

Fisheries 2030 Multi-stakeholder Workshop

MFish Head Office, Wellington, 14 May 2009

A report for the Hokianga Accord, option4 and NZBGFC
By Trish Rea
20 May 2009

Attendees

- Chair: Brian Roche (PricewaterhouseCoopers).
- Non-commercial: Mike Britton (Forest & Bird), Geoff Rowling (NZRFC), Tom Paku (Te Kahui Maunga o Tangaroa), Kirsty Knowles (Forest & Bird), Richard Baker (NZBGFC), Mike Noho (Te Kahui Maunga o Tangaroa), Barry Webber (ECO), Allen Wihongi (Te Kahui Maunga o Tangaroa), Trish Rea (option4, Hokianga Accord), Cath Wallace (ECO), Kim Walshe (amateur fishing).
- Commercial: Vaughan Wilkinson (Sanford), Nici Gibbs (SeaFIC), Greg White (TOKM), Craig Lawson (TOKM), Mike Burrell (Aquaculture), Mark Soboil (AFL), Tom McClurg (commercial), Peter Douglas (TOKM).
- MFish: Stan (GT) Crothers, Carl Ross, Phil Kirk, Marianne Lukkien, Jonathan Rudge, Tim Persen, Mark Edwards.
- Apologies: Wayne McNee (MFish CE), Wira Gardiner (customary), Riki Ellison (Aquaculture), Anake Goodall (TOKM).
- Duration: 3.75 hours.

Overview

In November 2008 PricewaterhouseCoopers (PwC) provided the Ministry of Fisheries (MFish) with a final report setting out the vision, result areas and action plan for Fisheries 2030. MFish gave the report to the Minister, Phil Heatley, in early March, who then referred it to the Cabinet Economic Growth and Infrastructure Committee (EGI). On March 16th the EGI Committee considered the report and the Cabinet paper *Actions to Unlock the Economic Potential of the New Zealand Fisheries Sector*.

The Committee agreed that MFish work with tangata whenua and fisheries stakeholders to build on the PwC report and “confirm a shared direction and plan of action for the fisheries sector¹”.

PwC and MFish officials held several meetings in 2008, with commercial and amateur fishing interests, to discuss the 2030 Vision. The first meeting with Te Kahui Maunga o Tangaroa, the National Customary Fisheries Council Inc. occurred on April 30th 2009.

The Minister is due to report back to the EGI Committee in July 2009, “with recommended actions that will enable the fisheries sector to make a significantly greater contribution to the New Zealand economy²”.

More information is online at the MFish website -

http://www.fish.govt.nz/en-nz/Fisheries+2030/default.htm?wbc_purpose=Basic&WBCMODE=Presentati

A further meeting is scheduled for May 28th in Wellington.

¹ Cabinet Minute of Decision, CAB Min (09) 9/8A, para 4.

² Cabinet Minute of Decision, CAB Min (09) 9/8A, para 8.

Introduction

After a mihi by Carl Ross, Brian Roche of PricewaterhouseCoopers opened the meeting and advised that he co-authored the Fisheries 2030 PwC report with Debbie Francis.

Brian went onto explain that MFish were not looking for consensus, this meeting was an opportunity for stakeholders to articulate their views.

Stan Crothers gave an overview of the Fisheries 2030 process, the Cabinet decisions and the proposed work ahead, both for the meeting and afterwards.

Although Wayne McNee, MFish Chief Executive, was not at the meeting he is leading this initiative on behalf of the Minister of Fisheries. These workshops are being held to include tangata whenua and other stakeholders in the process.

Later in the meeting MFish advised that they did not consider the meeting consultation, or the participants as sector representatives, they were invited because of their expertise, skills and the input they could provide.

Brian continued, *“Your involvement in this process does not necessarily mean you agree. It’s about how this document [Fisheries 2030] is going to be used, both long-term and short-term”*.

After initial discussion the participants were sorted into breakout groups for an hour’s discussion on the vision, the key elements identified in the PwC report and the result areas. Feedback from each group was presented to the forum, recorded by MFish and will be distributed after the meeting with minutes of the day’s proceedings.

Forum Discussion

Consultation

Clarity was sought as to what format, and when, public consultation will occur. Stan advised that this is not a formal consultation process, as per McGehan’s interpretation in the 1992 Wellington Airport case³. It is *“engagement, just a process to seek stakeholder’s views”*. Cabinet had directed the Ministry to seek those views, and the Minister is due to report back to Cabinet by July.

Some meeting participants raised concerns about the proposed re-organisation of the Ministry, currently being considered by officials and staff. One of the outcomes sought from that process was to reduce consultation with stakeholders. MFish was asked to clarify whether there had been a directive from Cabinet to reduce consultation.

Stan explained that MFish will provide feedback to the Minister and Cabinet. If there was a range of views those would be presented. MFish will make their recommendations to the Minister and it will be up to Heatley to decide on the next steps.

When asked why the deadline was July MFish explained that, as part of their process of engagement with the new Minister, the Ministry had been directed to identify actions they can complete to fit in with the government’s overall plan.

³ Air New Zealand and ors v Wellington International Airport Limited and ors, High Court, Wellington, CP 403-91, Jan 6, 1992, McGehan J.

Unlocking what potential?

Many non-commercial participants expressed concerns about the emphasis of ‘unlocking the potential’ in the PwC report. MFish was asked to clarify what this potential was and how this process will provide for that, while taking into consideration the effects on the various interests.

Stan explained this process sought to better quantify the potential gains and how they can be maximised.

Brian added that they had already identified areas related to commercial fishing that can be simplified, to reduce “*angst*” within the commercial sector and produce “*benefits for all elements of the sector*”. This process will also identify what compromises will be required to achieve the vision.

In the PwC report and associated material many references are made to the “fisheries sector/the sector/stakeholders. These terms refer to the combined fishing interest groups, both commercial and non-commercial, unless otherwise specified.

Environmental concerns

The PwC report downgrades the purpose (s8) and principles (ss 9 and 10) of the Fisheries Act 1996. There is not enough attention paid to the environmental aspects and significantly the international obligations seem to have been ignored.

Brian did not agree that the international obligations have been ignored.

Problem identification

The PwC report is vague and, in contrast to the Joint Stakeholder Working Group, has not clearly identified the problems associated with fisheries or management, so it was difficult to understand what the report was trying to address or achieve.

Brian’s response was that there was “*enough evidence from across the sector for the government to do something*”. He agreed the government may choose to do nothing, after receiving the Ministry’s advice, however it is noted in the PWC report that the status quo is “not a tenable option⁴”.

Many non-commercial fishing interest representatives were not satisfied with the lack of problem definition and the language used in the report in terms of the vision, reference to allocation and trading rights.

The NZ Big Game and Recreational Fishing Councils were joint litigants in the Kahawai Legal Challenge. The Supreme Court is currently considering their appeal. The Court’s judgment remains eagerly awaited and will influence future management decisions.

In the absence of both the Supreme Court’s decision and any public consultation, at this stage amateur fishing representatives cannot endorse the Fisheries 2030 Vision in its current format.

Implementation of report

It seems implementation of the report was fait accompli, a ‘done deal’. This was supported by the language used in the PwC report and that the recently announced re-organisation of MFish was based on delivering on Fisheries 2030.

⁴ Fisheries 2030 – Vision, result areas and action plan, PricewaterhouseCoopers, November 2008, page 1.
2030 Fisheries Vision Workshop 14 May 2009
Multi-stakeholder meeting report.

Mark Edwards explained that Wayne McNee will be talking with stakeholders soon about the re-organisation. MFish need a to have the structure and resources to continue in the future.

Customary interests

Prior to this meeting Te Kahui Maunga o Tangaroa, the National Customary Fisheries Council, distributed a position paper confirming their intention to be involved in this 2030 process. The Council has identified two key issues, the strategy:

- ⇒ does not fully recognise customary interests in terms of value; and
- ⇒ appears to have prioritised commercial interests above other sectors.

Given Maori's extensive interests in fisheries and the duration of this process, it was concerning that MFish had only presented the PwC report and 2030 strategy to the Council on April 30th 2009. The Council held a one day workshop a week later to consider the information in more detail. The position paper was an outcome from this workshop.

Focus on economic outcomes

Most of the non-commercial participants expressed concerns about the strategy's emphasis on improving economic outcomes in the absence of any meaningful reference to environmental, social and cultural well-being.

Attention is focused on the benefits for both commercial fishing and the government, seemingly at the expense of non-commercial, including environmental, interests.

Sanford's representative, Vaughan Wilkinson, pointed out the detail in the Cabinet briefing was focussed on delivering significantly greater benefits to the New Zealand economy. That was Cabinet's directive therefore this process and those involved had to comply with that purpose. If anyone had doubts they needed to refer back to the Cabinet briefings.

Brian acknowledged the concerns expressed about the emphasis on economic outcomes and the need to consider the social and cultural aspects.

MFish feedback

Mark Edwards expressed appreciation for everyone's input into the meeting. He acknowledged that governance was not just about the government, they had to include tangata whenua in their processes. Mark accepted there was insufficient transparency of the government's relationship with Maori and MFish will be looking to improve that.

Mark also acknowledged the international obligations associated with fisheries management and the need to provide for future generations.

At the next meeting, scheduled for May 28th, the focus will be on the PwC report's objectives and actions. Priorities will also be discussed at that meeting.

It was Wayne McNee's responsibility to address how the Fisheries 2030 will fit in with MFish's other projects. There are existing processes that will continue irrespective of this 2030 strategy.

Closing

Mike Noho closed the meeting with a quick comment and karakia.

Future Strategy – Non-commercial Sector Working Together on Fisheries Issues

Discussion was held with the NZRFC, Forest and Bird, and ECO representatives in respect of finding objectives that we could all agree on, to counter industry's seeming domination of this process. The current focus is on economic drivers rather than the environmental and social and cultural aspects of managing fisheries.

It was agreed that it would be good for these interest groups to be present at the June Hokianga Accord hui, where the Fisheries Minister, MFish officials, and industry representatives will be present.

It was also agreed that further meetings will be helpful to align thinking and determine areas of common ground, so a united front could be presented. The media would likely pick up and question matters if the NZBGFC and environmental groups started working together and issuing press releases. Combined, the lobby would be a lot stronger.