

DRAFT Fisheries Management Policy

Year: 2025

Current NZSFC policy? No current policy.

1. Section 186A Closure Policy, **date**, **location**
2. Policy:
 - a. The NZSFC recognises [section 186A closures](#) as a short-term community based response to localised depletion, led by the local hapū or iwi. The closure is generally two years in length, but can be renewed. When an application is submitted to renew a section 186A closure, if Fisheries NZ and/or the Minister for Ocean and Fisheries have not intervened with adequate management to address the issue, the NZSFC will support local initiatives or submit in favour of Ahu Moana as a means to address communal concerns.
3. Problem definition:
 - a. The management failures of Fisheries NZ and successive Ministers is driving the increase in rāhui and [section 186A closures](#). Fisheries NZ's failure to intervene has led to consecutive section 186A applications for localised areas that are showing little improvement. Affected clubs and communities are feeling the strain of years of displacement and seeing no improvement in abundance.
4. Discussion:
 - a. In response to an increase in section 186A closure applications and successive applications to renewal closures, this Policy has been developed to guide the NZSFC Fisheries Management Standing Committee when developing responses to these applications.
 - b. Section 186A of the Fisheries Act 1996 enables local hapū or iwi to apply to the Minister for Oceans and Fisheries to temporarily close areas of New Zealand's fisheries waters for up to 2-years. This can include restricting or prohibiting certain fishing methods or the harvest of specific species. A hapū must have their rohe moana boundaries established and approved before applying for a mātaimai.
 - c. The Minister may impose such a closure, restriction, or prohibition only if he or she is satisfied that it will recognise and make provision for the use and management practices of tangata whenua in the exercise of non-commercial fishing rights by -
 - i. Improving the availability or size (or both) of a species of fish, aquatic life, or seaweed in the area subject to the closure, restriction, or prohibition; or
 - ii. Recognising a customary fishing practice in that area.
 - d. A temporary closure is sometimes requested to provide statutory support for a rāhui. Fishery Officers cannot enforce rāhui so closure under s186A enables enforcement for any breaches of the s186A closure.
 - e. Public consultation on a section 186A application is required. After consideration of a range of matters, the Minister may or may not approve the application for a s186A closure.
 - f. A local hapū, whānau or iwi can propose a temporary closure or method restriction. However, before approving a proposal, the Minister must be satisfied that it will help tangata whenua exercise their customary fishing rights.
 - g. There is no restriction on how many times a temporary closure can be established.
 - h. A section 186A closure application may follow a rāhui, which limits customary harvest. A s186A closure applies to commercial and recreational harvest. The

s186A applicant may also choose to limit Māori customary harvest during the same period, by way of a rāhui.

- i. It has become clear that the increase in section 186A applications have become a last ditch effort to address localised depletion.
- j. The Minister is required to manage at the Quota Management Area (QMA) level which is not sufficient to address localised issues. Depletion in the wider QMA is often first felt at a local level by the community, which rarely raises a management response until a s186A application is made. This frustrates and often causes conflict in the local community until there is a management response.
- k. The NZSFC has [maintained good support for rāhui and section 186A closures](#) over the years. The NZSFC has opposed section 186A applications where successive applications have been made and Fisheries NZ or the Minister have not provided effective support or where affected clubs have stated preference for alternative management.
- l. The NZSFC supports mātaihai reserves, Ahu Moana areas and community-based collaborative management to supersede a section 186A closure, in favour of successive section 186A closures if management at the QMA level is failing.