

## Section 6

### Local area management

There are already tools for managing particular areas, for example:

- Under the customary fishing regulations mātaihai reserves can be established to provide for customary use and management practices.
- Commercial fishers can make collective decisions to combine or subdivide Quota Management Areas.
- Section 311 of the Fisheries Act provides for areas to be closed to commercial fishing methods to favour amateur fishing – but it applies only where commercial fishing causes low amateur catches and adversely affects the ability of amateurs to take their overall allowance.

Management at scales smaller than Quota Management Areas may help increase the value of shared fisheries, especially for customary and amateur fishers in inshore areas. For instance, some high-use areas such as Kaipara have suffered from depletion of harbour fisheries and the situation might be improved by specific controls. [77]

#### [77] Area closures

Consider the so-called “race for space” between Maori customary areas, aquaculture and marine reserves.

#### Questions

What effect will recreational havens have on Maori customary areas, aquaculture and marine reserves?

Is there enough space for all these areas without breaching the existing prevent test? To achieve smaller QMAs 75% of quota holders need to be in agreement on subdivision. Such agreements may be difficult to achieve, particularly in shared finfish stocks

Proposals for management of specific areas are described below. One or more could be implemented.

#### **Proposal A: Provide for a coastal zone or areas where key species are managed with priority for non-commercial fishing**

Many commercial bulk-fishing exclusion zones for particular methods already exist around the coast. These could be extended to cover the whole coast. Such a measure would establish a coastal zone of uniform width (e.g. 2 km). A complete commercial ban would not be practical owing to the dependence of commercial operators taking species such as paua and rock lobster on access to close inshore areas.

Such measures could involve significant dislocation of commercial fishing and redress would need to be considered. [78]

#### [78] Two kilometre exclusion zone

#### Questions

What methods and fisheries are intended to be excluded? All commercial fishing?  
 How will flounder and mullet fisheries be affected?  
 If only trawl methods are intended to be excluded, will that be sufficient?

This appears a very broad-brush approach that is unlikely to properly address most of the localised fisheries management issues.

Note that most of the coastal zone is already protected from close inshore trawling. If so this option may achieves little if concentrating only on trawling.

In remote coastal areas where trawlers are working, what is intended by banning commercial fishing in those areas?

New Zealand has a huge coastline.

Please advise if you live in an area that does not have a trawl exclusion zone? Is the absence of a trawl ban causing a scarcity of fish in that area?

It is important to appreciate that major [dislocation/ of commercial fishing/ reduction of quota] may require the Government to compensate commercial fishers.

Once again this is a management option we already have in the FA– offering it as something new is misrepresenting the true situation. Why would be want a 3 km exclusion zone around all the coast when we don't use all of it – how would you feel if the ministry had suggested we give the commercial sector a 3 km zone – the proposals need to be balanced and this one isn't. In fact of course it is a sop. If a quota fisher could demonstrate that a significant proportion of his quota fishing came from within the zone he/she would be given the right to fish the area – so this proposal gives us nothing new.

**Are there any other bulk fishing methods that should be excluded from the near shore area? If there are there is adequate provision in the current act (and has been for at least 40 years) to exclude commercial fishing from inshore areas.**

Please also advise if you consider there **are any other bulk fishing methods, apart from trawlers, that should be excluded from the near shore area? For example, long lines.**

**Coastal Zones – Proposal A - Recreational fishers risk analysis**

<b>Proposal</b>	<b>Risks</b>	<b>Benefits</b>	<b>Available under current Fisheries Act</b>	<b>Compared to current right</b>
Provide for coastal zones	Coastal zones are incapable of dealing with the Kaipara Harbour competition in flounder and mullet fisheries because most commercial fishing occurs within 2km of	Further research would be required to determine if there were any benefits to this proposal.	Yes, many have been implemented	?

	the coast.			
	Government liable for compensation			

**Proposal B: Provide for sector-initiated proposals to protect or strengthen specific interests**

This would involve providing for sector representatives to nominate areas for special management to enhance the value of particular fisheries. The option could involve:

- Nominating small areas as ‘amateur fishing havens’ which would be closed to some or all commercial fishing methods, or for seasonal closure to commercial fishing, or
- Multi-party agreements to exclude bulk fishing methods from an area (e.g. bans on commercial and amateur set netting, dredging, long-lining or trawling, etc) or provide for rotational harvesting or restricted seasons for commercial or all fishing.

Unless supporters of any exclusion proposal could gain the agreement of affected commercial interests, a process to assess proposals would be required. This would need to consider redress for commercial interests. [79]

[79] This proposal suggests negotiated and agreed proposals between commercial and recreational interests. Agreement is highly unlikely because by not agreeing the commercial sector may be able to claim compensation for any ‘re-allocation’. This is a disincentive for commercial fishers to reach agreement.

The discussion paper discusses small fishing havens or multi-party agreements. A good example is the Kaipara Harbour where the commercial fishing industry has flounder and mullet quota in Area 1, can fish where and when they choose and cannot fill that quota. Any area constraint is likely to produce claims of insufficient area to fill the quota they presently cannot catch.

The Kaipara Harbour is an inappropriate example in section 6, as there is no obvious solution to the fisheries management issues faced in the Kaipara Harbour in the discussion paper.

**Sector Initiated – Proposal B - Recreational fishers risk analysis**

<b>Proposal</b>	<b>Risks</b>	<b>Benefits</b>	<b>Available under current Fisheries Act</b>	<b>Compared to current right</b>
Protect specific interests	Giving consideration to compensating commercial fishers may prove a disincentive to commercial fishers agreeing.	There may be some areas set aside, but only if the Government is prepared to compensate commercial fishers.	Yes, plenty of area and method restrictions are already in place.  However MFish’s hands-off management style has led MFish to	?

		<p>What is the best use of Government funds? Ensuring the allocations are correct? Buying small areas of fishing space in depleted fisheries?</p> <p>What represents the maximum value there?</p> <p>If all the fisheries were managed at or above MSY would local area management of the type contemplated be required?</p> <p>Would marine reserves be required if management at or above MSY produced abundance?</p> <p>Would we need more customary local management tools such as mataitai reserves for fin fish if management at or above MSY produced abundance, or would Maori be able to focus mataitai where most effective, like shellfish, crayfish, paua, scallops, mussels, kina, pipi, tuatua, cockles (tuangi)?</p>	<p>be reluctant to address fundamental issues that could easily be resolved if MFish realised how powerful input controls can be at resolving fisheries issues and improving the value of fisheries for all New Zealanders.</p> <p>If the MFish could concentrate on actually managing fisheries in a way that would maximise the returns while minimising waste, significant gains in productivity and co-operation between commercial fishers, and customary and recreational fishers are likely results.</p>	
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**Proposal C: Create area-based fisheries plans appropriate to shared fisheries issues**

Fisheries plans could be developed under current processes to cover all shared fisheries within nominated areas such as the Hauraki Gulf, Bay of Islands and Kaipara Harbour. This approach would take significant time and commitment from all those involved, including MFish. However, it would allow for more comprehensive management, including negotiated trade-offs that could increase the value obtained from the fishery.

[80] The success of Fisheries Plans where one sector is significantly over-allocated, and the other sector has been allocated on the basis of current utilisation in a depleted fishery is doubtful.

**Area Based Fisheries Plans – Proposal C - Recreational fishers risk analysis**

<b>Proposal</b>	<b>Risks</b>	<b>Benefits</b>	<b>Available under current Fisheries Act</b>	<b>Compared to current right</b>
Fisheries Plans	<p>Fisheries Plans that will further stretch resources of recreational fishers to enable participation.</p> <p>Recreational fishers may have insufficient allocation to meet their needs, and the fishing industry with surplus quota.</p> <p>What ‘bargaining chip’ will recreational fishers have to achieve a resolution?</p> <p>Buying fish quota from commercial fishers may well require a compulsory licensing scheme, and with the price of fish quota licenses will likely be expensive.</p> <p>Many recreational representatives have tried formulating fisheries plans with the fishing industry in wild fish stocks i.e. Snapper 1. Despite best efforts over a number of years, none are in place.</p>	<p>May be valid in artificially enhanced fisheries.</p> <p>Seems to work in scallop 7, and may work in paua fisheries after the technology has been perfected.</p>		?

	<p>Presently available under the FA are multi-fisheries plans that may cover more than a single quota management area, and single fisheries plans that include resolving allocation issues&gt;</p> <p>MFish now proposes area based fisheries plans.</p> <p>There are inadequate resources, financial or personnel wise, to engage effectively with the fishing industry in so many diverse processes.</p> <p>The priority for co-operative fisheries management in wild fisheries is first, the resolution of all outstanding issues discussed and fairly addressed in the Proportional Allocation paper – Document # 5</p>			
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