

Appendix 2 – Draft Hauraki Gulf Fisheries Plan



Fisheries New Zealand

Tini a Tangaroa



Hauraki Gulf Fisheries Plan

DRAFT

Note to the reader:

We will be seeking further input from iwi and key stakeholders on this draft Fisheries Plan.

Foreword (Minister)

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1. Overview

1.1. Purpose and rationale

The Hauraki Gulf is an area of special significance recognised by its designation as a marine park under the Hauraki Gulf Marine Park Act 2000. The park's proximity to the largest population centre in the country (Auckland) means significant pressure is placed on the park relative to the wider fisheries management area (FMA) 1 in which it sits. These uniquely heavy pressures justify a new approach to fisheries management within the Hauraki Gulf Marine Park (HGMP): an area-based plan authorised under section 11A of the Fisheries Act 1996 (the Act).

1.2. Scope

This Hauraki Gulf Fisheries Plan (the Plan) sets outcomes and objectives for the management of fisheries in the HGMP and, using the tools and associated regulations under the Act, proposes management actions to achieve them.

While it is a standalone document, the Plan will be nested within the overarching framework that the Inshore Finfish Fisheries Plan will provide for the management of inshore finfish fisheries, once finalised. This plan also includes objectives and actions related to shellfish management in the HGMP despite the absence of an updated Inshore Shellfish Fisheries Plan. It is intended to work alongside iwi forum fisheries plans developed through the iwi fisheries forum(s).

1.3. Legal status

This plan will have legal effect once approved by the Minister for Oceans and Fisheries (the Minister). It then becomes a matter that the Minister must take into account before deciding to set or vary a sustainability measure or make any decision or recommendation under the Act to regulate or control fishing. Nothing in this plan diminishes the legal requirement to ensure the purpose and principles of the Act are met. If conflicts exist between any part of this plan and the legislative obligations set out in the Act, then the legislative requirements unequivocally take priority.

1.4. Operating context

[to be added prior to the finalisation of the plan for public consultation – it will include a characterisation of commercial, recreational, and customary fishing catch and effort and an overview of the current fisheries management regime]

1.5. Ecosystem-based fisheries management

Ecosystem-based fisheries management (EBFM) is an integrated approach to managing the competing values and uses of fisheries resources while maintaining the ecosystems that support them. At a high level, EBFM considers a whole-of-ecosystem approach to managing fisheries and marine resources, taking into account the interactions among species, the physical environmental and human activities. Importantly, it also considers humans as an integral part of the ecosystem and aims to consider and integrate all stakeholder values.

This plan reflects Fisheries New Zealand's intention to use EBFM within the HGMP. Important focus areas contributing to EBFM include:

- increasing our understanding of aquatic ecosystem functioning, including the trophic³² interactions among species;
- improving the environmental performance of fishing, with a focus on protecting benthic habitats from the adverse impacts of bottom-contact fishing, reducing bycatch and waste, and supporting the long-term viability of protected species;
- facilitating tangata whenua and stakeholder participation in regional and local fisheries management, to ensure their perspectives are heard and considered;
- considering the interdependencies between specific outcomes for fisheries management and broader environmental, social and economic outcomes.

Framing fisheries management within this context will lead to more inclusive engagement and governance processes and a more holistic focus on maintaining ecosystem integrity. Such an approach is intended to deliver better outcomes for our Treaty partners and New Zealanders. It also steps our management approach towards wider ecosystems based management, recognising the full range of interactions within an ecosystem.

³² relating to feeding and nutrition

2. Desired outcomes, management objectives and management actions

The Plan uses a hierarchical structure of desired outcomes, management objectives and management actions. The desired outcomes represent the aspirational and long-term visions the Plan seeks to achieve. These outcomes are underpinned by interdependent management objectives designed to realise them. Management actions describe specific and discrete steps that will be taken to achieve each management objective.

2.1. Desired outcomes

1. Healthy, functioning aquatic ecosystems that support sustainable fisheries

- A healthy aquatic ecosystem is one that supports the ongoing biological productivity of its parts and is resilient in the face of disturbance, providing for sustainable fisheries. Maintenance of biological productivity requires preservation of the interlinkages among species and their physical environment.

2. Fisheries resources are at levels that meet the needs of treaty partners and stakeholders

- Fisheries resources are managed to customised targets that represent the needs and capabilities of the sector(s) with an interest in them. For fisheries resources important to the recreational and customary sectors at the regional HGMP scale, the targets may be higher.

3. Inclusive and integrated regional governance of fisheries.

- Governance structures will provide greater opportunities for mana whenua and regional stakeholders to have input into and participate in the management of fisheries resources at the regional HGMP scale. Coordination with local and regional councils, the Hauraki Gulf Forum, and other government agencies will be integrated into fisheries management efforts for the HGMP.

2.2. Management Objectives

<p>Healthy, functioning aquatic ecosystems that support sustainable fisheries</p>	<ol style="list-style-type: none"> 1. Protect marine benthic habitats from any adverse effect of bottom contact fishing methods. 2. Protect ecologically important marine habitats from any adverse effects of fishing. 3. Mitigate the impacts of fishing on the marine food chain. 4. Reduce bycatch and fishing-related deaths of non-fish and protected species.
<p>Fisheries resources are at levels that meet the needs of treaty partners and stakeholders</p>	<ol style="list-style-type: none"> 1. At the Quota Management Area (QMA) level, ensure all harvested stocks of wild marine species are at or above target levels. 2. Identify and resolve localised depletion of fisheries resources in the park. 3. Ensure appropriate management of shared stocks by improving characterisation of non-commercial fisheries. 4. Decrease the mortality of undersized fish caused by all harvesting sectors and methods. 5. Provide for sustainable recreational and customary harvest of intertidal species.

Inclusive and integrated regional participation in the governance of fisheries	<ol style="list-style-type: none"> 1. Ensure local tikanga and matauranga, and other local knowledge, inform fisheries management. 2. Utilise customary tools to enable effective local governance. 3. Increase capacity and provide greater opportunities for stakeholder participation in fisheries management. 4. Engage effectively with councils to address council-managed issues that affect fisheries management. 5. Partner with others working to improve the condition of the Hauraki Gulf. 6. Facilitate co-management of intertidal ecosystems.
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2.3. Management actions

The management actions describe specific steps for achieving the management objectives. Some actions, while relevant to the Hauraki Gulf Fisheries Plan, are not specific to the HGMP and will be progressed at a national scale. These actions are denoted by an asterisk (*).

1.1.1 Desired outcome 1: .

Healthy, functioning aquatic ecosystems that support sustainable fisheries

Management Objective 1.1: Protect marine benthic habitats from any adverse effects of bottom-contact fishing methods
<p>Management Action 1.1.1</p> <ul style="list-style-type: none"> • Exclude bottom trawling and Danish seining from the Hauraki Gulf Marine Park (HGMP). Designate corridors suitable for bottom trawling and Danish seining and create exemptions from the ban for these corridors.
<p>Management Action 1.1.2</p> <ul style="list-style-type: none"> • Exclude recreational scallop dredging from the HGMP.
<p>Management Action 1.1.3*</p> <ul style="list-style-type: none"> • Fund research into alternative methods for scallop harvesting.
<p>Management Action 1.1.4</p> <ul style="list-style-type: none"> • Designate commercial dredging access areas based on the current commercial dredging footprint, with a process to review if new scallop beds are found.
<p>Management Action 1.1.5</p> <ul style="list-style-type: none"> • Facilitate transition to alternative commercial scallop harvesting methods and enable innovation for other alternative harvesting methods.
Management Objective 1.2: Protect ecologically important marine habitats from any adverse effects of fishing
<p>Management Action 1.2.1*</p> <ul style="list-style-type: none"> • Get the draft guidelines for applying section 9(c) (Habitats of Particular Significance for Fisheries Management) of the Fisheries Act 1996 approved for use.
<p>Management Action 1.2.2</p> <ul style="list-style-type: none"> • Using section 9(c) guidelines, identify habitats of particular significance for fisheries management in the Gulf and document in a habitats database.
<p>Management Action 1.2.3</p> <ul style="list-style-type: none"> • Design and implement protection measures and a monitoring regime for Habitats of Particular Significance for Fisheries Management in the Gulf, prioritising according to estimated level of risk.

Management Action 1.2.4

- Collaborate with the Department of Conservation to implement marine protected areas within the Gulf for the protection of habitats and biodiversity.

Management Action 1.2.5

- Alongside implementation of marine protected areas, the concept of Special Management Areas will be explored including consideration of appropriate gear restrictions and a reporting framework.

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

Management Action 1.3.1

- Scope and commission a research project to assess the impacts of forage fish (blue mackerel (EMA), jack mackerel (JMA), pilchard (PIL)) removals on the marine food chain in the Gulf.

Management Action 1.3.2

- Review the Total Allowable Catches of important forage species in Fisheries Management Area 1 and modify as needed to ensure impacts of removals on the Gulf food chain are mitigated.

Management Objective 1.4: Reduce bycatch and fishing-related deaths of non-fish and protected species

Management Action 1.4.1*

- Devise policies and procedures for guiding the response of Fisheries New Zealand to protected species bycatch notifications received through non-fish or protected fish species reports and coordinate this process with the Department of Conservation Protected Species Liaison Programme.

Management Action 1.4.2

- Continue to support the black petrel working group.

Management Action 1.4.3

- Maintain the black petrel Electronic Monitoring Programme.

Management Action 1.4.4

- Establish a system to enable reporting of seabird and marine mammal bycatch by recreational fishers in the park.

Management Action 1.4.5*

- Implement a programme to better estimate recreational fishing seabird bycatch.

Management Action 1.4.6*

- Guided by the National Plan of Action for Seabirds implementation framework, continue to support the ongoing refinement, improvement and uptake of seabird mitigation measures. Formalise a process for transitioning new mitigation measures into legally accepted ones, once research has demonstrated their effectiveness.

Management Action 1.4.7

- Scale up existing programmes focused on education and outreach targeted towards recreational fishers, to reduce seabird bycatch.

Management Action 1.4.8*

- As part of the review of the National Plan of Action for Sharks, support the review and adoption of shark handling and release guidelines.

Management Action 1.4.9

- To protect vulnerable reef species, implement netting restrictions on or around reef systems.

1.1.2 Desired Outcome 2:

Fisheries resources meet the needs of Treaty partners and stakeholders

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

Management Action 2.1.1

- Work with stakeholders (recreational, customary, commercial, non-take) to determine their fisheries resource needs and priorities within the Hauraki Gulf Marine Park.

Management Action 2.1.2

- Identify and prioritise stocks for management interventions. Input these recommendations to annual sustainability rounds and research prioritisation processes.

Management Action 2.1.3

- Set management targets and Total Allowable Catches to achieve and restore abundance at stock levels.

Management Action 2.1.4*

- To enable more responsive management, support changes to the Fisheries (Amateur Fishing) Regulations 2013 and section 297(1) of the Fisheries Act 1996 to provide for recreational management controls to be set by the Minister through notice in the Gazette rather than through regulation.

Management Action 2.1.5

- Support development of reference points for the Coromandel scallop fishery and work with industry to formalise the voluntary Catch Per Unit Effort limit rule management approach.

Management Objective 2.2: Identify and resolve localised depletion of fisheries resources in the park

Management Action 2.2.1

- Define and develop criteria for localised depletion.

Management Action 2.2.2

- Identify key stocks that may suffer from localised depletion within the Hauraki Gulf Marine Park. Of these stocks, identify those used by all sectors and those targeted primarily by non-commercial fishers.

Management Action 2.2.3

- For stocks at risk of localised depletion, develop criteria on a per-species or species group basis. Develop decision rules for more responsive management within the Hauraki Gulf.

Management Action 2.2.4

- For key stocks used by all sectors that suffer from localised depletion, explore voluntary removal agreements with industry, combined with monitoring using new Electronic Catch and Position Reporting (ER/GPR) data.

Management Action 2.2.5

- For key recreational and customary stocks that suffer from localised depletion, reduce recreational bag limits (species-specific and mixed) and/or prohibit bulk harvesting methods.

Management Action 2.2.6

- Advance scientific research on kina populations, to improve understanding of the variation in their spatial distribution, density and condition.

Management Action 2.2.7

- Facilitate the co-development of a kina management plan. The plan should address the environmental impacts of kina barrens, supporting Desired Outcome 1.

Management Objective 2.3: Ensure appropriate management of shared stocks by improving characterisation of non-commercial fisheries

Management Action 2.3.1

- Require recreational fishing charter vessels to report all their catch in Fisheries Management Area 1.

Management Action 2.3.2

- Pilot an app for Amateur Fishing Charter Vessels (ACV) reporting, to improve timeliness and accuracy of reported data. Identify options for data validation.

Management Action 2.3.3

- Consider how ACV-reported data might be integrated with aerial overview and NPS harvest and effort estimates.

Management Action 2.3.4

- Work with Iwi Fisheries Forums to improve customary reporting.

Management Action 2.3.5

- Explore options for improving catch and effort information for recreational fisheries in the Hauraki Gulf Marine Park.

(Options could include: increasing the frequency, specificity or coverage of existing recreational surveys in the Hauraki Gulf Marine Park; creating a park-specific recreational survey; or encouraging self-reporting. An angler registry for the Hauraki Gulf Marine Park would provide a suitable reference framework.)

Management Objective 2.4: Decrease mortality of undersized fish caused by all harvesting sectors and methods

Management Action 2.4.1

- Analyse Electronic Reporting disposal and undersized snapper and tarakihi (SNX/TAX) reports to evaluate the effectiveness of existing management measures intended to decrease the mortality of undersized fish caused by the commercial sector.

Management Action 2.4.2

- Encourage recreational fisher groups to develop a “move on” practice to reduce incidental catch of snapper below the Minimum Legal Size (MLS).
- Progressing Management Action 1.2.3 will also support this objective.

Management Objective 2.5: Provide for sustainable recreational and customary harvest of intertidal species

Management Action 2.5.1

- Update baseline knowledge of intertidal species’ distribution and harvest.

Management Action 2.5.2

- Review management settings for intertidal shellfish harvesting on the hard shore.

Management Action 2.5.3

- Adopt blanket seasonal closures for intertidal shellfish harvesting (ie, no harvesting in summer).

Management Action 2.5.4

- Support community efforts to monitor and restore intertidal species. (Relates to Management Action 3.6.1).

1.1.3 Desired Outcome 3:

Inclusive and integrated regional participation in the governance of fisheries

Management Objective 3.1 Ensure local tikanga and mātauranga, and other local knowledge, inform fisheries management

Management Action 3.1.1

- Establish a collaborative Hauraki Gulf Fisheries Plan Advisory Group to provide opportunities for regional participation in fisheries management in the Hauraki Gulf.

Management Action 3.1.2

- Help facilitate the sustained operation of a Hauraki Gulf iwi fisheries forum.

Management Action 3.1.3

- Clearly communicate our research prioritisation and sustainability round processes and identify opportunities for stakeholder input. (Relates to Management Action 3.1.1).

Management Action 3.1.4

- Explore ways in which local knowledge can be used in fisheries science.

Management Objective 3.2 Utilise customary tools to enable effective local governance

Management Action 3.2.1

- Facilitate transition to kaimoana regulations.

Management Action 3.2.2

- Where rohe have been gazetted, support iwi in efforts to establish mātaimai and/or taiāpure.

Management Objective 3.3 Increase capacity and provide greater opportunities for stakeholder participation in fisheries management

Management Action 3.3.1

- Design a targeted outreach and communications strategy for fisheries stakeholders in the Hauraki Gulf Marine Park.

Management Action 3.3.2

- Invite fishing industry and iwi fisheries forum representatives and kaitiaki to attend fisheries science education programmes.

Management Objective 3.4 Engage effectively with councils to address council-managed issues that affect fisheries management

Management Action 3.4.1

- Incorporate a “local councils” component in the outreach and communications strategy (Management Action 3.1.1) for the Hauraki Gulf Marine Park.

Management Action 3.4.2

- Build and strengthen relationships with regional councils and local boards, to enable networking governance of complex issues that affect the Hauraki Gulf.

Management Objective 3.5 Partner with others working to improve the condition of the Hauraki Gulf.

Management Action 3.5.1

- Collaborate with the Department of Conservation on efforts to develop, implement, and monitor a network of marine protected areas within the Gulf. (Refer to Management Action 1.2.4).

Management Action 3.5.2

- Actively participate in mussel reef restoration efforts and help with protection of sites.

Management Objective 3.6 Facilitate co-management of intertidal ecosystems

Management Action 3.6.1

- Help with the design and piloting of Ahu Moana projects that can support achievement of Management Action 1.2.3 (protecting habitats of significance) and Management Action 2.4.4 (sustainable intertidal harvest).

3. Implementing the plan

Implementation of the Plan will be undertaken through the national annual planning and services delivery cycle described in the Inshore Fisheries Plan. This annual cycle generates two main documents: the Annual Operational Plan (AOP) and the Annual Review Report (ARR). These will provide the vehicle to operationalise the management objectives and actions described in this plan and enable efficiencies across the broader inshore fisheries management services.

3.1. Annual operational plan

For each year of this plan’s lifecycle, an AOP for the HGMP will be prepared that outlines the actions that to be undertaken during that financial year and, where possible, years two and three. The actions specified in the AOP will serve to implement the objectives set out in the Hauraki Gulf Fisheries Plan and other relevant planning documents.

To ensure Fisheries New Zealand continues to operate within available resources, all proposed services will be prioritised each year, informed by our engagement with iwi, Māori and stakeholders as part of the annual planning cycle.

3.2. Annual review report

An Annual Review Report (ARR) for the HGMP will be prepared each year to assess the annual performance of the Hauraki Gulf Fisheries Plan against the actions specified in the previous AOP. The ARR will report on progress towards meeting the management objectives outlined in the Hauraki Gulf Fisheries Plan.

The ARR process helps to identify gaps in performance and emerging issues for further analysis. This enables new management actions and services, and necessary adjustments to existing services to be identified, for inclusion in the next Hauraki Gulf Fisheries Plan AOP.

Figure 1: Fisheries New Zealand annual planning cycle



3.3. Annual planning with tangata whenua

[To be added following further engagement]

3.4. Hauraki Gulf Fisheries Plan Advisory Group

Terms of Reference to be developed

3.5. Monitoring and evaluation

[In discussion with Sustainable Seas regarding a project to develop a monitoring and indicator framework for the Hauraki Gulf based on EBFM principles]

Legislative context

The Fisheries Act 1996 outlines the laws that relate to the governance of fisheries resources and how they should be managed, and recognises New Zealand's international obligations relating to fishing.

Treaty of Waitangi (Fisheries Claims) Settlement Act 1992:

The Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 (the Settlement Act) gives effect to the settlement of claims relating to Māori fishing rights. Obligations under the Settlement Act can be considered in two broad categories:

- specific obligations relating to use – both commercial and non-commercial, and
- more general obligations relating to the right of tangata whenua to participate in fisheries management decisions and have their values and aspirations given particular regard.

The Minister has legal obligations [can expand on these] to iwi under the Fisheries Protocols that are attached to the Deed of Settlements.

The Hauraki Gulf Marine Park Act 2000 recognises the Hauraki Gulf Marine Park as being nationally significant. The purpose of this Act is to:

- integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments;
- establish the Hauraki Gulf Marine Park;
- establish objectives for the management of the Hauraki Gulf, its islands, and catchments;
- recognise the historic, traditional, cultural, and spiritual relationship of the tangata whenua with the Hauraki Gulf and its islands; and
- establish the Hauraki Gulf Forum.

The Fisheries Act 1996 (section 11) requires that, in setting or varying any sustainability measures in the Gulf, the Minister takes account of section 7 and section 8 of the Hauraki Gulf Marine Park Act 2000. These sections recognise the national significance of the life supporting capacity of the Hauraki Gulf, and define management objectives for its protection.

Other legislation that contributes to the management of the wider fisheries ecosystem includes the:

- Resource Management Act 1991 which is New Zealand's primary legislation for managing the environment, including air, soil, fresh water and coastal marine areas;
- Wildlife Act 1953 which gives partial or full protection to all but one species of seabird;
- Marine Mammals Protection Act 1978 which makes provision for the protection, conservation, and management of marine mammals within New Zealand waters; and
- Marine Reserves Act 1971, which provides for the establishment of marine reserves that, aside from exceptions, exclude all forms of fishing.

Strategic context

Strategies, standards and policies

The Government has several strategies, standards and policies that provide further direction on how obligations relating to fisheries will be met. The Plan's objectives, services and annual planning processes are designed to be consistent with these strategies, standards and policies. Where specific actions need to be undertaken to deliver on these products, they will be reflected in the management actions in this plan and captured in the National Inshore Finfish Annual Planning Framework.

Table 1: Key strategies, standards and policies in operation

Strategy, Standard or Policy	Description
Treaty Strategy	Is developed and agreed with Iwi and Māori and provides for input, participation, and consultation processes to meet Treaty obligations and legislative requirements. Main elements of the strategy include support for Iwi Fisheries Forums and the development of Iwi Forum Fisheries Plans
Harvest Strategy Standard	Is a policy statement that provides guidance on setting fishery and stock targets and limits for stocks managed within New Zealand's Quota Management System (QMS).
Quota Management System Introduction Process Standard	Sets out a process for Fisheries New Zealand to identify stocks or species to be considered for QMS introduction.
Marine Protected Area Policy	Provides a process for establishing a network of marine protected areas using various management tools under the Marine Reserves Act 1971, Resource Management Act 1991 and Fisheries Act 1996.
National Coastal Policy Statement	Provide a guide for local authorities in their day to day management of the coastal environment.
Regional plans	Developed by regional councils to help them to carry out their functions to achieve the sustainable management purpose of the Resource Management Act 1991. Regional councils have the purpose of protecting biodiversity and this could include some controls on fishing activity.
National Plan of Action for Seabirds	Is aimed at reducing the incidental catch of seabirds in New Zealand fisheries. It sets out high-level and medium-term objectives to achieve this.
National Plan of Action for Sharks	Sets out five-year goals and objectives, for maintaining the biodiversity and long-term viability of all New Zealand shark populations.
Snapper 1 Management Plan	Sets out a rebuild plan and various measures to increase the snapper population in the SNA1 fishery.
Sea Change Government Response strategy	Sets out how the Government has responded to the Sea Change <i>Tai Timu Tai Pari - Hauraki Gulf Marine Spatial Plan</i> . The Hauraki Gulf Fisheries Plan has been delivered as part of the Government's response to the Sea Change <i>Tai Timu Tai Pari - Marine Spatial Plan</i> . [This can be discussed more once the final report is complete]

Aquaculture Strategy	Sets out the Government’s commitment to ensure aquaculture growth is environmentally sustainable and considers other uses and values of the coast and waterways. It also ensures iwi and broader Māori aspirations, including kaitiakitanga, are promoted.
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Other government work programmes are exploring ways to strengthen and improve management tools that will influence the delivery of healthy and sustainable fisheries. These include:

- the Fisheries Change Programme, a Ministry for Primary Industries led programme to strengthen and modernise the way we manage our fisheries, ensuring their sustainability.
- marine protected areas policy reform; and
- action for healthy waterways which is a Government initiative led by the Ministry for the Environment to strengthen government obligations to protect and restore New Zealand’s waterways.

