

# **NATIONAL POLICY FOR MARINE RECREATIONAL FISHERIES**

## **Introduction**

In New Zealand, where the majority of the population lives close to the sea, recreational fishing and shellfish gathering are popular pursuits. Recreational fishing occurs along most parts of the coast that are reasonably accessible by boat or car, being most intensive close to major urban areas in northern New Zealand.

Historically, management of recreational fishing has been designed to prevent amateurs from taking excessive quantities of seafood and from catching small or immature fish and shellfish. Current restrictions on amateurs include size limits, closed seasons, daily catch limits on the number of shellfish, rock lobsters and finfish, and limits on the amount or type of fishing gear that may be used.

Under the Fisheries Act 1908 there was little potential for active management of recreational fisheries. By contrast, the Fisheries Act 1983 provides for a more integrated approach to the management of New Zealand's fishery resources and for the balancing of the needs of different user groups including recreational, commercial and traditional users. Fishery management plans are being developed regionally for each Fishery Management Area to contain the management objectives and controls for each area.

The development and implementation of the Quota Management System for commercial fisheries has been an important step in improving long-term conservation and management of New Zealand's fishery resources. After allowing for non-commercial catches, this scheme introduces an upper limit or total allowable catch (TAC) on the amount of fish that may be taken by the commercial sector for most commercially important species. The TAC is allocated amongst fishers as Individual Transferable Quotas (ITQ). Each ITQ is, in effect, a tradable harvesting property right – a right to catch a certain quantity of fish each year. Fishers wishing to leave the industry or restructure their fishing operation are able to sell or trade their quotas. Collectively, the total of all ITQs cannot exceed the TAC for each species, effectively conserving the stocks.

The more urgent needs in the commercial sector have now been addressed through the Quota Management System. It is now appropriate to address other management needs such as marine recreational fisheries.

## **Purpose of the Marine Recreational Fisheries Policy**

This policy provides a national framework for the management of marine recreational fisheries by clearly stating the objectives of management and the means by which the Ministry of Agriculture and Fisheries (MAF) will achieve those objectives. Specific management objectives and measures will be developed for each region in Fishery Management Plans. Regional strategies for recreational fisheries will contain the detailed management proposals based on the techniques outlined in Section C of this policy. These include individual daily catch limits, closed areas and seasons, and gear restrictions.

## **Scope of Policy**

This policy applies to all marine recreational fisheries including fish, shellfish, rock lobsters and other invertebrates collected for food. It will also apply to species which are dependent for only part of their life cycle on the sea and may be caught either in marine or estuarine areas, for example grey mullet, eels and flounder. The policy will only apply to acclimatised species in areas outside the control of acclimatisation societies and wildlife conservancies.

The policy addresses both extractive and non-extractive recreational uses, including big-game fishing, tourist or charter fishing, diving and passively observing or photographing marine life. It also addresses fisheries of importance to local communities which depend on fish and shellfish as a significant source of food.

The needs of non-extractive users will also be met through the establishment of marine protected areas by the Department of Conservation. These may improve the quality of recreational fishing or, alternatively, allow greater control over certain recreational fishing activities where these are having an adverse impact on an area.

Maori fishery values are not specifically addressed in this policy. MAF recognises the special spiritual and cultural relationships between Maori, the sea and the food it provides. Many aspects of these relationships cannot be adequately addressed in a policy statement dealing with recreational fishing activities.

The recreational fisheries policy should be regarded as one part of an overall planning process to manage the fishery resources of New Zealand. This process will formulate policies and implement measures which also cover the other user groups.

## **Structure of the policy statement**

This policy comprises three parts:

**Part A** sets out the overall aim and national goals for fisheries management. These apply to all fisheries and user groups. The aspects of management addressed by the national goals are: resource and habitat conservation, allocation of the fishery resources, and the economic and social implications of management.

**Part B** sets out the national goal for management of recreational fishing, the three principles which are fundamental to the recreational fishing policy, the national objectives for management of recreational fisheries, and how they will be achieved.

**Part C** outlines management techniques appropriate for recreational fisheries and the criteria that will be used in their application.

## **A. NATIONAL AIM AND GOALS FOR FISHERIES MANAGEMENT**

### **AIM**

To ensure that the fishery resources of New Zealand are conserved and managed for the maximum benefit of the nation.

### **GOALS**

To conserve, protect and enhance living marine and freshwater resources and the habitats on which they depend.

To maximise the economic and social benefits from fisheries.

## **B. NATIONAL GOAL, OBJECTIVES AND POLICIES FOR MARINE RECREATIONAL FISHERIES**

### **NATIONAL GOAL**

#### **To maintain or improve marine recreational fisheries**

This recognises the importance of recreational fishing in New Zealand. Management of recreational fisheries needs to be active and incorporated in the overall management of New Zealand's fisheries resources as part of the fishery management responsibilities of the Ministry of Agriculture and Fisheries (MAF). In particular, there is a need to counter the adverse effects of over fishing on recreational fisheries. Fisheries which have not

been depleted by over fishing, must be managed to ensure opportunities for recreational fishing are maintained.

The following three principles form the basis of the policy on recreational fishing:

- **All New Zealanders can benefit from a well managed fishery resource.**  
Management of fishery resources must seek to balance social, cultural, environmental and economic costs and benefits arising from different uses.
- **Management of recreational fisheries should be consistent with the biological objectives of fisheries management.**  
Biological objectives of fisheries management include preventing depletion of fish stocks caused by over fishing, minimising wastage, reducing fishing mortality on juvenile fish and managing for long term sustainable yields from fish stocks.
- **The public has the right to reasonable recreational access to fishery resources.**  
The present rights of non-commercial fishers to fish in any waters will be maintained except where fishing activity needs to be restricted for conservation purposes or for public health and safety reasons. For example, restrictions on fishing may be necessary because of the state of fish or shellfish stocks, their ability to withstand harvesting pressure and seasonal variations in their condition or quality. Licensing of non-commercial users is considered inappropriate for marine recreational fisheries.

## **NATIONAL OBJECTIVES AND POLICIES**

### **National objectives:**

1. To ensure that recreational users have access to a reasonable share of fishery resources.
2. To ensure that the recreational portion of the resource is shared as equitably as possible amongst recreational users.
3. To improve, where possible, the quality of recreational fishing.
4. To reduce conflict within and among fishery user groups
5. To increase participation by recreational users in the management of recreational fishing.
6. To increase public awareness and knowledge of the marine environment and the need for conservation of fishery resources.
7. To improve management of recreational fisheries
8. To maintain current tourist fisheries and encourage the development of new operations where appropriate
9. To prevent depletion of resources in areas where local communities are dependent on the sea as a source of food.

The nine national objectives detailed with their policies are:

### **1. Allocation to recreational users**

#### **To ensure that recreational users have access to a reasonable share of fishery resources**

Allocation of fishery resources should reflect the most beneficial use of the resource. Historically, many fishery resources have supported recreational fisheries. This objective recognises the benefits of maintaining recreational fisheries by means of an allocation to recreational users. This allocation may take the form of a share of the sustainable yield or as areas which are set aside primarily for recreational fishing. For most inshore species allocation to the commercial sector is determined through the Quota Management System (by Total Allowable Catches allocated as Individual Transferable Quotas). Under the Fisheries Act 1983 the TAC which is available for commercial fishing is set only after allowing for Maori, traditional, recreational and other non-commercial interests in the fishery. Preference will be given to non-commercial fishing in areas readily accessible to and popular with the public, where a species is not sufficiently abundant to support both non-commercial and commercial fishing.

### **2. Allocation within recreational sector**

#### **To ensure that the recreational portion of the resource is shared as equitably as possible amongst recreational users.**

As well as allocating to commercial, recreational and other sectors of the fishery, it is important to ensure that the resource available to recreational users is shared as fairly as possible amongst them.

Individual daily catch limits will be used to promote a fair distribution of the available resource amongst recreational users and thus provide the right to a reasonable catch for each recreational fisher.

Restrictions on the amounts and types of fishing gear that may be used will be retained, or modified where appropriate, to prevent excessive quantities of fish or shellfish being caught. In certain areas, restrictions on the use of bulk fishing methods, such as set lines and nets, may be introduced

### **3. Quality of recreational fishing**

#### **To improve, where possible, the quality of recreational fishing**

The quality of recreational fishing is usually assessed in terms of the size of fish, their availability and hence the likelihood of fishing success. When assessing the availability of fish and shellfish, both distribution and local abundance are important.

The quality of many recreational fisheries has declined in recent years as a result of the depletion of fish stocks. In some fisheries the average size of fish caught has declined with increasing fishing pressure.

MAF will maintain and, where practicable, improve the quality of recreational fishing by means of the following:

- ❑ Where desirable, fisheries will be managed to provide for an increase in the average size of fish. This will involve the use of minimum legal sizes and appropriate gear restrictions to reduce catches of small fish or shellfish.
- ❑ The abundance of fish will be improved by the restriction of commercial catches to sustainable levels (or lower levels to allow rebuilding of stressed stocks) through the use of Total Allowable Catches.
- ❑ Restrictions on commercial and/or recreational fishing activities may be used in areas of particular importance for recreational fisheries.
- ❑ Fishery habitats will be protected to ensure maintenance of resources and fishing grounds.

#### **4. Conflict between user groups**

##### **To reduce conflict within and among fishery user groups**

MAF will identify major areas of conflict between user groups and will encourage the resolution of those conflicts through consultation and the implementation of appropriate management.

Conflict between fishery user groups varies with different fisheries. Examples of frequent types of conflict are:

- ❑ Some commercial methods may cause local depletion of fish stocks in areas important to recreational users and thus may detrimentally affect recreational fishing.
- ❑ Physical gear conflicts may arise between commercial and non-commercial fishing activities in areas subject to intensive fishing.
- ❑ Conflict may arise within the recreational sector, for example between extractive and non-extractive users.
- ❑ Conflict may arise between recreational and other resource users, for example reclamations, mining, forestry, marine farming.

Conflict resolution is a key issue in the allocation and management of resources. The considered use of a range of allocation measures, rather than simply zoning either “in” or “out”, is seen as the wisest approach. Conflicts between competing users may be simply resolved by mutual understanding or may require the selective use of time, method or area separations.

## **5. Public participation in management**

### **To increase participation by recreational users in the management of recreational fishing.**

Measures which will have an impact on either commercial or recreational use of fishery resources must have wide publicity and debate. The present network used for consultation by MAF in the fishery management planning process includes both regional and local committees.

Currently there are five regional fishery management advisory committees (FISHMACs) made up of representatives appointed by the Minister, including members representing commercial, processing, wholesaling, retailing, recreational, Maori and consumer interests. There are also over 20 sub-regional fisheries liaison committees throughout the country which are made up of representatives chosen by the user groups themselves. These provide a more local perspective than the regional committees, and also have representation from both commercial and non-commercial users.

MAF will continue to seek the active involvement of recreational user groups in the management of recreational fisheries. MAF will investigate ways of further improving opportunities for public consideration of and input into management proposals affecting recreational fisheries. The existing consultative network will be maintained and, where possible, improved.

## **6. Education**

### **To increase public awareness and knowledge of the marine environment and the need for conservation of fishery resources.**

Fisheries resources are limited and the level of harvest may need to be restricted to ensure conservation of the resource. The success of controls on recreational fishing will depend largely on the degree of public acceptance. Therefore it is important to explain the need for controls and the way these will be achieved to management objectives.

MAF will encourage better understanding of the objectives of fisheries management and the ways in which they may be achieved by:

- Improving the availability of information for the public on fisheries resources and their management
- Publicising the management measures relating to recreational fishing and the reasons for controls.
- Developing active educational programmes to promote awareness of the marine environment and the need for conservation.

## **7. Improved management of recreational fisheries**

### **To improve management of recreational fisheries**

In the past, lack of information has often inhibited management of recreational fishing. MAF will develop regional programmes for further investigation of recreational fishing. Through these programmes MAF will:

- Obtain baseline data on habitat, resources, recreational catch and catch rates, and monitor changes so that the impact of commercial and recreational fishing on fishery resources can be measured.
- Identify the needs of recreational users, including non-extractive users.
- Assess the economic significance of recreational fisheries

In the past, measures were generally introduced to reduce catches from stressed stocks or to protect juvenile fish and shellfish. In the future these resources will be managed more actively by setting objectives for recreational fisheries and implementing strategies to achieve these objectives.

MAF will address the needs of recreational users on a regional basis through Fishery Management Plans. In developing management systems for recreational fisheries MAF will promote controls which are simple and, as far as practical, consistent throughout New Zealand.

## **8. Tourism**

### **To maintain current tourist fisheries and encourage the development of new operations where appropriate**

To date, the development of tourist operations based on marine fisheries has been limited to a few areas (for example big game fishing in Northland and the Bay of Plenty, fishing in the Marlborough Sounds, and dive charter operations in various parts of New Zealand). There is potential for greater development of these and other types of charter fishing operations catering for both domestic and overseas tourists. These will provide alternative and additional sources of economic benefits from New Zealand's fishery resources.

MAF will endeavour to maintain existing tourist fisheries where there are good economic reasons for doing so. MAF will also investigate, in conjunction with relevant authorities and interests, areas proposed by the tourist industry as having potential for the development of tourist fishing operations. In investigating proposals MAF will consider:

- The economic value of tourist fishing;
- Changes to current management practices that would be necessary or desirable to protect and develop tourist fishing;
- The impacts on current fishing activities from any changes in the management regime.



Techniques which could be used to provide for tourist fishing requirements include the selective exclusion of fishing methods from certain areas. Any areas promoted for tourist-fishing purposes will remain open to other recreational users using appropriate methods.

Tourist operations centred on non-extractive users will be catered for mainly by the establishment of marine reserves in which no fishing will generally be permitted. In addition, restrictions on fishing may be introduced in other areas of potential tourist value to protect marine life of special interest to people engaging in passive observation, diving and photography.

## **9. Prevention of depletion in local areas**

### **To prevent depletion of resources in areas where local communities are dependent on the sea as a source of food.**

In many coastal parts of New Zealand, small isolated communities are dependent to a significant degree on locally caught fish and shellfish as a source of food. Depletion of these resources could adversely affect these communities.

MAF will identify areas containing important subsistence fisheries and consult with the local communities dependent on those fisheries so that their concerns can be taken into account. Where local communities are significantly dependent on fish or shellfish as a source of food, MAF will seek ways of maintaining the local availability of these resources.

## **C. MANAGEMENT TECHNIQUES FOR MARINE RECREATIONAL FISHERIES**

Techniques that may be used for managing recreational fisheries and their purposes are outlined below. Criteria which will be used in the application of these techniques are also outlined.

### **1. Catch limits.**

Daily catch limits are currently imposed on all shellfish species commonly taken by amateurs, most finfish species, on rock lobsters and on kina.

Amateur catch limits serve the following purposes:

- ❑ To ensure the resource is shared more equitably amongst users whilst allowing for each fisher to take a reasonable catch
- ❑ To reduce pseudo-amateur fishing

- ❑ To encourage responsibility amongst recreational users to conserve the resource and to prevent the wastage of surplus catch.
- ❑ To prevent local depletion of stocks and so improve the quality of fishing.

The following criteria will be used in determining daily catch limits:

- ❑ Daily catch limits should allow each fisher to take a reasonable catch but should not encourage wastage or commercialism
- ❑ In stressed fisheries, it may be necessary to set lower daily limits to allow for stock rebuilding. Where stock levels are very low and the fishery is primarily recreational, the fishery may need to be closed to all users until stocks rebuild.
- ❑ Reasonable consistency in daily catch limits throughout New Zealand will be maintained while recognising regional management needs
- ❑ The fishing method usually used to catch a particular species. For those species normally caught by net, a low daily quota may result in wastage when a greater number of fish are caught and have to be returned dead to the sea.

## **2. Closed areas**

Closure of areas may apply to commercial and/or recreational fishing and may be selective as to method or species.

They may be established under the Fisheries Act promulgated by MAF or the Marine Reserves Act administered by the Department of Conservation and will serve one or more of the following purposes:

- ❑ To provide refuge areas for small fish or protect fish and shellfish at other vulnerable stages of the life cycle.
- ❑ To maintain areas in a natural state for non-extractive users.
- ❑ To reduce conflict between user groups
- ❑ To improve the quality of recreational fishing
- ❑ To protect important fish habitats

The Ministry of Agriculture and Fisheries will liaise with the Department of Conservation to assist in the establishment of Marine Protected Areas. The Fisheries Act 1983 allows for closure of areas through fisheries regulations. These regulations are given effect and can be removed by the Minister of Fisheries. Closures under the Marine Reserve Act require declaration by the Governor-General following an Order in Council. Marine reserves are generally held to be established in perpetuity.

The Fisheries Act rather than the Marine Reserves Act will be used to close areas where greater flexibility in management is important or where the primary purpose of the closed areas is to reduce significant conflicts between the recreational and commercial sectors. The types of restrictions on fishing will depend on the type of conflict.

### **3. Gear restriction.**

Current restrictions on the fishing gear used by amateurs include minimum mesh sizes for nets and limits on the size, amounts of type of gear that may be used, or the way in which it may be used. MAF will retain gear restrictions for the following purposes:

- ❑ To avoid wastage of fish by bulk catching methods
- ❑ To protect small fish
- ❑ To prohibit techniques which are damaging or non-selective
- ❑ To prevent local depletion of fish and shellfish stocks

Changes to current restrictions will be considered where they are not effective or where other controls will achieve the above objectives. Major changes to the type of gear used, for example mesh size for set nets, will only be introduced where they are likely to have substantial benefits for the fishery.

### **4. Size limits**

Minimum legal size limits are prescribed for a number of fish and shellfish species:

- ❑ To protect small fish and thereby increase the sustainable yield from the resource (consistent with objectives for the overall management including the commercial fisheries).
- ❑ To ensure an adequate spawning stock is available for future recruitment needs
- ❑ To improve the quality of fishing by:
  - Increasing the average size of the fish or shellfish caught where appropriate, and
  - Ensuring the fish or shellfish of an attractive edible size are available to recreational users.

### **5. Closed seasons**

Closed seasons are currently used for a limited number of fish and shellfish species. They may serve one or more of the following purposes:

- ❑ To protect the species when it is particularly vulnerable to fishing (for example, soft shelled or egg carrying rock lobsters).
- ❑ To ensure the resource is harvested when it is in optimum condition
- ❑ To restrict the total catch of stressed stocks.

## **IN CONCLUSION**

Recreational fisheries are part of our national heritage. The first responsibility of Government, recreational fishers and individual citizens, is to ensure their protection and perpetuation. Others who follow us will benefit from what we do today. Protecting these fisheries and their habitats, promoting responsible use of the resources and maintaining and developing recreational opportunities makes sense for us and for future generations.

In recognising the importance of the marine recreational fisheries, this policy provides a starting point for a cooperative approach between Government and resource users to work together to realise the potential of these national resources.

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