreational fishing pressure in Hawke's Bay, Wairarapa and Taranaki in recent years. While it is highly uncertain whether the current recreational catch estimate of 82 tonnes is accurate² or sustainable, there are clear and serious concerns regarding localised depletion of pāua in recreationally accessible areas.
8. Proposing a recreational allowance at the level of current estimates fails to address localised depletion in recreationally accessible areas, and potentially threatens the sustainability of the PAU 2 stock. We support a recreational allowance of **48 tonnes** (option 2) because it is more likely to ensure sustainability than an allowance based on current estimates of recreational catch, while still providing for a reasonable level of utilisation by recreational fishers.
9. Constraining recreational catch within the allocation for recreational interests is an essential requirement for ensuring sustainability by constraining the total catch of all sectors within the TAC. The expectation that the Minister must control recreational catch within the allowance is supported by jurisprudence³.
10. NZ RLIC notes that options 2 and 3 are consistent with stock management objective in the PAU 2 (Wairarapa) Fisheries Plan, reducing the future risks to the fishery (including those arising from land-use, sedimentation and climate change) through:

² The relatively high confidence intervals of the 2011-12 and 2017-18 National Panel Surveys provide little confidence that these estimates are accurate.

³ New Zealand Recreational Fishing Council Inc v Sanford [2009] NZSC 54 [para 55-56].

- a. Support[ing] and enhance[ing] the sustainability of PAU 2 by building and maintaining a buffer of abundance above the default target level of 40% B_0 .
11. NZ RLIC supports PIC and PauaMAC2's position on a recreational allowance of 48 tonnes (Option 2) and a recreational daily bag limit of 3 pāua per person (Option 3). While a daily bag limit of 3 pāua per person was not proposed by FNZ for a recreational allowance of 48 tonnes, it is necessary that the package of measures are designed to constrain the recreational catch to the allowance with a high level of certainty. While the consultation document lacks any discussion of how the proposed options would achieve this, the assumption that halving the current daily bag limit of 10 is based on recreational harvest estimates that are outdated and highly uncertain (and likely underestimated), so the lower daily bag limit is the only appropriate option
12. NZ RLIC considers it essential that the management settings for stocks such as pāua and rock lobster will ensure that spatial access restrictions are not needed to address localised abundance issues. Concerns of localised depletion due to unconstrained recreational effort has forced iwi and hapū around the country to resort to customary practises such as rahūi and subsequently applying for temporary closures under section 186A (s186A) of the Fisheries Act so they receive support from central agencies. For pāua, temporary closures have recently been gazetted for western Taranaki and extended for Waimārama, with iwi and hapū elsewhere in PAU 2 considering similar measures in response to localised depletion from high recreational fishing pressure.
13. However, temporary closures do not address the ongoing, systemic issue of excess recreational catch that has led to their concerns about the local abundance of valued species such as pāua and rock lobster. Temporary closures under s186 around New Zealand are regularly renewed multiple times because they have not achieved the desired management outcome (e.g., Kaikōura-Wakatu Quay), or have morphed into permanent regulatory closures (e.g., Pukerua Bay).
14. The inevitable renewal of existing closures is a serious concern. The Umupuia Beach closure has been consistently renewed since it was promulgated in 2008. While the Te Mata and Waipatukahu closure was only promulgated in 2020, this closure was preceded by the Western Coromandel Peninsula Closure in 2000. This closure prohibited the take of the same species over an area that included that specified by the Te Mata and Waipatukahu closure for 6 years. The expectation that temporary closures will be renewed time and again is likely to detract from, rather than incentivise, the development of more appropriate and effective management responses.
15. NZ RLIC has serious concerns that restricting spatial access through mechanisms such temporary closures unintentionally displaces fishing effort for species such as pāua and rock lobster to adjacent fishing grounds. This not only threatens local abundance of neighbouring populations, but hinders the ability of other iwi and hapū to exercise their customary fishing rights through increased pressure on their customary fishing grounds.
16. This increased pressure is likely to result in neighbouring hapū applying for their own temporary closures under section 186A to protect their rohe moana from increased fishing effort, as evidenced by the proliferation of recent applications in the Hauraki Gulf and Taranaki. Consulting on these applications and proceeding with temporary closures is likely to result in a further cascading series of *ad hoc* closures, with the remaining fishing effort becoming increasingly concentrated in just a few areas. This is clearly not a sustainable approach to fisheries management, and it undermines customary fishing rights

by hindering the ability of other nearby hapū to exercise their customary fishing rights in their own rohe moana.

17. NZ RLIC supports the development and implementation of management settings that address the key concern of recreational pressure. Where information regarding recreational catch is uncertain, it is preferable to initially set a lower bag limit. The re-opening of the Kaikōura coastline to pāua fishing in December 2021 to February 2022, termed “popular”⁴, saw the recreational allowance exceeded by a factor of 8 – in part because the initial bag limit was not sufficiently constraining. The daily bag limit for PAU 2 could be increased in future years to better provide for utilisation, provided that sufficient information on recreational effort is collected to inform credible estimates of catch.
18. NZ RLIC supports PauaMAC 2’s position that FNZ prioritise the collection of reliable and timely information on recreational pāua fishing to inform future management approaches to ensure the fishery is sustainable and make adequate provision for utilisation by all stakeholders. This includes the recommendation that a self-reporting catch system for recreational fishers be implemented.
19. Self-reporting should be supported by regular, targeted independent fishing surveys, such as those proposed for the Kaikōura pāua fishery, to monitor the effectiveness of the recreational management measures. It is essential that the independent fishing survey’s design documents a sufficient number of sites on a frequent enough basis to produce reliable weekly estimates to inform management of when the recreational catch has reached the allowance and respond accordingly to close the fishery to further recreational take.
20. If monitoring indicates that the meaningful recreational allowance is likely to be exceeded within the season, management measures should be adjusted immediately, including closure to recreational fishing if necessary, using the ability providing by the Fisheries (Recreational Management Controls) Notice.
21. Reductions in the daily bag limit is likely to incentives illegal fishing, which is already relatively high in PAU 2. The availability of the defence provision in regulation 29(3) of the Amateur Regulations is currently exploited by illegal participants.
22. NZ RLIC recommend that FNZ should urgently consult on setting a new accumulation limit for PAU2 that is twice the new daily bag limit.
23. In every other pāua fishery the accumulation limit is set at the level of two daily bag limits. A daily bag limit of 5 or 3 cannot be effectively enforced if the accumulation limit remains at 20 pāua per person, as a diver could claim that the pāua in their possession were accumulated over many days rather than collected in a single fishing trip.
24. Accumulation limits would mitigate the ability to store and transport large quantities of pāua where people deliberately exceed the daily bag limit or where it is consistently taken for sale or barter, and complement other measures in place to address illegal take. As such, NZ RLIC supports the

⁴ Consultation on a proposal to reopen the Kaikōura coastline to pāua, and other shellfish and seaweed fishing for the 2022-23 fishing year.

recommendation that accumulation limits for PAU 2 that align it with all other pāua fisheries⁵ should be consulted on.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Robertson', with a stylized flourish at the end.

James Robertson
Chief Operating Officer
New Zealand Rock Lobster Industry Council

Proactive Release

⁵ Fisheries (Recreational Management Controls) Notice clause 4.1.

Fisheries New Zealand

PO Box 2526

Wellington 6140

New Zealand.FMsubmissions@mpi.govt.nz

Tēnā koe,

Thank you for the opportunity to respond to Fisheries New Zealand's review of catch limits, allowances, and recreational daily bag limits for PAU 2 (lower and central North Island).

[Mae Paritu Tae atu ki Turakirae Fisheries Forum \(Forum\)](#)

The **Mai Paritu tae atu ki Turakirae Fisheries Forum** (Forum) includes representatives from a number of Kahungunu hapū, tribal organisations and other iwi including Ngai Tāmanuhiri, Rongomaiwahine, Ngati Pahauwera and Rangitane.

A joint submission has been prepared and has also been submitted with Ngati Kahungunu Iwi Incorporated and individual members will submit on their own accord on the specific options.

[Response](#)

The forum have reviewed the 'Review of sustainability measures for pāua (PAU 2) for 2023/24' consultation document and are familiar with this Kaupapa.

Problem definition

Concerns have been raised by whanau, hapū, and iwi that the abundance of pāua populations along the eastern coast of Te Ika a Maui and within PAU2 are trending down over time. Anecdotal evidence suggests that recreational harvest may be much larger than what the population can sustain and better controls and record keeping are required. The resultant level of uncertainty is therefore problematic to making informed management decisions at the local scale.

Firstly Te Mai Paritu tae atu ki Turakirae Fisheries Forum seek increased support for localised kaitiaki management.

Tangata whenua in PAU 2 have observed local depletion and high levels of pressure from recreational harvest. Our view is that the exercise of kaitiakitanga requires us to sustainably manage the fishery for existing and future generations. We wish to be an active part of managing the pāua fishery. Better localised management and control will result in sustainable fishery management. The forum implore MPI to further invest in supporting notifying

authorities and kaitiaki to undertake localised research, support monitoring of fisheries and in general assist in the kaitiakitanga of their rohe moana.

The Mai Paritu tae atu ki Turakirae Fisheries Forum request the introduction of recreational licensing for improved reporting and stock management.

Currently there is no requirement to report recreational catch, making it difficult to estimate how much pāua is being taken recreationally. Recreational licensing and greater rigour around recording catch would enhance our ability to exercise kaitiakitanga and ensure the fishery is being managed sustainably. Recreational licensing and better localised stock research would provide better information on whether recreational take reductions are valid and whether closures/ rāhui reflect actual stock levels.

Nga mihi

Robin Hape

Deputy Chairman Mae Paritu ktae atu ki Turakirae Fisheries Forum

9(2)(a)

9(2)(a)

24 March, 2023

Fisheries Management
Fisheries New Zealand
P O Box 2526
Wellington 6140



Ngāti Kahungunu Iwi
INCORPORATED

Submission: Feedback on the review of sustainability measures for 1 April 2023, and specifically whether to enable a reduction in the recreational daily bag limit for paua in PAU2.

From: Ngāti Kahungunu Iwi Incorporated and Mai Paritu tae atu ki Turakirae Customary Fisheries Forum.

1. **Ngāti Kahungunu Iwi Incorporated (NKII)** is a mandated iwi organization, and is responsible for all aspects of Ngāti Kahungunu development. Ngāti Kahungunu has the third largest iwi by population (82,000¹) and the second largest tribal rohe and coastline, from Paritu and extending inland across the Wharerata ranges in the north to Turakirae in the southern Wairarapa.
2. Ngā hapū o Ngāti Kahungunu have maintained customary use of marine resources out to and beyond the EEZ 12 nautical mile limit. Customary use and hapū authority has been acknowledged and gazetted along the majority of our coastline via the 1998 Fisheries (Kaimoana Customary Fishing) Regulations.
3. Ngāti Kahungunu Iwi Incorporated has an established Taiao me Ōna Rawa (Environment and Natural Resources) Unit (Te Taiao unit) which takes an active role in developing and presenting responses and submissions on behalf of Ngāti Kahungunu. The role of this unit is to complement and support the aspirations of hapū and this submission does not exclude any other Kahungunu responses or submissions.
4. The **Mai Paritu tae atu ki Turakirae Customary Fisheries Forum** (Forum) includes representatives from a number of Kahungunu hapū, tribal organisations and other iwi including Ngai Tāmanuhiri, Rongomaiwahine, and Rangitane. Te Taiao unit have been asked to prepare a submission on behalf of the Forum in relation to the review of sustainability measures for 1 April 2023 and specifically for Paua (PAU2). This submission does not exclude any other responses or submissions from individual Forum representatives.

Problem definition

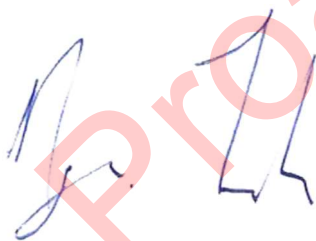
5. Concerns have been raised by whanau, hapū, and iwi that the abundance of pāua populations along the eastern coast of Te Ika a Maui and within PAU2 are trending down over time. Anecdotal evidence suggests that recreational harvest may be much larger than what the population can sustain, however there is a paucity of fine scale spatial information on population biomass, and recreational harvest. The resultant level of uncertainty is therefore problematic to making informed management decisions at the local scale.

¹ 2018 Census of Population and Dwellings, New Zealand Kahungunu population only.

6. Given the concerns and uncertainty we are of the view that a precautionary approach be applied and that therefore the proposal to set a TAC of 192.19t that includes a recreational daily bag limit of 5 paua per person (**Option '2'**), is supported.
7. While we favour Option 2, we favour a more finessed approach to address the concerns of our hapū and representatives of the Forum than simply setting a TAC in accordance with the three options put forward by Fisheries New Zealand. We emphasise the importance of making provisions in the review and any subsequent advice to the Minister to explicitly stipulate:
- That the reduction in recreational bag limit from 10 individuals/fisher/day to 5 is temporary and is for a period of 5 years (October 2023 – October 2028).
 - That the reduction is phased in over a 1 year period (October 2023 – October 2024) during which time some discretion is exercised in enforcement given the vast majority of paua gathered for Maori cultural practices is gathered under the recreational catch limits, and further this would ensure customary permit issuers have the necessary resources to enable them to safely and effectively process an anticipated increase in the number of permits this reduction to the recreational bag limit may have.
 - That field surveys to estimate the subtidal pāua population in the Hawke's Bay region using the method as described in ²McCowan and Neubauer are undertaken in the 5 year period following the setting of a TAC.
 - That field survey of recreational fishers to estimate the pāua recreational harvest in the Hawke's Bay, Wairarapa regions is undertaken in the 5 year period following the setting of a TAC.
 - That mana whenua of the various hapū rohe, or their representatives, where field survey are undertaken are involved and participate in the collection, analysis and interpretation of data from these surveys, and that these data are used to inform a review of the recreational daily bag limit at the end of the 5 year period following the setting of a TAC.

Please ensure that all queries and further communications are sent to Ngaio Tiuka, Pouarataki: Director of Environment and Natural Resources, 9(2)(a) [REDACTED], and Paul Ratapu, Chairperson Mai Paritu tae atu ki Turakirae Fisheries Forum, 9(2)(a) [REDACTED]

Nāku noa,



Ngaio Tiuka
Pouarataki Environment and Natural Resources
Ngāti Kahungunu Iwi Incorporated



Paul Ratapu
Chairperson Mai Paritu tae atu ki Turakirae
Fisheries Forum

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

From: Maurice Takarangi 9(2)(a)
Sent: Thursday, 2 February 2023 12:16 PM
To: FMSubmissions
Cc: 9(2)(a)

Subject: SUBMISSION - SUPPORTING REDUCTION OF RECREATIONAL TAKE OF PAU2

Tēnā koe

After discussion with the Chairman (Ben Potaka) of Te Tai Hauāuru Iwi Fisheries Forum FMA8 which represent some 16 iwi members based along the North Island West Coast from Taranaki to Kapiti, I am authorised to place this submission which confirms the support for the reduction of the recreational bag limit in respect of PAU2 be reduced from the current limit of 10 per person per day to 5 per person per day.

Please note that our signature Trust Te Ohu Tiaki O Rangitane Te Ika A Maui Trust is a member of the subject Forum.

Whilst there are a number of reasons for supporting this reduction the overriding consideration being the better sustainability concerning Paua stock.

Please note that the Rahui sought by Taranaki iwi of 70kms of their Coastline banning the taking of all shellfish has legal status and may be regarded as over taking in the meantime this effective reduction in respect of that area.

Ma te wa

Maurice Takarangi MNZM, LLB, MInstD

Trustee - Te Ohu Tiaki O Rangitane Te Ika A Maui Trust

Tanenuiarangi Manawatu Incorporated



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Fisheries New Zealand

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Tēnā koe,

Thank you for the opportunity to respond to Fisheries New Zealand's review of catch limits, allowances, and recreational daily bag limits for PAU 2 (lower and central North Island).

TeHapu o Ngai Te Oatua (THTO)

Te Hapu O Ngai Te Oatua are a charitable trust established to administer the historic treaty settlements for the hapu of Pourerere. The hapu are Ngai Tamatera and Ngai Te Oatua who have mana moana for the area from Paoanui to Te Onepoto Stream. Kairakau Lands Trust are the current gazetted notifying authority and we recognise their legal entity and inclusion. This is not a submission from the Kairakau Lands Trust.

Response

THTO have reviewed the 'Review of sustainability measures for pāua (PAU 2) for 2023/24' consultation document and are familiar with this kaupapa as an attendant member of the Mai Paritu tae atu ki Turakirae Fisheries Forum.

THTO supports the recommendation of Te Mai Paritu tae atu ki Turakirae Fisheries Forum for increased support for localised kaitiaki management.

Tangata whenua in PAU 2 have observed local depletion and high levels of pressure from recreational harvest. Our view is that the exercise of kaitiakitanga requires us to sustainably manage the fishery for existing and future generations. We wish to be an active part of managing the pāua fishery. Better localised management and control will result in sustainable fishery management. THTO request MPI to further invest in supporting notifying authorities and kaitiaki to undertake localised research, support monitoring of fisheries and in general assist in the kaitiakitanga of their rohe moana.

THTO supports the recommendation of the Mai Paritu tae atu ki Turakirae Fisheries Forum for recreational licensing for improved reporting and stock management.

Currently there is no requirement to report recreational catch, making it difficult to estimate how much pāua is being taken recreationally. Recreational licensing and greater rigour around recording catch would enhance our ability to exercise kaitiakitanga and ensure the fishery is being managed sustainably. Recreational licensing and better localised stock research would provide better information on whether recreational take reductions are valid and whether closures/ rāhui reflect actual stock levels.

THTO propose a reduction in recreational take for non hapu/ iwi registered members of the local hapu/ iwi/ rohe moana. THTO therefore support a reduction from 10 to 5 per day per diver for recreational divers as distinct from hapu registered members. That means a special form of licensing for registered hapu/ iwi members is implemented.

This is consistent with the recommendations from the Mai Paritu tae atu ki Turakirae Fisheries Forum who proposed a reduction of the recreational daily bag limit for pāua within the forum's rohe moana subject to the individual notifying authorities. We have observed that recreational fishing is increasing within our rohe moana, threatening the local abundance of pāua. To allow the fishery to return to healthy levels, we believe recreational take should be better managed. Any recreational reduction was left for the respective members to submit and it is incumbent on THOT to maintain the commitment to the treaty for protection of the taonga fishery but for the rights under Article 3., (recreational fishers) there should be reduction.

Due to a lack of information, a precautionary approach should be taken.

There are multiple threats to the pāua fishery in PAU 2, and these are poorly understood. Until more information is available on the potential effects of threats such as climate change and the pressure from customary take, pāua fisheries management should take a precautionary approach i.e. preventative action should be taken in the face of uncertainty, and if an action is suspected of causing harm to the fishery, protective action should be supported before there is complete scientific proof of a risk.

Nga mihi

Jill Munroe

Chairman Te Hapu O Ngai Te Oatua – Pourerere Beach.



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Fisheries New Zealand

24 March 2023

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New Zealand

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Tēnā koe,

Thank you for the opportunity to respond to Fisheries New Zealand's review of catch limits, allowances, and recreational daily bag limits for PAU 2 (lower and central North Island).

Ngāti Pāhauwera Development Trust

Tangitū ki te moana

Maungaharuru ki uta

Mōhaka te awa

Ko Ngāti Pāhauwera te iwi

Ngāti Pāhauwera is a confederation of hapū with historical interests in northern Hawke's Bay. The traditional boundary of Ngāti Pāhauwera, confirmed by Te Kahu o Te Rangi, extended inland from the coast north of the Waihua River across to the Waiau River and followed its course to the headwaters in the Huiarau. From there the boundary extended across to Tatarakina (Te Haroto) and on to Puketitiri and from there across to Te Wai o Hinganga (Esk River) and followed its course to the sea.

Ngāti Pāhauwera Development Trust (NPDT) is a post-settlement governance entity representing nearly 8000 registered members. NPDT is also a significant landowner of forestry blocks, orchards,

farms, and co-managed DOC reserves. NPDT writes this response on behalf of mana whenua with kaitiaki obligations over part of PAU 2 (lower and central North Island).

NPDT are also a notifying authority under the Fisheries (Kaimoana Customary Fishing) Regulations 1998.

Response

NPDT have reviewed the 'Review of sustainability measures for pāua (PAU 2) for 2023/24' consultation document and are familiar with this kaupapa as a member of the Mai Paritu tae atu ki Turakirae Fisheries Forum.

NPDT supports the recommendation of Te Mai Paritu tae atu ki Turakirae Fisheries Forum for increased support for localised kaitiaki management.

Tangata whenua in PAU 2 have observed local depletion and high levels of pressure from recreational harvest. Our view is that the exercise of kaitiakitanga requires us to sustainably manage the fishery for existing and future generations. We wish to be an active part of managing the pāua fishery. Better localised management and control will result in sustainable fishery management. NPDT implore MPI to further invest in supporting notifying authorities and kaitiaki to undertake localised research, support monitoring of fisheries and in general assist in the kaitiakitanga of their rohe moana.

NPDT supports the recommendation of the Mai Paritu tae atu ki Turakirae Fisheries Forum for recreational licensing for improved reporting and stock management.

Currently there is no requirement to report recreational catch, making it difficult to estimate how much pāua is being taken recreationally. Recreational licensing and greater rigour around recording catch would enhance our ability to exercise kaitiakitanga and ensure the fishery is being managed sustainably. Recreational licensing and better localised stock research would provide better information on whether recreational take reductions are valid and whether closures/ rāhui reflect actual stock levels.

NPDT proposes an alternative method of limiting recreational pāua harvests, and proposes that a seasonal harvest be implemented of 20 pāua per person over the summer months (seasonal harvest) instead of a daily diver allowance of 10 per diver per day.

This is consistent with the recommendations from the Mai Paritu tae atu ki Turakirae Fisheries Forum who proposed a reduction of the recreational daily bag limit for pāua within the forum's rohe moana. We have observed that recreational fishing is increasing within our rohe moana, threatening the local abundance of pāua. To allow the fishery to return to healthy levels, we believe recreational take should be better managed. Any recreational reduction was left for the respective members to submit.

Due to a lack of information, a precautionary approach should be taken.

There are multiple threats to the pāua fishery in PAU 2, and these are poorly understood. Until more information is available on the potential effects of threats such as climate change and the pressure from customary take, pāua fisheries management should take a precautionary approach i.e. preventative action should be taken in the face of uncertainty, and if an action is suspected of causing harm to the fishery, protective action should be supported before there is complete scientific proof of a risk.

Noho ora mai

Kathryn Gale

Kaiwhakahaere Taiao, NPDT

9(2)(a)

9(2)(a)



**Submission
for
Review of Sustainability Measures For Pāua (PAU 2)
2023/2024**

March 2023

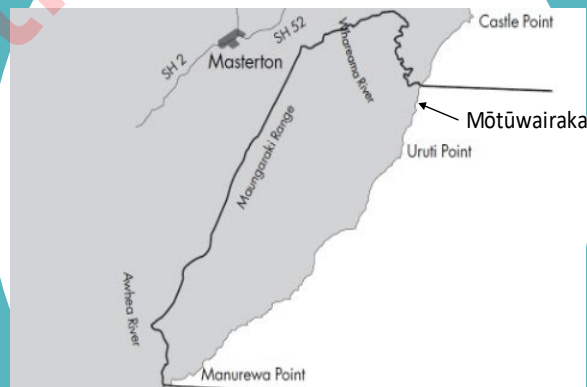
Name of submitter	Sue Taylor – Secretary & Customary & Commercial Fisheries Komiti Member
Organisation:	Ngāi Tūmapūhia-ā-Rangi ki Mōtūwairaka ki Wairarapa
Email:	9(2)(a)
Fishstock(s) this submission refers to:	PAU 2
Your preferred option as detailed in the discussion paper	Option 2 – ref to Page 5

Ko wai mātou Who are we?

Our tīpuna rangatira/significant ancestor, Tūmapūhia-ā-rangi, once had dominion/authority over a large part of the Wairarapa.

Our hapū rohe pōtae is from the Whareama river to the north, south to the Te Awheia river and inland to the Maungaraki ranges.

Our ancestors have lived in this area for hundreds of years.



Kupu Whakataki - Introduction

Ngāi Tūmapūhia-ā-Rangi claim ancestry from the Kurahaupo and Takitimu waka. Our tīpuna, Tūmapūhia, was brought up in Waimarama and migrated as a young man from Waimarama to Wairarapa to live amongst relatives. However, due to the senior ancestry line from which Tūmapūhia descended he held authority both at Waimarama and throughout the Wairarapa and divided his time between the two areas.

Tūmapūhia established his mana within Wairarapa, through defending the seacoast from other iwi, and we are among his descendants.

We derive our cultural significance to the land and moana at Mōtūwairaka (Riversdale) and Okautete (Homewood) from our tīpuna kuia/female elder Te Waikohai Te Hiwa Paku, nee Anaru. Through our tīpuna kuia, we have a direct line of descent back to Tūmapūhia. Currently, Mōtūwairaka marae have living generations that represent 12th, 13th, 14th and 15th from our tipuna Tūmapūhia. Descendants of Tūmapūhia, have lived and worked between inland homes at Okautete and coastal homes at Mōtūwairaka.

Currently, there are three marae that whakapapa to the hapū o Ngāi Tūmapūhia-ā-Rangi. This submission is on behalf of Mōtūwairaka marae only. As a marae we have and still are fortunate to be able to derive sustenance from two kete kai, e kete whenua mete kete moana.

Te Waikohai Te Hiwa Anaru of Ngāi Tūmapūhia-ā-Rangi, married Rawhira Te Puke Paku who migrated from Nukutaurua with whalers in the late 1800's. They had 13 children. Among their 13 children was our koroua Kahutiaturangi Paku, who married Marara Rimene.

Kahutiaturangi and Marara had 11 children, our father being the eldest and they lived and worked within the Mōtūwairaka and Ōkautete areas. The whānau were well known for their shearing and fishing prowess throughout the Wairarapa.

Historically, and to this day, marae form part of the community scene, and are a focal point of Maoridom. The marae is the:

- wahi rangatira mana (place of greatest mana)
- wahi rangatira wairua (place of greatest spirituality)
- wahi rangatira iwi (place that heightens people's dignity), and,
- wahi rangatira tikanga Maori (place in which Maori customs are given ultimate expression) (Tauroa, 2009).

No marae (as we know them today) has ever been erected in the immediate Mōtūwairaka area. We know this from our oral history records, which inform us that while many of our tīpuna lived in and around the Mōtūwairaka and Ōkautete area, no marae were built. Our tīpuna lived and exercised our cultural beliefs in papa kainga.

Ko toku marae, ko toku turangawaewae - my marae is my standing place. Marae are not just a place to meet, they are both a spiritual and physical home for Māori. Marae are the true setting in which the transmission and practice of cultural knowledge can be expressed, and observed by all. Marae are customarily built upon land which has great cultural significance to the whānau, hapū, and iwi.

He Kōrero Tuku Iho – Oral History

Haunui-a-Poupoto¹ and Wairaka

Haunui-a-Poupoto journeyed to Aotearoa concealed on the Kurahaupō waka, that landed at Nukutaurua on Mahia Peninsula. Discovered, he was cast ashore and following some escapades, he and his wife Wairaka eventually settled.

Unfortunately Wairaka was kidnapped which caused Haunui-a-Poupoto to zealously pursue her and her kidnappers. Haunui-a-Poupoto, in reference to his pursuit of Wairaka and her kidnappers, bestowed many names down the west coast of the North Island and back across the Tararua range to the east coast.

According to the Ngāti Kahungunu and Tūmapūhia-a-rangi people of this area who trace direct descent from Haunui-a-Poupoto, on his return journey to his dwelling place after finding Wairaka, he came to the river mouth Rongoua, Wairaka was left there and lies there in the form of a rock. Hence the name of the area Mōtūwairaka, and also the origins of our marae name.

Haunui-a-Poupoto named the beach here Te Nukutaotaoroa-a-Hau because of the extended length of the sandy beach and land and also the extent of the land he travelled in pursuit of his wife W

¹ Also know as Haunui a Nanaia

I nāianeī – Present

Whānau who whakapapa to Mōtūwairaka Marae have continued the traditions of our tīpuna, particularly in regard to our taku tai and mahinga kai.

We undertake active participation and interests in customary and commercial fisheries.

- In 2008, the late Hon Parekura Horomia appointed 2 tangata kaitiaki positions for Mōtūwairaka marae committee
- Our tangata kaitiaki are members of Mai Paretu tae atu ki Turakirae Fisheries Forum and prior to that, members of Kahungunu Coastal Hapū collective
- Mōtūwairaka marae manages 1 tonne of non settlement Pāua quota for Māori owners
- Mōtūwairaka marae members have been commercial harvesters for Moana NZ, and the previous owners, Ocean Ranch Ltd, for 33 years
- Mōtūwairaka marae whānau have been executive members of PauaMac2

Pāua – East Cape, Hawke’s Bay, Wellington Taranaki (PAU2)

Mōtūwairaka marae view

- ***We support setting a TAC for PAU2***
- ***We support Option 2 until further information on recreational harvest is gathered***

However, an end date to gather further information is required and also a timeframe needs to be scheduled to regularly undertake evaluating the impact of Option 2 on stocks.

Resources to undertake the latter is required and we know that with the recent flood devastation due to cyclone Gabrielle along the rohe moana of East Cape, Hawkes Bay and to a lesser extent Wairarapa, the capacity and capability of MPI compliance will be stretched.

Pāua is an iconic species and an in demand commodity by commercial, recreational and customary gathers. Unfortunately the latter three stakeholders are not on an even playing field and it is basically somewhat of a “guessing game” when it comes to how to manage sustainability and fairness regime of a species such as Pāua, when the largest gathers of Pāua are not required to report their harvest.

The Crown have dithered and or skirted around this issue for years and how many more years is this “guessing game” to go on for?

*“A few years ago, I encountered a non-māori man at a local vegetable garden outlet in Horowhenua. While we waited at the checkout, he heard me comment to the checkout operator that I was travelling to Wairarapa for the Christmas/New Year period. He informed me he was travelling there as well to a place called Sandy Bay with a group of nine other mates for 10 days. He said I probably didn’t know where that was? I replied yes I did know. He proceeded to tell me that this is an annual event for their group of ten and during their 10 day stay, they go out every day to exercise their recreational right to harvest 10 pāua and 6 crayfish each. **“That is 1000 pāua taken during that particular time”** I asked him what they did with the catches and he said, what they didn’t eat they froze to take home. I asked him did they know about accumulative catches and he replied – who’s counting?”*

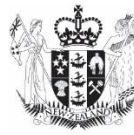
The Crown are placing this iconic species at serious risk if they continue to debate the pro’s and con’s of recreational reporting or a permit regime.

Mōtūwairaka whānau and our tīpuna before us have been privileged to have Tangaroa provide us with this traditional kai and we want our future generations to also appreciate the privilege. As such we have an obligation in line with Article 2 of Te Tiriti o Waitangi, to advocate to the Crown to implement measurers that align with commercial and customary reporting in order to hold tangata Te Tiriti accountable for recreational harvesting.

Mōtūwairaka marae empathize with many of our coastal whananunga marae and hapū who are as passionate as ourselves regarding the sustainability of our iconic pāua species and other species of Tangaroa. However, due to capability and capacity, to lodge a submission in response to any changes in regulations/legislation for any kaupapa, can be so daunting, just too hard or they don’t know how to write a submission. Therefore, don’t take their silence as they don’t care or can’t be bothered, because they really do care.

In conclusion, as a member marae of Mai Paretu tae atu ki Turakirae Fisheries Forum, one of our marae Tangata Kaitiaki was the seconder to the motion to reduce the recreational Pāua catch from 10 – 5 and those present at that hui, fully supported. At the following hui, the minutes of that hui were endorsed. Therefore I believe subject to further measurers and considerations, the membership of Mai Paretu tae atu ki Turakirae Fisheries Forum are very much supportive of Option 2.

Kaua e rangiruatia te hā o te hoe; e kore tō tātou waka e ū ki uta
Do not lift the paddle out of unison or our canoe will never reach the shore



Submission Form

Review of sustainability measures for pāua (PAU 2)

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

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

2023 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Friday 24 March 2023.

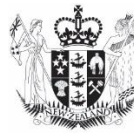
Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter or contact person:	Ronald Takerei
Organisation (if applicable):	On behalf of Oparure Marae
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Review of Sustainability Measures for pāua (PAU 2) for 2023/24
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Other

Official Information Act 1982

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



Submission:¹

Details supporting your views:

Proactive Release

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



I can only speak for the area from Tirua point, South to Huikomako Stream.

Concerns:

- 1 Compliance / Monitoring. Reducing the recreational catch will not address the compliance and monitoring problem. People will still take more and under size paaua.

How does the Ministry of Fisheries Management expect to manage isolated areas like ours and other areas that are similar within PAU 2?

- 2 Each area within PAU 2 will have its own unique challenges. The view is not to put us all in the same box.

On another note, some of us South of Tirua point have only been made aware of this submission on the last week of the submission. Investigating on where the communication break down occurred, hence the late submission.

Naaku iti nei – Ronald Takerei on behalf of Oparure Marae – Ngaati Kinohaku



Proactive Release

Please continue on a separate sheet if required.

8 February 2023

Fisheries New Zealand
Fisheries Management Team
By email: fmsubmissions@mpi.govt.nz

Review of Sustainability Measures for April 2023 Fishing Year

Tēnā koe,

Taranaki Iwi Fisheries Limited (TIFL) is fully committed to the sustainable management of its fisheries and marine ecosystem and ensuring their protection and continued productivity for future TIFL generations to come.

Of the four fish stocks being reviewed by Fisheries NZ for the 1 April 2023 Sustainability Round, only one is directly relevant to TIFL, being PAU2. TIFL position with respect to PAU2 is set out below.

PAU2

Fisheries NZ (FNZ) options:

Option	TAC	TACC	Allowances			Recreational Daily Limit
			Customary Māori	Recreational	All other mortality caused by fishing	
Current settings	N/A	121.19t	N/A	N/A	N/A	10 per fisher*
Option 1	227.19t	121.19t	12t	83t	11t	10 per fisher*
Option 2	192.19t	121.19t	12t	48t	11t	5 per fisher*
Option 3	175.19t	121.19t	12t	31t	11t	3 per fisher*

*Of each species (blackfoot pāua and yellowfoot pāua).

TIFL supports **Option 3** – a reduction in the TAC to 175.19mt with the TACC, customary allowance and allowances for other mortalities remaining unchanged at 121.19mt, 12mt and 11mt respectively and a decrease to the recreational allowances from the current 83mt and 10 pāua per person per day to 31mt and 3 pāua per person per day.

The high and increasing levels of recreational take resulting in areas of localised depletion has been, and continues to be, a concern for TIFL. TIFL supports and encourages FNZ to implement comprehensive fine scale reporting and analysis of recreational take. This is needed in order to strengthen the current stock assessment process, provide better insight into pāua stocks, support improved fishery management and, ultimately, achieve the purpose of the Fisheries Act and complying with the Crown's obligations under the Fisheries Settlement.

Nāku noa, nā,

A handwritten signature in blue ink, appearing to read 'Allan', with a stylized flourish at the end.

Investment Manager

Taranaki Iwi Fisheries Limited

Proactive Release



8 February 2023

Fisheries New Zealand
Fisheries Management Team
By email: fmsubmissions@mpi.govt.nz

Review of Sustainability Measures for April 2023 Fishing Year

Tēnā koe,

Ngāruahine Fisheries Limited ('NFL') is fully committed to the sustainable management of its fisheries and marine ecosystem and ensuring their protection and continued productivity for future NFL generations to come.

Of the four fish stocks being reviewed by Fisheries NZ for the 1 April 2023 Sustainability Round, only one is directly relevant to NFL, being PAU2. NFL's position with respect to PAU2 is set out below.

PAU2

Fisheries NZ (FNZ) options:

Option	TAC	TACC	Allowances			Recreational Daily Limit
			Customary Māori	Recreational	All other mortality caused by fishing	
Current settings	N/A	121.19t	N/A	N/A	N/A	10 per fisher*
Option 1	227.19t	121.19t	12t	83t	11t	10 per fisher*
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Option 3	175.19t	121.19t	12t	31t	11t	3 per fisher*

*Of each species (blackfoot pāua and yellowfoot pāua).

NFL supports **Option 3** – a reduction in the TAC to 175.19mt with the TACC, customary allowance and allowances for other mortalities remaining unchanged at 121.19mt, 12mt and 11mt respectively and a decrease to the recreational allowances from the current 83mt and 10 pāua per person per day to 31mt and 3 pāua per person per day.

The high and increasing levels of recreational take resulting in areas of localised depletion has been, and continues to be, a concern for NFL. NFL supports and encourages FNZ to implement comprehensive fine scale reporting and analysis of recreational take. This is needed in order to strengthen the current stock assessment process, provide better insight into pāua stocks, support improved fishery management and, ultimately, achieve the purpose of the Fisheries Act and complying with the Crown's obligations under the Fisheries Settlement.

Nāku noa, nā,

Investment Manager
Ngāruahine Fisheries Limited

147 High Street, Te Hāwera, 4610
PO Box 474, Te Hāwera, Taranaki 4640
06 278 7411
fisheries@ngaruahine.iwi.nz
www.ngaruahine.iwi.nz

8 February 2023

Fisheries New Zealand
Fisheries Management Team
By email: fmsubmissions@mpi.govt.nz

Review of Sustainability Measures for April 2023 Fishing Year

Tēnā koe,

Te Atiawa Iwi Holdings Management Ltd and Te Atiawa Taranaki Holdings is fully committed to the sustainable management of its fisheries and marine ecosystem and ensuring their protection and continued productivity for future Te Atiawa Iwi Holdings Management Ltd and Te Atiawa Taranaki Holdings generations to come.

Of the four fish stocks being reviewed by Fisheries NZ for the 1 April 2023 Sustainability Round, only one is directly relevant to Te Atiawa Iwi Holdings Management Ltd and Te Atiawa Taranaki Holdings, being PAU2. Te Atiawa Iwi Holdings Management Ltd and Te Atiawa Taranaki Holdings position with respect to PAU2 is set out below.

PAU2

Fisheries NZ (FNZ) options:

Option	TAC	TACC	Allowances			Recreational Daily Limit
			Customary Māori	Recreational	All other mortality caused by fishing	
Current settings	N/A	121.19t	N/A	N/A	N/A	10 per fisher*
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*Of each species (blackfoot pāua and yellowfoot pāua).

Te Atiawa Iwi Holdings Management Ltd and Te Atiawa Taranaki Holdings supports **Option 3** – a reduction in the TAC to 175.19mt with the TACC, customary allowance and allowances for other mortalities remaining unchanged at 121.19mt, 12mt and 11mt respectively and a decrease to the recreational allowances from the current 83mt and 10 pāua per person per day to 31mt and 3 pāua per person per day.

The high and increasing levels of recreational take resulting in areas of localised depletion has been, and continues to be, a concern for Te Atiawa Iwi Holdings Management Ltd and Te Atiawa Taranaki Holdings. Te Atiawa Iwi Holdings Management Ltd and Te Atiawa Taranaki Holdings supports and encourages FNZ to implement comprehensive fine scale reporting and analysis of recreational take. This is needed in order to strengthen the current stock assessment process, provide better insight into pāua stocks, support improved fishery management and, ultimately, achieve the purpose of the Fisheries Act and complying with the Crown's obligations under the Fisheries Settlement.

Nāku noa, nā,

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke at the end.

Investment Manager

Te Atiawa Iwi Holdings Management Ltd and Te Atiawa Taranaki Holdings

Proactive Release

8 February 2023

Fisheries New Zealand
Fisheries Management Team
By email: fmsubmissions@mpi.govt.nz

Review of Sustainability Measures for April 2023 Fishing Year

Teena koe,

Te Pātaka o Tāngaroa is fully committed to the sustainable management of its fisheries and marine ecosystem and ensuring their protection and continued productivity for future Te Pātaka o Tāngaroa generations to come.

Of the four fish stocks being reviewed by Fisheries NZ for the 1 April 2023 Sustainability Round, only one is directly relevant to Te Pātaka o Tāngaroa, being PAU2. Te Pātaka o Tāngaroa's position with respect to PAU2 is set out below.

PAU2

Fisheries NZ (FNZ) options:

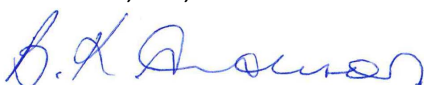
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Option 3	175.19t	121.19t	12t	31t	11t	3 per fisher*

*Of each species (blackfoot pāua and yellowfoot pāua).

Te Pātaka o Tāngaroa supports **Option 3** – a reduction in the TAC to 175.19mt with the TACC, customary allowance and allowances for other mortalities remaining unchanged at 121.19mt, 12mt and 11mt respectively and a decrease to the recreational allowances from the current 83mt and 10 pāua per person per day to 31mt and 3 pāua per person per day.

The high and increasing levels of recreational take resulting in areas of localised depletion has been, and continues to be, a concern for Te Pātaka o Tāngaroa. Te Pātaka o Tāngaroa supports and encourages FNZ to implement comprehensive fine scale reporting and analysis of recreational take. This is needed in order to strengthen the current stock assessment process, provide better insight into pāua stocks, support improved fishery management and, ultimately, achieve the purpose of the Fisheries Act and complying with the Crown's obligations under the Fisheries Settlement.

Naaku noa, naa,



Director

Te Pātaka o Tāngaroa



8 February 2023

Fisheries New Zealand

Fisheries Management Team

By email: fmsubmissions@mpi.govt.nz

Review of Sustainability Measures for April 2023 Fishing Year

Tēnā koe,

Maruehi Fisheries Limited ('MFL') is fully committed to the sustainable management of its fisheries and marine ecosystem and ensuring their protection and continued productivity for future MFL generations to come.

Of the four fish stocks being reviewed by Fisheries NZ for the 1 April 2023 Sustainability Round, only one is directly relevant to MFL, being PAU2. MFL's position with respect to PAU2 is set out below.

PAU2

Fisheries NZ (FNZ) options:

Option	TAC	TACC	Allowances			Recreational Daily Limit
			Customary Māori	Recreational	All other mortality caused by fishing	
Current settings	N/A	121.19t	N/A	N/A	N/A	10 per fisher*
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Option 3	175.19t	121.19t	12t	31t	11t	3 per fisher*

*Of each species (blackfoot pāua and yellowfoot pāua).

MFL supports **Option 3** – a reduction in the TAC to 175.19mt with the TACC, customary allowance and allowances for other mortalities remaining unchanged at 121.19mt, 12mt and 11mt respectively and a decrease to the recreational allowances from the current 83mt and 10 pāua per person per day to 31mt and 3 pāua per person per day.

The high and increasing levels of recreational take resulting in areas of localised depletion has been, and continues to be, a concern for MFL. MFL supports and encourages FNZ to implement comprehensive fine scale reporting and analysis of recreational take. This is needed in order to strengthen the current stock assessment process, provide better insight into pāua stocks, support improved fishery management and, ultimately, achieve the purpose of the Fisheries Act and complying with the Crown's obligations under the Fisheries Settlement.

Nāku noa, nā,

CEO

Maruehi Fisheries Limited



Submission Form

Review of sustainability measures for pāua (PAU 2)

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

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

2023 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Friday 24 March 2023.

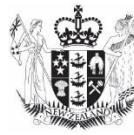
Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter or contact person: Kōkā Arna Whaanga	
Organisation (if applicable):	TKKM o Te Parehuia o Rongomaiwahine
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Pāua Pau 2
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	

Official Information Act 1982

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Submission:¹

Details supporting your views:

Ko Taupiri te maunga whakaruruhau
Ko Te Moana nui ā Kiwa te waitai te papaki ana
Ko Takitimu me Kurahaupo ngā waka
Ko Rongomaiwahine te iwi nōnā te mana moana me te mana whenua.

Ko Te Kura Kaupapa Māori o Te Parehuia o Rongomaiwahine e tuku kōrero nei.

I te ata nei i wānanga mātau mō te rahi o te paua e whakaaetia te ture karauna kia kohia kia 10 ngā paua!

I ohorere mātau ki te ako tēnei na te roa hoki kia tipu te paua. Aue! Kia pēnei te haere ka kore ngā paua mō o mātau mokopuna!

Heke iho tēnei kia whakaaetia e 5 anake ngā paua (te rahi o te ture) mō ia tangata.

Nā mātau ngā kaitieki o te mana moana o Rongomaiwahine
Ngā tamāriki o TKKM o Te Parehuia o Rongomaiwahine.

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

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Submitter details:

Name of submitter Vicki Wall
or contact person:

Organisation (if applicable):

Email:

9(2)(a)

Fishstock(s) this submission refers to:

Paua (PAU 2)

Your preferred option as detailed in the discussion paper

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

Other

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Submission:

I prefer option 2 reduce the daily bag allowance to 5 paua per fisher, however I would also like a maximum of 15 paua per vehicle per day as well.

Details supporting your views: For the last year I have been one of the hapu rahui observers here in Opunake going out on a regular basis monitoring the people coming to our beaches, asking them **not to gather** and educating them about the need for our Rahui because of the overfishing of our sea beds. I have seen the bus loads of tourists all descending on our seabeds. I see carloads of visitors from Hawera, Patea, Stratford and Waitara usually people movers arriving with 6 to 8 gathers and all of them are wanting their 10 each, sadly some of them have tried to take more. Excuses I have been given, I no understand English, it's part of the tourism package we bought, we've travelled all the way fromand the worst one I'm exercising my customary rights and they don't even whakapapa to our rohe. So for me 15 paua per vehicle is a decent meal for a whanau of 6.



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Submitter details:

**Name of submitter
or contact person:** Stuart Gray

Organisation (if applicable):

Email:

9(2)(a)

Fishstock(s) this submission refers to:

PAU2

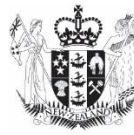
**Your preferred option as detailed in the
discussion paper**

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

Option 2

Official Information Act 1982

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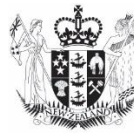
Submission:¹

Details supporting your views

For recreational gatherers of I believe 5 paua are sufficient for a meal or two. With so much pressure on stocks now and accessibility around the coastline we need to preserve this resource and for future generations and the ecosystem.

Proactive Release

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



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Submitter details:

Name of submitter or contact person: Luke Williamson	
Organisation (if applicable):	
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Review of Sustainability Measures for pāua (PAU 2) for 2023/24
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 3

Official Information Act 1982

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Submission:¹

Details supporting your views:

I disagree with leaving the TACC unchanged. Paua stocks are under enormous pressure from commercial and recreational fishers, but also, significantly, poaching. A reduction in recreational catch is a must, given that local communities are asking for it, but a reduction in commercial catch would also provide more seed stock for those areas where recreational take is high and localised. More resources should also be put into monitoring and prosecuting poachers.

Proactive Release

Please continue on a separate sheet if required.

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



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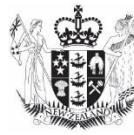
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Submitter details:

Name of submitter or contact person: Bradden James Gay	
Organisation (if applicable):	N/A
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Pau 2 Paua options
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 2. = 5 paua per recreational person

Official Information Act 1982

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Submission:¹

Details supporting your views:

With Porangahau Beach putting a Rahui on and Waimarama also putting a Rahui on it has put unbelievable pressure on Pourerere, Mangikuri and Kairakau beaches. We are seeing far more recreational divers over the last two years and have noticed that post-Christmas stocks have all but disappeared. By making it per diver it will greatly ease the pressure. I also call into question the Porangahau Rahui which seems to be just a local iwi initiative and not have fisheries backing? Do they have the right to do this and what are the legalities around this?

Proactive Release

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Submitter details:

Name of submitter Lachlan McKay or contact person:	
Organisation (if applicable):	
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Review of sustainability measures for pāua (PAU 2) for 2023/24
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 2

Official Information Act 1982

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Submission:¹

Details supporting your views:

I have been paua diving in the Paua 2 area for over 30 years, in particular Pourerere, and have noticed a rapid decline in Paua numbers in the last 5 years. This I believe is due to the increased amount of people gathering Paua. We have had a permanent caravan site at pourerere in the council camp for the last 10 years and have noticed an increase in the amount of people visiting and gathering seafood at the beach over this time, particularly during the closure of Waimarama to paua gathering.

The introduction of cellular coverage in the area has made people more aware of the conditions to allow for diving, leading to more people diving as they know the conditions.

To support and maintain any change in regulations more fisheries officers need to be present in the known Paua diving areas. While there has been an increase in the presence of Fisheries officers in the last 2 years, there needs to be a higher presence of these officers to ensure adherence to the regulations.

Lowering the limit to 3, I believe is too low as this would not allow for people to gather a "feed", whereas I believe 5 Paua is sufficient.

I fully support the introduction of Option 2, with one exception.

The customary take does not reduce through the different options as for recreational fishers, to protect the stocks the customary take should also be lowered at the same percentage as the recreational limits are through the different options.

Another possible inclusion-

Is there the possibility to introduce a limit for a group? 20 Paua for a large family should be sufficient?

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



Submission Form

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Submitter details:

Name of submitter or contact person:	Jerry Graer
Organisation (if applicable):	
9(2)(a)	
Fishstock(s) this submission refers to:	Pau 2
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 2

Official Information Act 1982

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Submission:¹

Details supporting your views:

10 paua per person is just too many.
Reducing to 5 is common sense but will
need to be well monitored and policed.
I think the customary rights needs a better
monitoring system as it seems like
anyone can get a customary document
signed to take paua, crayfish and kina.
Will there be a review to monitor success.
What measures will be put in place to
monitor the Paua population.

Please continue on a separate sheet if required.

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Submitter details:

Name of submitter
or contact person:

Maana
Tracy & Gary

Organisation (if applicable):

9(2)(a)

Email:

Fishstock(s) this submission refers to:

Your preferred option as detailed in the
discussion paper

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

Paau 2
either option 2 or 3
5 paus

Official Information Act 1982

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Submission:¹

Details supporting your views:

I am a local, commercial crayfisher and resident and altho don't dive now I love my beach and Pawa. Porerere beach is a very busy¹ productive pawa recreational dive area, and Now with Waimarama extended 2 more years of shut down for Pawa 2 and Porangahau's Rahui, Porerere, Mangakuri are, and will be VERY busy as right in between these 2 areas. We have already seen so many more divers here from all around New Zealand as people post on line. Porerere has an amazing reef structure but we NEED to reduce limit from 10 pawa down to 5 pawa & stop mortality rates. Also I believe customary should only be for tangis as they cannot know when one is, and also ban tanks and do free dives

Please continue on a separate sheet if required.

Thank you

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Tracy Moana Gay



Submission Form

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Submitter details:

Name of submitter
or contact person:

Scott Boyd

Organisation (if applicable):

9(2)(a)

Email:

Fishstock(s) this submission refers to:

Paau 2

Your preferred option as detailed in the
discussion paper

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

option 2 → 5 pauas

Official Information Act 1982

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Submission:¹

Details supporting your views:

As a bach owner at Powerere Beach
We have concerns of our pua stock's
declining from over-fishing as we are now
in between the Rahui at Porangahau &
Waimarama.

There is an obvious increase in diving
activity from Powerere to Kawakau.

Please continue on a separate sheet if required.

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Submitter details:

Name of submitter
or contact person:

Ben Gay

Organisation (if applicable):

9(2)(a)

Email:

Fishstock(s) this submission refers to:

Pau 2

Your preferred option as detailed in the
discussion paper

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

option 2
5 paua

Official Information Act 1982

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Submission:¹

Details supporting your views:

I have lived, dived fished and now am a commercial cray fisher at Poutere beach so have seen the increase in diving at our beautiful beach of Poutere. The pressure has come on as Waimarama has increased its 2yr closure again and Porangahau has a Rahui imposed. Please help look after our stock by decreasing limit to 5 pp or less, maybe do more re-seeding programmes, education and getting Iwi on board to help this over fishing, and look after this area. Customary rights are of course needed but maybe only for Tangis and no lungs used? Thankyou from all my children to who want to be able to get Paua in their future.

Please continue on a separate sheet if required.

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Submitter details:

Name of submitter
or contact person:

Duncan Bruce

Organisation (if applicable):

—

Email:

9(2)(a)

Fishstock(s) this submission refers to:

Pau 2

Your preferred option as detailed in the
discussion paper

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

option 2
→ S

Official Information Act 1982

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Submission:¹

Details supporting your views:

As a beach owner at Pouter Beach we are concerned at the decreasing number of pua along our coastline. With increased pressure on the reef due to a rahui to the South and the closure at Haurua ~~area~~ ~~the~~ our reef is being hammered. A reduction in the daily catch limit to 5 per person is needed urgently and another re-seeding programme recommended. This will ensure that my children will be able to enjoy diving for pua for many years to come.

Please continue on a separate sheet if required.

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Submitter details:

Name of submitter
or contact person:

Mitch Gay

Organisation (if applicable):

9(2)(a)

Email:

Fishstock(s) this submission refers to:

PAU 2

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

option 2
→ 5 paua

Official Information Act 1982

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Submission:¹

Details supporting your views:

I live and work at Pourerere beach and a keen diver, and now we are seeing a huge increase in out of area divers. This is because Pourerere, Mangakuri & Kairakau are in between the "Waimarama closure" and now the Rahui at Porangahau. We would like to see a decrease in paua ~~stock~~ / catch numbers from 10 Paua down to 5 at least. Maybe Iwi can help with customary catches by only having permits for Tangis and no aqua lungs so we can have our stocks flourish. Can we do another seeding to help. Thankyou. I want my children to be able to dive for Paua in the future.

Please continue on a separate sheet if required.

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



Fisheries New Zealand

Tini a Tangaroa

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Submitter details:

Name of submitter
or contact person:

Andrew Gay

Organisation (if applicable):

9(2)(a)

Email:

Fishstock(s) this submission refers to:

Pau 2

Your preferred option as detailed in the
discussion paper

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

either 2 or 3

Official Information Act 1982

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Submission:¹

Details supporting your views:

As a local, commercial cray fisherman, and resident and a diver AT powerere I have seen a huge increase in the number of divers. ~~the~~ I would say from ten years ago there numbers have tripled! Some days over 150 divers & all downy mainly for ~~there~~ ^{their} 10 pawa and more! Customers take on this Beach is also huge. I fear the pawa stock within ~~is~~ a small ~~period~~ ^{period} of time ~~will~~ ^{will} be very poor. So I say halve the ~~limit~~ ^{limit} to 5 pawa per person instead of a straight out rahui at the moments!

Please continue on a separate sheet if required.

A M Gyr

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



Submission Form

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Submitter details:

Name of submitter or contact person: Paul and Amy Stewart	
Organisation (if applicable):	
Email:	9(2)(a)
Fishstock(s) this submission refers to:	PAU2
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option2

Official Information Act 1982

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Submission:¹

Details supporting your views:

**I think going from 10 paua to 5 is a good idea, as 5 is enough to have feed.
Also I think it will allow paua to replenish itself more quickly.**

Proactive Release

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



Submission Form

Review of sustainability measures for pāua (PAU 2)

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

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

2023 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Friday 24 March 2023.

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

Submitter details:

Name of submitter or contact person: Hamish Harwood	
Organisation (if applicable):	
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Paua 2
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 2 or 3

Official Information Act 1982

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Submission:¹

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Details supporting your views:

I am a recreational diver, based in Wellington. I have been diving for over 15 years in Wellington mostly, but also Dunedin.

I have noticed a big rise in popularity for free diving in wellington and more generally around the country. I have also noticed that papa are becoming more difficult to come by. Those two factors suggest that a reduction in the recreational limit is a good idea.

Moreover, in my view, 10 paua is way to many on any measure. 10 paua realistically is dinner for about 20 people, depending on the size of the fish. Paua is very rich to eat.

If I am getting paua, I tend to take 10 and give excess to my parents. However, if I could only take 5, I would still be very happy with that.

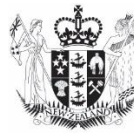
I support a reduction to 5 per day and would encourage MPI to adopt Option 2. It is better to be cautious and pull back the limit, rather than see a fishery need to be closed. 10 really is a lot, and 5 is plenty.

I would recommend the same for crayfish. 6 is way too many - 3 is any amount.

Kind regards

Hamish

Please continue on a separate sheet if required.



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Submitter details:

Name of submitter or contact person: Bruce Collett	
Organisation (if applicable):	
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Paua
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 3

Official Information Act 1982

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Submission:¹

Details supporting your views: Looking at all the evidence presented I'm influenced by your statement that 'Given there is considerable uncertainty whether current levels of utilisation will maintain the entire stock at or above MSY, this option provides the most certainty around the sustainability of the stock.' We just don't know enough to continue the high limits harvesting allowed which is clearly depleting stocks. Six paua (3 of each species) is enough for anyone for a meal. Once more data is collected and if it shows the stock can sustain it then limits can be lifted. More enforcement of the limit would help this happen sooner rather than later.

Proactive Release

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Submitter details: Sylvia McRoberts

Name of submitter or contact person: Sylvia McRoberts	
Organisation (if applicable):	Individual who whakapapas to Tawapata o Mahia
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Paua
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Reserve on Waikawa Portland Island (No take for life) 10 year no take for the Ahuriri/rocket lab Ramp area

Official Information Act 1982

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Submission:¹

Details supporting your views:

Proactive Release

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The paua in the area do not have the chance to grow to the legal size. It needs a break from humans so that it can grow and replenish itself. I would like to see a reserve on Waikawa/Portland Island covering at least 200 metres where TAC or TACC cannot touch for life. I believe if we make this area a reserve no take ever. This will replenish all stocks of every kind especially Paua all over Mahia area.

For the Ahuriri/rocket lab Ramp/Onenui area I believe that we need to put a no take reserve for at least 10 years so this too can get a chance to grow and replenish itself. I've dived here over the summer and the paua were low in stocks and also very small and under the legal size. I was told when my parents were young the paua were bigger than legal size and you didn't need to get wet to get them. Can we please start thinking about our future generations and live more sustainable.

Proactive Release



Proactive Release

Please continue on a separate sheet if required.



Submission Form

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Once you have completed this form

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Submissions must be received no later than 5pm on Friday 24 March 2023.

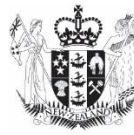
Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter or contact person: Sian Nelson	
Organisation (if applicable):	
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Paua
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	My preferred option is to reduce the limit of Paua taken in one day by individuals and commercially.

Official Information Act 1982

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Submission:¹

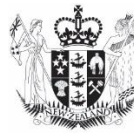
Details supporting your views:

I have noticed within the diving community of Wellington, that divers often take the maximum amount of food they possibly can, continually day after day, especially in the Summer months. Pillaging a species in a place where there is so many people can only be bad for that species. I think that the current daily limit of 10 Paua is actually more than enough food for 1 family, meaning that if they went back day after day that it becomes too much.

Proactive Release

Please continue on a separate sheet if required.

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



Submission Form

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Submitter details:

Name of submitter or contact person: Mark Webley	
Organisation (if applicable):	
Email:	9(2)(a)
Fishstock(s) this submission refers to:	(Pau 2)
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 2

Official Information Act 1982

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Submission:¹

Details supporting your views:

Proactive Release

Please continue on a separate sheet if required.

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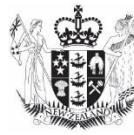
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Submitter details:

Name of submitter or contact person: Raelen Patricia Te Nahu 9(2)(a) .	
Organisation (if applicable):	Individual
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Paua 2
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	My preferred option as detailed in the discussion paper is Option 3.

Official Information Act 1982

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Submission:¹

Details supporting your views:

I have lived in Mahia most of my life where paua was prolific and readily available. Though the paua were huge in size we only took enough for a meal. When family or friends came back to our family home, there was always a meal of paua to share. All our marae were renowned for their manaaki of this delicacy when manuhiri visited the various marae. 60 years plus later, our paua stocks are severely depleted. The sustainability of our paua stocks is important to me to ensure the availability for our future generations as well as continue our tradition of manaaki on our marae.

Proactive Release

Please continue on a separate sheet if required.

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Submission Form

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Submitter details:

Name of submitter or contact person: James Shanly	
Organisation (if applicable):	Victoria University
Email:	9(2)(a)
Fishstock(s) this submission refers to:	PAU 2
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 3: 3 per fisher*

Official Information Act 1982

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Submission:¹

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Details supporting your views:

I live in Hue te Para (Lyall Bay) Wellington, and watch people return to the same spots regularly and taking their quota of 10 paua per person. There can be groups of up to 6 members, that return sometimes 3 days in a row at the same spot. day after day in summer. I have watched the paua stocks decline rapidly each summer.

I don't want to be the ancestor known for eating all the kaimoana.

Proactive Release



Submission Form

Review of sustainability measures for 1 April 2023

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

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

2023 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Wednesday 8 February 2023.

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

Submitter details:

Name of submitter or contact person: James Lyver	
Organisation (if applicable):	
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Paua (Pau 2)
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Other

Official Information Act 1982

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Submission:¹

Details supporting your views:

Travelling to collect kai for whānau for only 5 or 3 pāua per day is not expensive an inefficient.

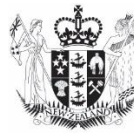
I would like to see research and option for seasonal take only, restricting to certain times of the year that support pāua breeding.

Leave at 10 pāua per fisher per day, but restrict time based on the breeding season

Proactive Release

Please continue on a separate sheet if required.

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Submitter details:

Name of submitter or contact person: Tevita Hingano	
Organisation (if applicable):	
Email:	9(2)(a)
Fishstock(s) this submission refers to:	PAU 2
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 1

Official Information Act 1982

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Submission:¹

Details supporting your views:

Proactive Release

Please continue on a separate sheet if required.

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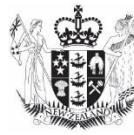
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Submitter details:

Name of submitter or contact person: Timothy Rutherford	
Organisation (if applicable):	
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Paua
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 3

Official Information Act 1982

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Submission:¹

Details supporting your views:

Proactive Release

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I have noticed a considerable decrease in stock levels in highly utilised areas (in and around Wellington/ Wairarapa). Much lower when compared to the other paua fishery that I access (PAU 7) in Port Underwood, where the daily bag limit is 5, and that stock is in far better shape. I understand that a drop from 10 to 3 would be a major shift for the fishery, but I believe the stock is in a vulnerable enough state that such a move is warranted or at least a drop to 3 for areas in Wellington.

The impact that climate change will have through ocean acidification and increased ocean temperatures will increasingly have a major impact on the stock, and we need to account for this.

The increase in the level of recreational take has been noticeable, alongside improvements in diving equipment, there are more divers who are able to stay out longer and dive more effectively and meet their daily bag limits.

For these reasons, we should adopt option 3.

Proactive Release



Proactive Release

Please continue on a separate sheet if required.



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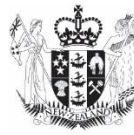
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Submitter details:

Name of submitter or contact person: Jorge Jimenez	
Organisation (if applicable):	
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Pau2
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 3

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Submission:¹

Details supporting your views:

I have been spearfishing Wellington's coast (from Kāpiti Coast to South Wairarapa) for the last 7 years for kaimoana. Furthermore, I work as a marine scientist at a marine conservation trust and I am a trustee at Taputeranga Marine Reserve.

In the 7 years I have been in and around the moana in Wellington, I have seen a drastic decrease in the amount of pāua, especially legal sized pāua. Back in the day, we could get our daily limit within 10/20mins of a shore dive. Purposely, we rarely caught the full limit as we thought it was way too much for 1 person even 7 years ago. Currently, we easily spend over one hour to harvest a few legal sized pāua. And this is using the same areas for harvesting. Through work, we have conducted pāua monitoring surveys throughout the years and have compared data from inside vs outside the reserve and have seen big declines of pāua throughout the coast.

In Wellington coast, there is no commercial harvesting of pāua which means, the decline is result of recreational overfishing and potentially climate change and other human impacts. For this reason, I believe that reducing the quota to 3 pāua a day is beneficial for stocks to recover while still providing enough kai for that person until the weather allows for the next dive. I have also noticed that more people are starting to gather kaimoana as a source of food, and I believe that future (not so distant) economic instability will force even more people to gather their own food. The extra pressure on the fishery could be balanced out with a smaller quota per person, that is properly enforced. Furthermore, the easy accessibility of Wellington's coast makes pāua an easy target compared to other remote areas, with less stable sea conditions, such as Wairarapa's East Coast. Some of these remote areas are becoming more and more popular too. Finally, recent increase in pāua poaching in the marine reserve means the protected area has lost capability of recovering the stock in adjacent areas through spill-over. I believe that reducing quota would aid in the recovery of the fishery inside and outside protected areas.

Next stage, cut down commercial quotas. Keep the kai in Aotearoa. 😊

Please continue on a separate sheet if required.

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Submitter details:

Name of submitter or contact person: Bryn Whyman	
Organisation (if applicable):	
Email:	9(2)(a)
Fishstock(s) this submission refers to:	PAU 2
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 2

Official Information Act 1982

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Submission:¹

Details supporting your views:

Proactive Release

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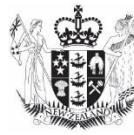


I think it's great that there a TAC being set so that we can have a better understanding and view of the fish stock.

I would also urge for better reporting of the customary limit. While a limit may (and should not) be set, we should all accountable for reporting on catch rates to better support decision making in the future.

Proactive Release

Please continue on a separate sheet if required.



Submission Form

Review of sustainability measures for 1 April 2023

Once you have completed this form

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

2023 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Wednesday 22 March 2023.

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

Submitter details:

Name of submitter or contact person:	Johnny Williams
Organisation (if applicable):	N/A
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Review of Sustainability Measures for pāua (PAU 2) for 2023/24 - Discussion Paper No: 2022/23
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 1

Official Information Act 1982

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Submission:¹

Overview:

I support Option 1, and the setting of a TAC and recreational and customary allowances for Paua 2. I do not support changes to the current recreational daily bag limit for paua in Paua 2.

I find the proposal (option 2 or 3) of reducing the daily bag limit of paua confusing given there is very limited evidence to support such a change. It is also odd applying such a broad-brush regulatory tool across such a large area, especially as there are only localised concerns for the stock. The proposed reductions of recreational catch limits are also arbitrary. There appears to be very little information in the [discussion document](#) of how a reduction from 10 paua per day to 5, or 3, will actually meet the lower allowance target of recreationally caught paua (given there is very little information on what the current limits equate to in actual catch).

I would suggest that a formal stock assessment be undertaken if Fisheries New Zealand (FNZ) considers the current status of the stock to be of concern. This is especially needed if the status of the stock is such that a reduction in daily limit's is being considered.

Finally, while I do not see the need for catch limit reductions based on the information provided, if reductions in recreational limits are found to be justified due to sustainability concerns, then I recommend that a reduction to the commercial limits within paua 2 be considered alongside recreational limits.

Detailed feedback:

1. Input and participation of tangata whenua (Section 5.1)

Issue:

FNZ advises that the Mai Paritu tae atu ki Turakirae fisheries forum support a reduction in recreational paua daily limits for Paua 2 (from 10 to either 5 or 3). FNZ advise that the *"concern is largely due to observations of localised depletion and high levels of pressure from recreational harvest, reported to have increased in recent years in recreationally accessible areas"*.

Discussion:

The Mai Paritu tae atu ki Turakirae fisheries forum covers the area on the East side of the lower North Island which does not include Wellington. However, as Option 2 is currently proposed, a recreational daily limit reduction would include all of Paua 2. This includes locations outside of the Mai Paritu tae atu ki Turakirae fisheries forum area (specifically from Wellington to Taranaki).

FNZ has not advised what the Te Tai Hauauru iwi fisheries forum (covering the area from Wellington to Taranaki on the West Coast of the lower North Island) views are on the matter,

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



nor does there appear to be other interested iwi views outlined. The discussion document simply advises that FNZ will undertake further engagement with iwi.

Recommendation:

Until all iwi have provided their input (either through the iwi fisheries forums or another mechanism), catch limits should not be amended in Paua 2 (including recreational). As the proposals stand (Option 2 or 3), one iwi fisheries forums view will be applied across another.

Changing regulatory controls of an area (in this case Wellington to Taranaki) informed by views of Maori outside that area I find improper and something the Crown may like to avoid. Alternatively, FNZ may like to consider other controls (including customary) to reduce recreational paua catch in the areas that the Mai Paritu tae atu ki Turakirae fisheries forum has raised concerns with.

It should also be noted that there appears to be no concerns with the recreational take of paua in the Wellington area. Again, this means that concern in one area of Paua 2, would result in recreational reductions in all areas of Paua 2, under Option 2 or 3, regardless if there are sustainability concerns or not, or whether local iwi interests have been adequately canvassed and considered.

2. Status of the Stock (Section 3)

Issue:

The discussion document does not indicate that there are concerns with the sustainability of the stock within Paua 2. From the information provided in the discussion paper, the Stock assessment performed in 2021, and the best available information concludes *“that within the south east component of PAU 2, where commercial fishing occurs, the biomass of pāua is likely to be at or above the target of 40% unfished biomass, that current catch levels are very unlikely to cause the biomass of the stock to be at or below the soft and hard limits”*.

The discussion document continues that *“the estimate of current biomass or maximum sustainable yield (MSY) 14 for the area outside of where commercial fishing occurs is unknown, given that catch inputs from commercial data are not available to inform an assessment of biomass in that area”*.

Discussion:

There appears to be no sustainability concern for Paua 2 based on scientific information outlined within the discussion document. Given the MSY area outside of where the commercial harvest occurs is “unknown”, it seems at odds with the purpose of the Act to simply change the recreational limits for the entire paua 2 area. And while there is some anecdotal evidence of localised depletion in some places, the concerns are not for all areas within the Paua 2 boundaries. The discussion paper simply advises that there are “concerns of depletion in recreationally accessible areas, raised by tangata whenua and recreational fishers in the Hawke’s Bay, Wairarapa, and Taranaki regions, [and] it is uncertain whether current recreational effort is sustainable”. I would also argue that unsustainable recreational levels of harvest has not been demonstrated, and as such, limits should not be changed until such time available information warrants such a change.



Fisheries New Zealand

Tini a Tangaroa

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Recommendation:

Until there is better evidence of localised depletion of paua stocks within Paua 2, the recreational daily limits should not be changed. If there is such a concern with the sustainability of paua stocks within paua 2, it seems unusual to simply reduce the recreational limits without assessing the stock more thoroughly, or without considering commercial catch limits.

Even if there is localised depletion or overwhelming support in an area for the lowering of recreational limits, then localised fishing controls should be utilised. For example, it seems odd to reduce recreational allowances in Wellington because of concerns in Hawkes Bay, Wairarapa or Taranaki. This is especially strange as it ignores local area management of fisheries and simply applies a blanket approach to fisheries management based on very limited information. It also ignores local area customary tools, despite concerns being raised by iwi in a specific areas only.

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Submission Form

Review of sustainability measures for pāua (PAU 2)

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

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

2023 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Friday 24 March 2023.

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

Submitter details:

Name of submitter or contact person:	Keegan Toft
Organisation (if applicable):	N/A
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Pau2 - Paua
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Other

Official Information Act 1982

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Submission:¹

Details supporting your views:

As someone who has dived in Wellington for the past 24 years, I have definitely seen a large reduction in the number of Paua available – I have a number of friends who also dive and share this sentiment.

My thinking is broadly that I agree with option 2 but I note that none of the options includes a reduction in the TACC, and I consider that this approach is flawed.

To be consistent, I think that the policy should be that if the public are willing to do their bit to allow the fishery stocks to recover, by reducing the number of Paua that they take, I would expect that the commercial catch should also be reduced – particularly as under option 2 the TACC makes up just over 63% of the limit available.

Ultimately, commercial operators will benefit from a healthy fishery (as fulfilling their quota will be easier), and so, they should also have a financial interest in promoting a healthy fishery. It would seem flawed, if the catch available to the public was reduced in a manner that benefited those that make a financial gain.

Separately, while a reduction of the availability (both recreationally and TACC) would assist with allowing the fishery to recover – these rules only work to the extent that persons and/or businesses are willing to comply with the requirements. To ensure that the proposed changes are adhered to, I consider that stricter penalties should be available and imposed for those that are found breaching the rules, particularly in circumstances where there has been a blatant or repetitive breach.

Please continue on a separate sheet if required.

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

Submission Form

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Submitter details:

Name of submitter or contact person: William Barber	
Organisation (if applicable):	
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Pau2
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Max 3 per recreational diver

Official Information Act 1982

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Submission:¹

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



Details supporting your views:

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Please continue on a separate sheet if required.



Submission Form

Review of sustainability measures for pāua (PAU 2)

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

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

2023 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

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

Submitter details:

Name of submitter or contact person: Rob Lenihan	
Organisation (if applicable):	N/A
Email:	9(2)(a)
Fishstock(s) this submission refers to:	Paua
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 2

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Submission:¹

Details supporting your views:

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



As a recreational paua diver around the wellington coast I have seen stocks reduce significantly over 20 – 30 years. This is reflective of the increase in the number of recreational fishers over this time.

I would also support rahui around the wellington coast in order to allow the recovery of paua stocks in selected areas. This could be applied to a section of coast (eg 1 km)

As an aside I think the process for submission is way to complex. This could be achieved with a simple webform. I would make the data analysis a lot easier as well. Plus why use Microsoft's format?

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Please continue on a separate sheet if required.

Name of the Submitter or contact person – Thomas Hageraats

Organisation – N/A

Email – 9(2)(a)

Fishstock this submission refers to: PAU2

Preferred option – Option 3

22nd March 2023

Submission in response to the proposed management options for PAU2 for the 2023 fishing year.

The option that I think is most suitable for the Paua2 fishery currently is option 3.

I have dived paua commercially in PAU2 for the last 16 years consecutively. I also regularly dive paua recreationally and have also done some customary fishing in PAU2.

I have dived most of the suitable paua habitat across the whole of PAU2.

In my time diving I have witnessed the rampant increase in pressure on our paua stocks from the recreational sector which I find alarming.

The sheer numbers of divers accessing the coastline is huge and growing every year.

Factors that have led to this include, population increase, better-cheaper dive gear, facebook groups advertising diving conditions and catches daily, better road access to once remote coastline, live webcams showing conditions, the increased build-up of coastal areas and the increased ownership and access to boats for recreational diving.

I believe option three will give us the best long term sustainable fishery. Three paua is still plenty for a large meal that can be shared with friends and family. I believe it will lead to better use of the fish and decrease wastage and illegal selling of recreational catch. I believe it will help make paua part of a multi species combined catch rather than a target of ten that must be met.

My experience of customary fishing is limited so I do not wish to comment heavily, only to say that in my experience it is tardy, and I suspect, as in the Fisheries NZ Discussion paper that it would likely be under reported by some margin.

Because of this lack of information on both customary and recreational harvest we need to act on the cautious side.

I do however share the concerns of tangata whenua of localised depletion and pressure from recreational fishers, particularly in the Wairarapa and Hawkes Bay area.

In my opinion a reduced daily bag limit to 3 would be a far better way of getting this under control.

I believe this would be far more effective than closing areas using other customary fishing options such as Taiapure, Maitaitai reserves and temporary closures.

Thank you for reading and considering my views on the PAU2 fishery.

Yours sincerely,

Thomas Hageraats

Proactive Release

From: J Blyth9(2)(a)
Sent: Friday, 17 March 2023 11:38 AM
To: FMSubmissions
Subject: PAU 2 review submission

Categories: Copied to Piritahi

Hi

After reviewing the proposed changes to paua limits in PAU2 (I live in Wellington Region), my submission has the following comments.

1. I don't agree with a reduction in recreational catch, when there is no change proposed to the commercial allowance. They are the largest take, yet MPI are only suggesting to lower recreational harvest. This is wrong.
2. If I had to support an option for reducing recreational take, then Option 2 would be preferred - with some recommendations. In places like Ngawi, Tora etc in Wairarapa - Paua are abundant. The trip over to these locations (from Wellington) only happens once or twice a year, and it's costly and time consuming. Having localised Paua limits of 10 per person remaining at these areas should be considered, as they are not frequently fished (except by commercial), while lowering the recreational catch should prioritise other regularly accessed rec spots (i.e. Wellington South Coast).
3. Customary take remains the same across all options. So really this entire proposal is about reducing the take for all other recreational users. Equitable management of Paua should consider proportionate reductions across all takes? Principle of Kaitiakitanga would be relevant, if paua populations are under threat.

Regards

James Blyth

From: Jonas Lamarche 9(2)(a)
Sent: Friday, 17 March 2023 4:37 PM
To: FMSubmissions
Subject: Pāua review submission

Tēnā koutou,

I am emailing to support a reduction of the recreational daily limit for pāua for 3 per person per day. I am a spearfisher and regularly take pāua around Wellington, though it is clear to me that they are over harvested here and I would support limits being increased.

I also recognise that a limit of 3 per person per day might be suited for Wellington, but not for more remote areas where there is less fishing pressure. I would strongly support more localised catch limits for this and other Fisheries.

Ngā mihi nui,

Jonas Lamarche

From: Vicki Wolfe 9(2)(a)
Sent: Monday, 9 January 2023 1:31 PM
To: FMSubmissions <FMSubmissions@mpi.govt.nz>
Subject: Paua 2 daily bag limit of 5 our area has been heavily over fished in the last few years 9(2)(a)

Sent from my iPad

Proactive Release

From: Eric Farmer9(2)(a)
Sent: Thursday, 23 March 2023 5:21 PM
To: FMSubmissions
Subject: PAU 2 TAC and Allowances - Option 3

Hi,

I am writing a submission regarding the proposed changes of PAU 2 TAC and allowances.

It is fantastic to see this review taking place. Thank you! Our precious Paua levels are indeed depleting, and an update to **OPTION#3** is necessary for sustainability.

(Three paua per person per day, and the corresponding TAC amount)

I'm a local Wellington spearfisher who frequently and regularly dives the Wellington south & west coasts; I have been observing the decline of paua stocks first-hand, over time.

Supporting rationale...

1. The number of people Spearfishing & seafood gathering has been rapidly growing, particularly in recent years, which means more seafood is taken overall.

The fundamental math; an *increasing* number of people gathering necessitates an equivalent *decrease* in daily allowances to keep the ecosystem scales balanced.

'Three per day' is not only ample and reasonable, but it is *necessary* for sustainability.

3. Reviews and updates to seafood TAC & allowances are infrequent, so we must look years ahead with the change we set in place today. This reinforces 'option#3' as the wisest action, rather than the notion of 'meeting in the middle' on 'option#2'.

There are already permits in place to respect special occasions which require one-off additional paua gathering.

4. Given the trajectory of the declining paua levels, to suggest that three is 'unfair' is to dismiss the value and importance of paua and our delicate moana ecosystem, and its *future*.

Our children and their children have just as much '*right*' to paua gathering as we do. We **must** act with foresight and wisdom in setting long-term sustainable catch allowance limits and TAC, to ensure that gathering kai will be available to future generations.

Thanks for your time and kind regards,

Eric

From: Francis Ngatai9(2)(a)
Sent: Sunday, 19 March 2023 10:48 AM
To: FMSubmissions
Subject: Paua2

I'm am a recreational hunter, fisher, diver enthusiasts.

I feel that many quota systems of any meat and seafood in New Zealand are under staffed hands on.

20 vehicles, 4 people p/car per day of paua equates 800 take.

This I have seen plus \pm in a favorable Wellington spot alone.

Unknown is the size and actual count.

Sanctuaries are the best design to ensure any species of animal life's meaning, but even those boundaries are crossed, trust me it's too tempting for the unscrupulous appetite and greed of some 24/7 it never sleeps for the recovery of any species.

If you watch anything for 24/7 it will only grow and multiply...

So for such a small country ,riches in export for our delicate resources unto New Zealand NZ AOTEAROA alone like no other, we should be able to enjoy our own bounty, and with well managed implementation we can have balance with our land and sea for all.

I would love to be part of making this happen with a passion 24/7.

Nga mihi
Tenā tātau katōa.

F R P NGATAI.

From: Heather Berge9(2)(a)
Sent: Monday, 16 January 2023 1:26 PM
To: FMSubmissions

I would like to put in a submission to take up option 2 for collecting Paua at Pourerere Beach. I believe lowering the limit may take the pressure off numbers. If not it will become over fished as other areas around have a no fish zone so fishers are coming here to collect Paua.

Thanks
Heather Berge
9(2)(a)

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From: Peter H 9(2)(a)

Sent: Friday, 17 March 2023 11:32 PM

To: FMSubmissions <FMSubmissions@mpi.govt.nz>

Subject: Option 3

I'd like to vote for option 3, to decrease Paua catch limits.

Thanks

Peter halstead

Wellington

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From: Hamish McLaren9(2)(a)
Sent: Friday, 17 March 2023 5:05 PM
To: FMSubmissions <FMSubmissions@mpi.govt.nz>
Subject: My vote/recommendation

I'm a Wellingtonian. Freediver/spearo.
I'm am Pakeha/Māori (Te Rarawa)

I recommend option 3. 3 paua per day.

Thank you and have a good day,

Hamish McLaren

Proactive Release

From: Richard Anderson 9(2)(a)
Sent: 19/01/2023 9:05 AM
To: info@mpi.govt.nz
Subject: Proposed New Paua Daily Limit

Richard Anderson 9(2)(a)

to letters

Dear Sir / Madam

As a diver / fisher in the Taranaki and Wairarapa areas for the past forty to fifty years i was surprised to hear the proposal to reduce the daily take, possibly to three paua per day had slipped by me with very little noise and very little time for me and other interested parties to lodge a submission.

One aspect of it is Very Unfair, that the recreational daily limit is to be reduced yet the commercial limit / quota is to remain. If the fisheries are threatened then we should all accept a lesser daily limit / quota.

The other aspect is that Maori customary rights are also to remain, this is a law proposing a reduced daily limit for non Maori and an unchanged daily limit for Maori / Tangata Whenua. This is based on race, Govt introduced racism in other words. If the fisheries are threatened then we should all accept a lesser daily limit / quota.

The Paua do not grow any faster because the divers / fishers have been divided into different categories.

R Anderson
Martinborough

From: Andy Forward 9(2)(a)
Sent: Friday, 17 March 2023 7:48 PM
To: FMSubmissions
Subject: Paua Submission

Hi there

First of all I would like to thank your team members that attended the 9(2)(a)
They both did a great job in explaining the Paua fishery in the PAU2 area.

I would like to see option 2 go ahead, as I believe 5 Paua per diver is sufficient for the fishery moving forward.

My other thoughts would be giving the fishery 2 months off each year, to let the stocks recover without any interruption. This would be good to do over winter.

I primarily dive the Wainuiomata coast and over the last 10 years have seen the amount of people diving down there significantly rise. And from speaking to my diver buddies, Red Rocks has taken a big hit compared to previous years, when you only had to swim out 10 metres to get legal Paua.

Something definitely needs to change to have stock left for our tamariki.

Cheers
Andy Forward

From: Nat Davey 9(2)(a)
Sent: Wednesday, 28 December 2022 7:05 AM
To: FMSubmissions <FMSubmissions@mpi.govt.nz>
Subject: Submission PAU2 fishery

My thought as a pau2 active fisher, recreational and commercial for over 25 years is that the population of recreational divers has multiplied so many times from the original estimates of when the TAC was established. The recreational allocation was set at 83ton and with the amount of divers/ gathers that are currently active in the fishery that figure would only be half of what is taken recreationally each year.

With the new 186 Rāhui's in the pau2 fishery that have been put in place over the last few years the recreational pressure has moved. We have seen it on the lower east coast of pau2 with the two rahui up in the Hawke's Bay the recreational presence has mover south ten fold. Now with the massive 186 rahui on the Taranaki coast that pressure will move south to the Wellington coast.

Option 3 is the option I choose to support not just for the reasons I has already put forward but because the paua in the lower pau2 area are a larger paua on average around 130mm and 3 would be plenty.

Nat Davey

From: James Webb9(2)(a)
Sent: Thursday, 16 March 2023 10:57 PM
To: FMSubmissions
Subject: Pau 2 submission

Hi

I have just seen a great presentation from your team9(2)(a)

I really enjoy my diving around Wellington coast. Taking a good catch home is always a bonus. Over the last 5-10 years I have definitely seen a drop in paua numbers around some of the coast, Wainuiomata is still really well stocked, but only a good walk away from the main car park. I'd like to see the catch limit dropped to 5, as a catch limit per day per person. I'm happy to take less to see more for the future and think I've only ever taken 10 once in 10-12 years of diving.

I hope you look at crayfish number and half that to, as there is a drop in number of them as well, but I think with crayfish the commercial number should also drop, or at least be confined to 500m off shore.

Feel free to call if you want to know anymore.

Thanks and keep up the good work and education.

James webb

9(2)(a)

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From: Ripeka Kireka9(2)(a)
Sent: Sunday, 29 January 2023 8:56 PM
To: FMSubmissions
Subject: Review of Paua quota

I absolutely agree there needs to be change for sustainability of our taonga paua. My whakaaro is to take ownership of your recreational quota for instance there are 8 people in my home they all eat paua 4 are men so i would look @ the current 10. If you had a smaller or average size whanau you would take either the 5 paua or 3 paua rec quota depending on how many in you whanau eat paua. This would of course depend on people being honest & care about sustaining the numbers of our taonga. I hope this helps.

From: Rocky Thompson9(2)(a)
Sent: Friday, 17 March 2023 3:49 PM
To: FMSubmissions
Subject: Paua quota

Kia ora e tē whanau

I would like to make a submission in regards to the quota TCA we have right and what you are considering on imposing for Wellington and further up the north island.

I would like to propose that shore divers be allowed a maximum of 6 paua per diver, per day if they (the paua) are of the legal size in length and recreational diver's collecting off a vessel ie; boat, kayak or another floatable carrier, be only allowed a maximum of 4 paua per diver, per day if they (the paua) are of the legal size in length.

I don't have a reason why exactly. I just thought it could possibly help in the long term for future generations.

Nga mihi nui,

R Thompson.

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From: Gavin Griffith-Jones 9(2)(a)
Sent: Friday, 17 March 2023 10:45 AM
To: FMSubmissions
Subject: PAU2 Paua review

Hello

For background - I am a keen diver, often spearfishing around the Wellington coastline. I have noticed a drop in paua numbers in recent years - places where previously one could easily find 10 legal paua, it is now hard to find any. (I don't often catch paua as my family don't particularly like them).

I think that people who want to put in the effort to feed themselves and their families, should have a higher priority over commercial interests (exporting a natural resource to make money). My alternative proposal therefore would be to maintain recreational catch limits at current levels, and to reduce the commercial quota to achieve the desired goals.

As an aside, I think that the introduction of the quota system - effectively privatising significant natural resources, into the hands of a few - to be a serious mistake (in the 1980s and under a labour government I believe?).

Regards

Dr Gavin Griffith-Jones

9(2)(a)

The New Zealand Sport Fishing Club, New Zealand Underwater Association, New Zealand Angling and Casting Association and LegaSea lodged a joint submission on Fisheries New Zealand's (FNZ's) 2023-24 review of management measures for PAU2.¹ The recreational submitters support FNZ's Option 1 – i.e., retain the current TACC of 121.19t, set a TAC of 227.19t and new allowances for Maori customary fishing (12t), recreational fishing (83t) and other sources of fishing related mortality (11t), and retain the current recreational daily bag limit of 10 pāua per fisher.

This note reviews the recreational groups' submission and identifies errors of fact, irrelevant matters and faulty logic.

Recommendations are illogical and not justified

The recommendations in the submission lack justification and do not flow logically from the positions taken in the body of the submission. For example:

- The submitters support option 1 (which retains the current 121.19t TACC), **but** also imply throughout the submission that commercial fishing is the root of all evil and the TACC should be reduced (e.g., paras 43, 62);
- The submitters support the *status quo* (i.e., recreational allowance reflecting estimated current catches and retention of current bag limit), **but** throughout their submission acknowledge that localised depletion is a genuine concern (e.g., paras 15, 16, 37, 38, 42);
- The submitters' recommendation that the *status quo* should be retained until four conditions are met (paras 2 & 4) is nothing more than a delaying tactic. The implication that the 'conditions' would address localised depletion more effectively than a reduction in the bag limit is unjustified because:
 - 'New recreational harvest estimates' would make no difference to the need to take management action – in particular, if the new harvest estimates show that recreational harvest has increased, this strengthens the case for reducing the recreational allowance and bag limits immediately;
 - QMA subdivision is a lengthy process and does not directly address localised depletion (all sectors appear to support QMA subdivision, but it is not a substitute for effective and timely management of harvest, irrespective of the size of the QMA);
 - Stock assessments are unlikely to be able to be completed for any new QMAs that don't have commercial harvesting because there is no information on which to base an assessment; and
 - Community-based solutions for localised depletion could be supported, but are not a substitute for the legal obligations of the Minister to set a TAC, TACC, allowances and bag limits in accordance with the Act. In advocating an Ahu Moana approach (para 3), the submitters ignore the fact that the review of PAU2 was initiated because customary forums requested a significant reduction in the daily bag limit, which the submitters oppose.

Accusations of FNZ ‘bias’ are not substantiated

In place of reasoned arguments, the submitters characterise FNZ’s proposals as biased (para 31), unbalanced (para 5), unreasonable (para 43) and unacceptable (para 58, 67, 68). However, option 1 is essentially the *status quo* – i.e., no change to existing management measures – so allegations of bias are misplaced.

In paragraph 58 the submitters state that options 2 and 3 “*will have a disproportionate effect on recreational fishers*”. This is correct, but that does not mean these options are “unacceptable” – it simply reflects the growth in recreational fishing (which the submitters appear to acknowledge) and the pressure this is placing on the fishery.

Inaccurate and irrelevant negative commentary about commercial fishing

The tone of the submission is set by the inclusion of highly partial commentary aimed at discrediting commercial fishing. While the submission includes inaccuracies (identified below), primarily this negative commentary is irrelevant to the decision that the Minister will make. For example, references to pāua meat being “dumped” in the 1940s (para 12), and references to the “*inflated TACC*” as a result of Quota Appeal Authority increases (para 19)² are not relevant to the current status of the fishery. The Minister must make a decision based on the best available information about the fishery today – not things that happened (or did not happen) several decades ago.

The submission contains numerous assertions – but no evidence – that the TACC of 121.19t is not sustainable (e.g., paras 19, 20, 21, 29, 67). The submitters comment that “*we can only imagine how abundant PAU2 might be now if the commercial catch limit was reset to the original assessed sustainable harvest limit of 100t. It’s possible we wouldn’t even need to be having this review*” (para 29). There are inaccuracies and failures of logic in this paragraph, for instance:

- The original 100t TACC was not an “assessed sustainable harvest limit” – as far as I am aware, it was a fairly arbitrary reflection of landings in the years prior to QMS introduction (which had landings of 110, 154 and 92 tonnes); and
- The reasons for the current review are that localised depletion has been observed in the fishery and, as a consequence, iwi forums have requested that the recreational bag limit should be reduced – these drivers of the review are unrelated of the level at which the TACC was set in 1986 or 1989.

The best available information (2021 stock assessment) indicates that:³

within the south east component of PAU 2, where commercial fishing occurs, the biomass of pāua is likely to be at or above the target of 40% unfished biomass, that current catch levels are very unlikely to cause the biomass of the stock to be at or below the soft and hard limits, and that overfishing is very unlikely to be occurring with current commercial catch levels.

² FNZ characterises the additional quota allocated by the QAA as a “minor increase” (FNZ proposal).

³ FNZ proposal.

The submitters appear to accept FNZ's assessment of stock status (the submission incorporates it and contains no information or other analysis to challenge it) – which contradicts their multiple assertions that the TACC is unsustainable.

The submitters state that the TACC was exceeded in 5 of the last 10 years, including by 5.07 tonnes in 2020/21 and that the commercial allowance has been “overcaught” (para 24). This is factually incorrect. Pāua ACE owners are entitled to carry forward a maximum of 10% of the ACE they owned at the end of the fishing year. The amount of ACE carried forward in 2020/21 was higher than is typical as a result of COVID restrictions hindering fishing activity in 2020. No deemed values were paid on PAU2 in 2020/21, indicating no overcatch of the TACC.

In paragraph 42 the submitters state that “*the QMS is a blunt tool that cannot adequately address issues related to localised depletion of pāua.*” This statement erroneously equates localised depletion with commercial fishing and the QMS. However, the QMS was never intended to address localised depletion (it manages sustainability at a stock level) – and certainly the QMS cannot address localised depletion caused by non-commercial fishers. Nevertheless, the QMS established enduring commercial harvest rights which provide quota owners with a strong incentive to avoid localised depletion so as to enable efficient commercial harvesting.

Confusion about the status of the commercially-harvested area vs the remainder of the fishery

The submitters confuse the status of the commercially harvested area (where biomass is known to be above target levels) and the status of the rest of PAU2. For example, the submitters state that:

- “FNZ advise there is no sustainability *issue* in PAU2” (para 31);
- it is not reasonable for FNZ to retain the TACC while reducing the recreational allowance and bag limits “*if the issue is not sustainability but localised depletion*” (para 43).

Both of these statements misinterpret FNZ's advice, which is that biomass is likely to be above target levels in the commercially-harvested portion of the fishery, but that the status of the remainder of PAU2 is unknown. The commercially fished area is only 20% or so of the PAU2 QMA.

The submitters also don't seem to understand the difference between information about the commercially-harvested area and information about the status of the rest of the QMA – e.g., in paragraph 41:

- “*localised depletion is masked by catches across the whole QMA*” **but** commercial harvest does not occur across the whole of the QMA and therefore cannot mask localised depletion in areas that are not harvested commercially; and
- “*it is simply not feasible to realistically measure CPUE across an area encompassing the west and east coasts of the whole lower half of the North Island*” – **but** CPUE is not (and cannot be) measured anywhere other than in the commercially-harvested area, and the resulting estimates of abundance apply only to the commercially-harvested area.

No justification for equivalent adjustments for commercial and recreational fishing

The submitters' main argument is that it is not “reasonable” to reduce the recreational allowance and bag limits while leaving the TACC intact (para 43). They also “strongly object” to any reduction in the daily bag limit in areas not experiencing depletion (para 67) – i.e., the area that is shared with

commercial fishing. In taking these positions, the submitters erroneously equate commercial and recreational fishing, and overlook major differences between recreational and commercial harvesting with respect to management of localised depletion:

- There is no commercial harvesting in many of the areas experiencing localised depletion (i.e., areas where mana whenua currently seek to impose additional controls). However, localised depletion is also a risk in the commercially-harvested area of the fishery (and FNZ reports that the Wairarapa coast is one area where increased recreational fishing effort has been reported);
- Industry-implemented measures (catch spreading) – which will be formalised in an approved fisheries plan – help to reduce localised depletion from commercial harvesting but there are no equivalent catch spreading controls for recreational fishing;
- In contrast to commercial catch and location reporting, there is no reliable information about the location and scale of recreational fishing. One consequence of this is that there is no fine-scale information about recreational harvest levels that would enable recreational bag limits to be set on a differential basis in different parts of PAU2; and
- Total commercial harvest is constrained within the TACC with a high degree of certainty (which doesn't address localised depletion risk, but does constrain the absolute level of removals) whereas the recreational allowance does not provide a constraint on total recreational harvest and adjustments to the bag limit have a highly uncertain impact on the overall level of recreational harvest.

Selective use of legal judgements

The submitters quote very selectively from court judgements and also use selective emphasis (although of course this is something we all do in order to support a particular interpretation).

With respect to case law on allocating the TAC, the Supreme Court judges in the *Kahawai* case commented at length on the legal requirements for allocating the TAC among sectors, but the essence of their commentary was that the Fisheries Act allows the Minister very broad discretion when setting TACCs and allowances.

The submitters place a lot of weight on the sequential formulation of s.21 of the Act and erroneously describe these administrative steps as “the scheme of the Act” (para 48). However, the Supreme Court found that “*the sequential nature of the method of allocation provided for [in section 21 of the Fisheries Act] does not indicate that non-commercial fishing interests are to be given any substantive priority over commercial interests. In particular, the allowance for recreational interests is to be made keeping commercial interests in mind*”. The “scheme of the Act” is therefore far more nuanced than the simplistic administrative sequence favoured by the submitters.

The submitters ignore other aspects of the Supreme Court's decision, which was unambiguous in the expectation that the Minister must control recreational catch within the allowance:

Although what the Minister allows for [when setting a recreational allowance under s.21(1)] is an estimate of what recreational interests will catch, it is an estimate of a catch which the Minister is able to control. The Minister is, for example, able to impose bag and fish length limits. The allowance accordingly represents what the Minister considers recreational

*interests should be able to catch but also all that they will be able to catch. The Act envisages that the relevant powers will be exercised as necessary to achieve that goal.*⁴

It is also illogical and contradictory that the submitters support the highest TAC option, while at the same time citing the need for the Minister to make a precautionary decision that “ensures sustainability” (para 33), in line with the ‘environmental bottom line’ (implemented by the setting of a TAC) adopted by the High Court in the CRA1 decision⁵ (para 32).

The submitters are also wrong in their claim that FNZ has not taken account of the effects of fishing on the aquatic environment (para 34-35). An entire section of FNZ’s advice paper (section 7, pages 12-14) addresses environmental issues.

Contradictory position on use of customary tools

The submitters emphasise in paragraphs 42 and 66 that *“it is the Minister’s statutory duty to ensure sustainability, a weighty responsibility that cannot be passed onto mana whenua as they have no meaningful control over the TAC or outside their rohe*. The pāua industry supports this view. However, it is illogical that the submitters – while claiming the Minister should take responsibility – simultaneously oppose the imposition of any fishery-wide measures to help reduce the risk of localised depletion, such as bag limit reductions.

Other inaccuracies

The submitters are incorrect in stating that:

- *“unlike the TACC the allowances are not a fixed proportion of the TAC”* (para 50) – neither the TACC nor the allowances are fixed in proportion to the TAC;
- *“unlike the TACC, recreational bag limits do not increase once they have been decreased”* (para 60) – bag limits (and the TACC) can be adjusted in either direction.

⁴

New Zealand Recreational Fishing Council Inc v Sanford [2009] NZSC 54 [para 56].

⁵

Environmental Law Initiative v Minister for Oceans and Fisheries [2002].