

2005 NZ Recreational Fishing Council AGM and Conference

Questions for the Minister of Fisheries David Benson-Pope

8 July 2005

i) Does the Minister support key inshore shared fisheries being managed above Bmsy ?

I will answer this question from a Minister's perspective and from a Labour Party perspective.

As Minister of Fisheries I have asked that, for example, the Initial Position Paper (IPP) on Kahawai which has just gone out for consultation, includes an option for rebuilding that fishery above Bmsy - which would give greater recognition to recreational utilisation values. There is a statutory process underway and it would not be appropriate for me to predetermine what my final decision would be before that process is completed.

However, I can also report that enhancing the quality of recreational fishing is a focus of the Labour Party's fisheries policy. For some recreationally important species, or shared fisheries, including Kahawai, Labour supports managing these fisheries stocks above, or significantly above, Bmsy (the level of fish stock which will allow the maximum catch without compromising sustainability). This gives greater recognition of recreational utilisation values in those fisheries in line with purpose of the Fisheries Act 1996. Where this is not currently possible due to the state of the fishery, appropriate rebuilding strategies would be put in place.

ii) If the QMS is so good, why are key inshore fisheries currently below Bmsy ?

Biomass can decline below the level that can produce the MSY for a number reasons including environmental factors which influence recruitment to the stock and the effects of fishing. Considerable money is spent on an annual basis to determine the status of key fisheries relative to legislatively required target levels. In line with legislative obligations, where research indicates that the biomass of a stock is below the level required to produce the MSY rebuild strategies appropriate to the stock are in place or have recently been proposed (as in the case of SNA 8). As previously mentioned some fisheries may need to be rebuilt above Bmsy.

iii) If fisheries are below Bmsy does this give commercial fishers preference ?

It does not give a preference in terms of allowable catch. However fish stocks with a biomass below Bmsy generally results in smaller fish that are less abundant. This situation is less favourable to the interests of recreational fishers where there is a demand for high catch rates and larger fish. As noted in the previous questions, any fisheries where assessments suggest the stock is below Bmsy are reviewed as soon as is practicable to initiate a rebuild. A

new focus on utilisation value to different fishers could see rebuild strategies in some fisheries aiming at above Bmsy.

iv) *If recreational fishers recorded and reported catch for a stock – would the Minister be required to allow for this amount under section 21 ?*

I will continue to take into account the need to provide reasonable access to recreational fishers, while considering other relevant matters, when making these allocation decisions. Under section 21 of the Fisheries Act, in setting any total allowable commercial catch, I am required to “allow for” Maori customary non-commercial interests, and recreational fishing interests. Legal advice, and the interpretation from the courts on this provision, suggest that the Minister has discretion on this decision, and therefore the amount of the allowance, as the Act does not define any matters the Minister must specifically take into account, other than the guidance provided by the purpose of the Act.

v) *Why have regional recreational forums been established when you could have used the RFC structure ?*

The regional recreational forums have been established to provide improved opportunity for input of recreational fishers into statutory fisheries management processes administered by the Ministry. They seek to enhance the engagement with recreational fishers, and build on, rather than displace, the valuable and ongoing role of the RFC. The forums will also provide a valuable means for the Ministry to become informed about issues at a local level, such as I have observed directly in the South Marine Recreational Fishery Advisory Committee that is still convened by the Ministry’s Dunedin office.

vi) *Does the Ministerial Advisory Committee replicate the role of the RFC ?*

The Ministerial Advisory Committee has been set up, and will be resourced by Government, to fulfil the particular function of discussing, and providing direct advice to me on strategic and reform issues facing the recreational sector. The panel was selected for their expertise and ability to make a contribution, rather than as representatives of any particular sector interest. I expect the RFC will continue to play its valuable role in representing recreational fishing interests in fisheries management, including in the evaluation of proposals that may emerge ultimately as a result of the deliberations of the Ministerial Advisory Committee.

vii) *What happens to the panel if the Minister changes ?*

The Minister of Fisheries has authority from Cabinet to appoint the Committee, and its role will conclude at his/her discretion.

viii) *How will the Ministers provide for recreational fishers interests when considering marine reserve proposals ?*

I am obliged to consider marine reserve applications in accordance with my concurrence role under the Marine Reserves Act and the general duties imposed by administrative law. I will therefore take into account the advice

that I am given, and the results of consultation with fisheries stakeholders, in connection with the specific application, and consider it in the manner required by the Act. The current Act requires that I make an independent decision on whether or not the reserve will "interfere unduly or adversely effect any existing usage of the area for recreational purposes, among other matters. The Ministry advice will of course contain information on the extent to which a marine reserve would affect fishing activity, of all types, carried out in the area concerned.

ix) Do you intend to provide concurrence on current marine reserve proposals, including the Great Barrier proposal ? Will consideration be given to MPAs as an alternative ?

It would be inappropriate of me to comment on specific aspects of decisions that I have yet to make. As I have noted above, I will take account of the information and advice I am given regarding each decision, including submissions provided by recreational fishers and others, and make my decision in accordance with the Act.

The Government is currently formulating a Marine Protected Areas policy that provides for the application of a range of tools to meet biodiversity protection requirements. That policy is still before Ministers for approval, but it is intended to provide a range of legislative mechanisms, under both the Marine Reserves Act and the Fisheries Act. However, until the policy has been approved, all marine reserve applications must be dealt with in accordance with current requirements of the Marine Reserves Act.

x) Will the Minister fund the recreational sector to the same level of funding provided to the iwi liaison persons ?

The funding by government of the iwi relationship management facilitators, or pou hononga, and other elements of the Deed of Settlement Implementation package, was directly related to fulfilling legal and Treaty obligations to Maori. I have also separately sought new initiative funding from Government for capacity building and resourcing for the recreational sector. These proposals led to the additional funding to support the Ministerial Advisory Panel, including travel, accommodation, meal expenses and a meeting fee for the panel members. The Ministry also received additional funding for the regional forums to resource the venue catering, and reasonable travel and accommodation costs for the participants. The location of these forums around the country will assist in reducing costs to recreational participants of participation in Ministry statutory processes.