

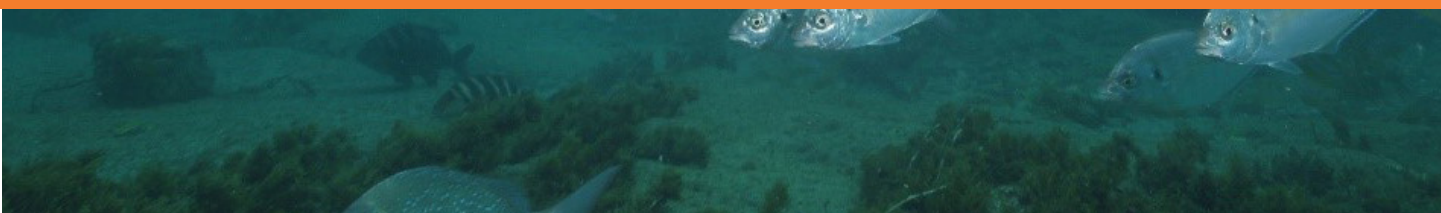


Fisheries New Zealand

Tini a Tangaroa

Hauraki Gulf Fisheries Plan

August 2023



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Contents

Minister's Foreword	3
1. Overview of the Hauraki Gulf Fisheries Plan	4
1.1 Purpose and Scope	4
1.2 Rationale	5
1.3 Legal Status	5
1.4 Structure of the Hauraki Gulf Fisheries Plan	5

Part A: Strategic Context and Framework

2. Strategic context	7
2.1 Strategies, Standards and Policies	7
2.2 Fisheries Change Programme	8
2.3 Advancing ecosystem-based fisheries management	8
3. Strategic Framework	10
3.1 National Inshore Finfish Fisheries Plan and other fisheries plans	10
3.2 Research planning	10
3.3 Hauraki Gulf Fisheries Plan management structure and desired outcomes	11
4. Implementing the Plan	12
4.1 Statutory processes	12
4.2 Annual Planning Framework	12
4.3 Annual Operational Plan	12
4.4 Annual Review Report	12
4.5 Annual planning with tangata whenua	13
4.6 Hauraki Gulf Fisheries Plan Advisory Group	13
4.7 Monitoring and evaluation	13
4.8 Integrated management of the Hauraki Gulf marine environment	13
5. Legislative Context	14
5.1 The Fisheries Act 1996 (The Act)	14
5.2 Treaty of Waitangi Settlement obligations:	14
5.3 Hauraki Gulf Marine Park Act 2000	15
5.4 Other domestic legislation	15

Part B: Management Objectives & Management Actions

6. Management Objectives	17
7. Management Actions	18
7.1 Achieving healthy, functioning aquatic ecosystems that support sustainable fisheries.	18
7.2 Working towards fisheries resources being at levels which meet the needs of treaty partners and stakeholders	20
7.3 Achieving inclusive and integrated regional participation in the governance of fisheries	22
Appendix One List of fisheries settlement protocols relevant to the Hauraki Gulf	24



Minister's foreword

As we continue to face significant environmental challenges and the need for ongoing sustainable management of our marine resources, I am excited to present this fisheries plan specific to the Hauraki Gulf Marine Park/Tikapa Moana/Te Moananui-ā-Toi: *The Hauraki Gulf Fisheries Plan*.

The Gulf is a precious taonga (treasure) in need of action and strong leadership to reverse many decades of environmental decline. A vital and diverse ecosystem for many fish species, marine mammals and seabirds, the Gulf is culturally and spiritually significant to tangata whenua and supports important customary, recreational and commercial fisheries.

In 2021, the Government released its strategy *Revitalising the Gulf: Government action on the Sea Change Plan* (Revitalising the Gulf); a package of integrated marine conservation and fisheries management actions to improve the waiora and mauri (health and life force) of the Gulf.

A key part of *Revitalising the Gulf* is recognition of the need to improve the way we manage fisheries in this unique part of the country. The *Hauraki Gulf Fisheries Plan* is Aotearoa New Zealand's first area specific fisheries plan. It is a significant step towards fulfilling our fisheries management commitments in *Revitalising the Gulf* and sets out actions that will preserve our precious marine ecosystems while supporting the prosperity of our fisheries for generations to come.

For the Gulf, the traditional single-species approach to fisheries management has not served us well in the face of complex ecological interdependencies. This Plan embraces an ecosystem-based approach tailored to the unique challenges in the Gulf, and demonstrates our commitment to taking a holistic, adaptive, and evidence-based view of the marine environment, including all the ways it is valued by the people who use it. The Plan contains important and complementary actions to reduce the impact of fishing on the marine environment, improve our understanding and management of fish stocks, and increase tangata whenua and local community participation in fisheries management. A key action is to protect marine benthic habitats from the adverse effects of bottom contacting fishing methods. We will help deliver this objective by excluding bottom trawling and Danish seine fishing from the Gulf except within carefully defined 'bottom fishing access zones' that present lower risks to biodiversity. The size and placement of these zones will be publicly consulted on in late 2023 and I encourage you to have your say.



The Plan takes an integrated approach to managing the complex issues that affect the mauri of the Hauraki Gulf, including working with local government on land-based impacts and the Department of Conservation on biodiversity protection. In doing so, it acknowledges that the wellbeing of marine ecosystems and the sustainable use of fisheries are intrinsically linked.

I would like to thank our Treaty Partners and the multi-stakeholder Hauraki Gulf Fisheries Plan Advisory Group for their dedication and collaborative input into shaping the Plan. I also acknowledge the tireless efforts of officials from the Ministry for Primary Industries, Fisheries New Zealand, and the Department of Conservation in supporting the Advisory Group and preparing the Plan.

As we implement this ecosystem-based approach, we must be mindful of the need for ongoing partnership, collaboration, transparency, and adaptive management. I believe this Plan establishes a strong foundation for future improvements and, together with other integrated workstreams from *Revitalising the Gulf*, can help restore the waiora and mauri of the Gulf so many generations to come can continue to enjoy this precious taonga. Let us take bold steps towards a future in which thriving marine ecosystems and thriving coastal communities go hand in hand.

Hon Rachel Brooking
Minister for Oceans and Fisheries

1. Overview of the Hauraki Gulf Fisheries Plan

1.1 Purpose and scope

This Hauraki Gulf Fisheries Plan (the Plan) sets long-term outcomes to guide the management of fisheries in the Hauraki Gulf Marine Park over the next five years. Management objectives and associated management actions describe the goals and discrete steps that will be taken over the next five years to achieve these desired

outcomes, using the tools and associated regulations under the Fisheries Act 1996 (the Act).

The Hauraki Gulf Marine Park (herein referred to as the Hauraki Gulf) refers to the area of water within the Hauraki Gulf Marine Park Boundary as defined in the Hauraki Gulf Marine Park Act 2000 (Figure 1).

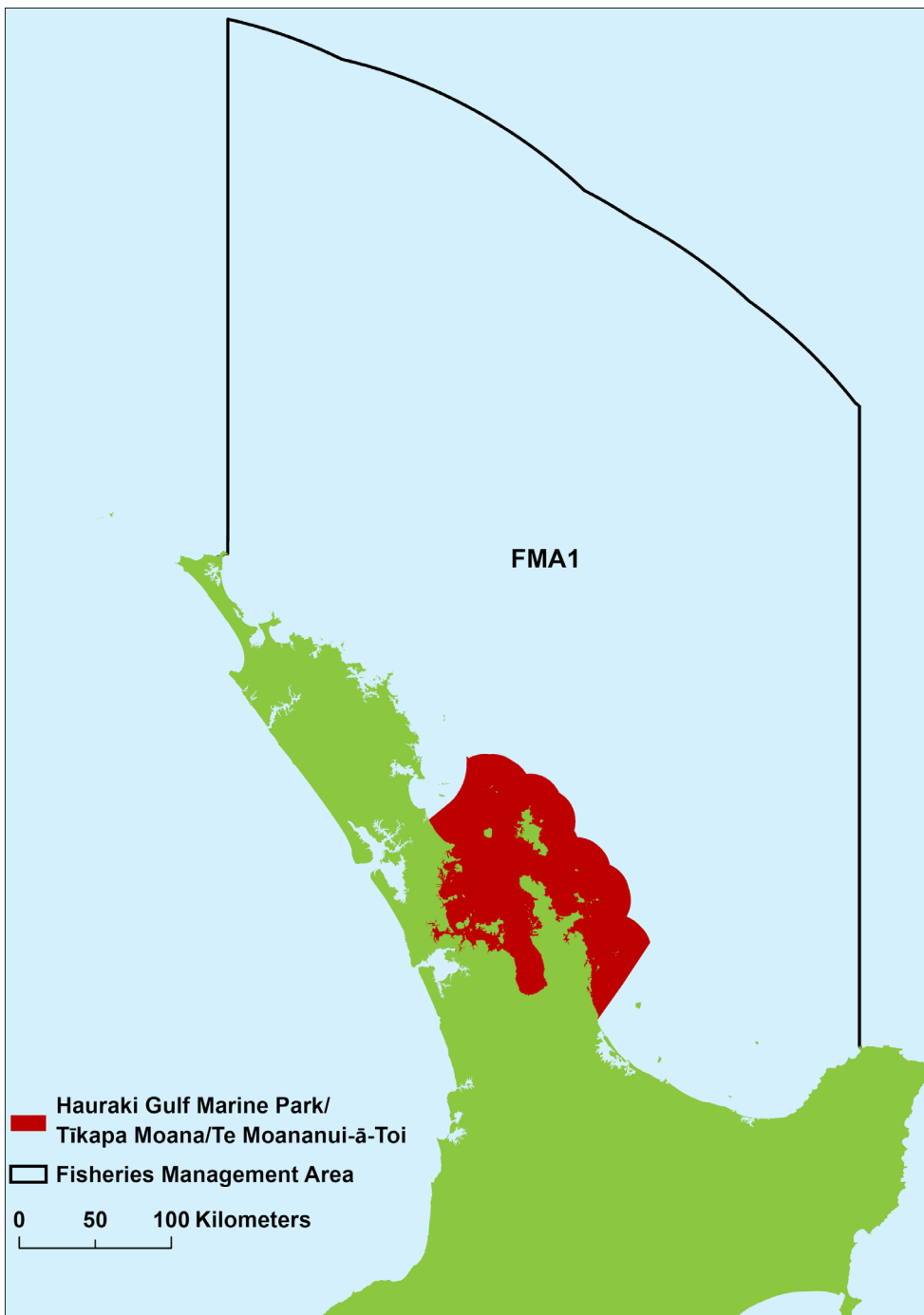


Figure 1. Map of Fisheries Management Area (FMA) 1 and the Hauraki Gulf Marine Park

1.2. Rationale

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

1.3. Legal Status

This Plan is an approved Fisheries Plan under s11A of the Act, and as such must be considered by the Minister for Oceans and Fisheries (the Minister) before deciding to set or vary a sustainability measure or make any decision or recommendation under the Act to regulate or control fishing.

1.4. Structure of the Hauraki Gulf Fisheries Plan

This Plan consists of two parts. Part A outlines the Strategic Context and Framework that will shape and influence delivery of the Plan as well as the long-term desired outcomes sought by the plan. Part A should be viewed as guidance to the implementation of the Plan through Part B. Part B describes the management objectives and management actions, or the goals and discrete steps that will contribute towards achievement of the long-term desired outcomes.

Part B is the part of the Plan approved under s11A of the Act by the Minister and is therefore a mandatory consideration for the Minister when setting or varying any sustainability measure under Part 3 of the Act or making decisions or recommendations to regulate or control fishing.



PART A: **Strategic context** **and framework**



2. Strategic context

2.1. Strategies, Standards and Policies

There are strategies, standards and policies that provide direction on how obligations under relevant legislation will be met. Table 1 summarises those that have particular relevance to the management of fisheries in the Hauraki Gulf.

The Plan's management objectives, management actions and annual planning processes are designed to be consistent with these strategies, standards and policies. Where there are specific actions that need to be undertaken to deliver on their commitments, these will be reflected in the management actions in this Plan and will inform prioritisation of management actions in the Annual Planning Framework (described in section 4).

Table 1: Key strategies, standards and policies in operation

Fisheries New Zealand Treaty Strategy	Developed and agreed with Iwi and Māori and provides for input and participation, and consultation processes to meet Treaty obligations and legislative requirements.
Harvest Strategy Standard	A policy statement of best practice for setting targets, limits and/or thresholds for fishing mortality for fish stocks in the Quota Management System. It is intended to provide guidance on the application of fisheries law by establishing a consistent and transparent framework for decision-making to achieve the objective of providing for utilisation of New Zealand's Quota Management System species while ensuring sustainability.
Quota Management System Introduction Process Standard	Sets out a process for Fisheries New Zealand to identify stocks or species to be considered for Quota Management System introduction.
Regional Coastal Plans	Developed by regional councils to assist them to carry out their functions in order to achieve the sustainable management purpose of the Resource Management Act. Regional councils have the purpose of protecting biodiversity and this could include some controls on fishing activity, although this excludes controls on customary fishing conducted under regulations made under the Fisheries Act 1996.
National Plan of Action for Seabirds	Known as the NPOA-seabirds, and last reviewed in 2020, it sets out the New Zealand Government's commitment to reducing fishing-related captures and associated mortality of seabirds. It explains the rationale for the plan and then sets out what the plan intends to achieve, how the plan will be implemented and how its achievements will be measured and reviewed.
National Plan of Action for Sharks	Known as the NPOA Sharks, and last reviewed in 2022, it sets five-year goals and objectives, for maintaining the biodiversity and the long-term viability of all New Zealand shark populations.
Snapper 1 Management Plan	Sets out a rebuild plan and a range of measures to increase the snapper population in the SNA 1 fishery.
Revitalising the Gulf: Government Action on the Sea Change Plan	Published in 2021, <i>Revitalising the Gulf</i> is the Government's strategy in response to the call for action made by the stakeholder-led Sea Change Tai Timu Tai Pari Hauraki Gulf Marine Spatial Plan. The development of Revitalising the Gulf was supported by advice from an independent Ministerial Advisory Committee and feedback received through iwi and stakeholder engagement. Revitalising the Gulf provides a roadmap for delivering fisheries management and marine conservation actions in the Hauraki Gulf.

2.2. Fisheries Change Programme

When the Quota Management System (QMS) was introduced it was seen as a bold and innovative system that set a new international standard for effective and efficient fisheries management. Aimed at conserving New Zealand's fisheries resources and improving the economic efficiency of the industry; the QMS continues to underpin how fisheries in New Zealand are managed, providing a foundation for fisheries management now and into the future. It is also central to the delivery of the redress to settle all Treaty claims in respect of fisheries managed under the Fisheries Act 1996 (and any subsequent legislation).

It is important that we continue to build on these foundations by ensuring fisheries management is effective, agile and can adapt to changing circumstances. Developments in technology and the understanding of Māori rights secured by the Treaty of Waitangi and settlement agreements, consumer expectations, and our scientific understanding of wild fisheries and the impacts of fishing on the wider aquatic environment are driving a need for continuous improvement.

The partnership between the Crown and tangata whenua in the management of fisheries and the importance of fisheries to providing economic, cultural and social outcomes for iwi is central to how Fisheries New Zealand manages fisheries. This is alongside the need to ensure our fisheries continue to be sustainable, deliver the greatest overall benefit to all New Zealanders, and that the management and utilisation of fisheries resources does not compromise the health of the marine environment. Equally, New Zealanders are demanding greater transparency and improved performance from our management systems, and at the same time, stakeholders and local communities want greater involvement in how local resources and the marine environment are managed.

Recent changes currently underway as a part of the Fisheries Change Programme have modernised the way we manage inshore fisheries. This includes several regulatory changes and introduction of new technologies, such as electronic catch and geospatial position reporting and on-board cameras that will improve the way we will

manage inshore fisheries. We are also exploring new approaches to managing fisheries at a local scale, evidenced by this Plan, New Zealand's first area-based fisheries plan, to manage fisheries within the Hauraki Gulf.

Supporting new, innovative and more environmentally sustainable fishing methods and technologies has also been identified for further development. Facilitating advancement in these areas has the potential to improve selectivity and the quality of harvested fish, while reducing adverse impacts on incidentally caught fish, protected species and the wider marine environment.

Fisheries New Zealand is committed to continuing to adapt and improve our services to deliver better outcomes in the public interest. This will keep us abreast of advances being made internationally, and deliver enhanced outcomes from social, cultural, economic and environmental perspectives.

2.3. Advancing ecosystem-based fisheries management

Further to the changes described above, this Plan adopts new approaches to advance ecosystem-based fisheries management (EBFM) in the New Zealand context to the extent that this is compatible with the Act. This reflects trends in international best practice for fisheries management.

EBFM seeks to optimise benefits among a diverse set of societal goals while maintaining the productivity, resilience and sustainability of ecosystems. Importantly, it considers ecosystems as a whole, recognising the physical, biological, economic, and social interactions among fisheries and associated components of the ecosystem, including people. It considers humans as integral parts of ecosystems and aims to integrate a wide range of values. In New Zealand, goals and actions associated with achieving EBFM are also required to be consistent with the provisions of the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992.

The Act enables this ecosystem-based approach to fisheries management. The environmental principles in section 9 refer explicitly to the maintenance of associated and dependent species (defined in the Act as "any non-harvested species taken or otherwise affected by the

taking of any harvested species”), maintenance of the biological diversity of the aquatic environment, and the protection of habitats of particular significance for fisheries management. Taken together these principles require decision makers to take into account the wider environment within which fishing occurs when making fisheries management decisions. This is within: 1) the preliminary provisions of the Act to act in a manner consistent with the provisions of the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992; 2) the broader purpose of the Act, in section 8, that refers to providing for the utilisation of fisheries resources while ensuring sustainability; and 3) the measures within the Act that support achievement of this purpose including section 11 sustainability measures and section 12 consultation obligations, including providing for the input and participation of tangata whenua.

Advancing EBFM, in a manner consistent with the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992, is expected to have a wide range of long-term benefits for the ecosystem and those that rely on and value it, including tangata whenua, stakeholders, communities and decision-makers. Management decisions will be made with a better understanding of the interconnectedness of fisheries, the

ecosystems that support them, and the communities that benefit from them. EBFM also facilitates more transparent distribution of benefits across users by balancing cultural, social, economic and ecological values.

The New Zealand Government has made several commitments in relation to EBFM, both domestically and internationally, including in the Fifth National Report to the United Nations Convention on Biological Diversity and in Te Mana o te Taiao – The Aotearoa New Zealand Biodiversity Strategy 2020. This should also be considered alongside the range of other international commitments entered into by the New Zealand Government including the United Nations Declaration on the Rights of Indigenous People and the United Nations Convention on the Law of the Sea.

The development of EBFM is an active focus for Fisheries New Zealand, and as we move along the pathway to implement EBFM we will continue to test new approaches. Implementing EBFM is a journey that is likely to evolve over time and progress will occur over the life of this Plan and beyond.



3. Strategic Framework

3.1. National Inshore Finfish Fisheries Plan and other fisheries plans

The National Inshore Finfish Fisheries Plan provides the strategic direction and overarching framework for the management of inshore finfish fisheries over the next five years (Figure 2).

It identifies key principles and priority focus areas that will guide fisheries management activities for inshore finfish fisheries. Management objectives then provide clarity and certainty as to how each of the focus areas will be achieved.

Key Focus Area 4 specifically describes actions to improve local fisheries, which includes implementing actions contained in *Revitalising the Gulf: Government Action on the Sea Change Plan* (of which this Plan is a key deliverable for fisheries management), developing a management framework and tools to support local area fisheries management and identifying, developing and trialling management tools, processes and systems to progress further development and implementation of EBFM.

Whilst the Hauraki Gulf Fisheries Plan is a standalone document, it will adopt the same annual planning framework described in the National Inshore Finfish Fisheries Plan, (also described in section 4 of this Plan).

The National Inshore Finfish Fisheries Plan will also help inform the prioritisation and implementation of the management actions and objectives in this Plan as they relate to inshore finfish, particularly those management actions that are national scale initiatives (denoted by an asterisk next to the relevant management action in section 7).

Where iwi fisheries plans exist within the Hauraki Gulf, delivery of management actions within them will be incorporated into the annual planning framework, at a regional Hauraki Gulf or national scale where appropriate.

The Ministry for Primary Industries also has legally binding protocols with iwi governance entities. These protocols focus on iwi participation in planning processes and the incorporation of the objectives set out in Iwi Forum Fisheries Plans into the planning and management framework. They also specify the principles which will apply when consultation is to be undertaken with those iwi governance entities. A summary of protocols for the Hauraki Gulf is included in Appendix One.

3.2. Research planning

Research needs will be identified through the Hauraki Gulf Fisheries Plan annual planning framework described in Section 4. This research will feed into the national fisheries research planning framework and be subject to national prioritisation processes.

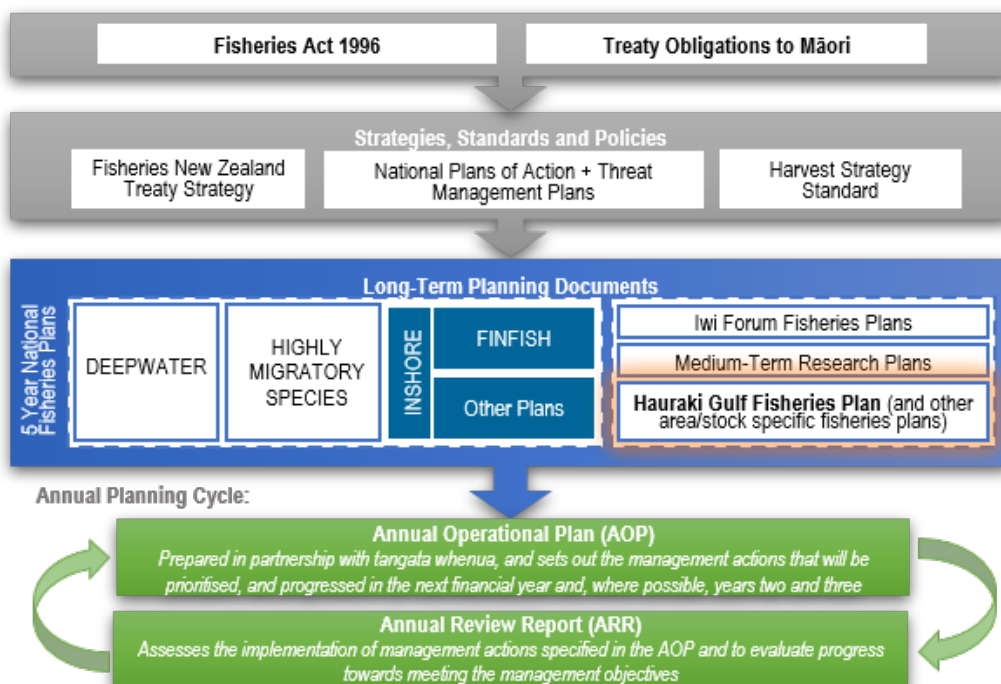


Figure 2. Situating the Hauraki Gulf Fisheries Plan within the national fisheries planning framework

3.3. Hauraki Gulf Fisheries Plan management structure and desired outcomes

This Plan employs a hierarchical structure of desired outcomes, management objectives, and management actions (Figure 3). Each desired outcome has a set of

management objectives or interdependent goals that must be achieved to deliver the outcome and each management objective is underpinned by management actions; the specific and discrete steps that will be taken to achieve each management objective. These management objectives and management actions signal the focus for fisheries management in the Hauraki Gulf over the next five years.

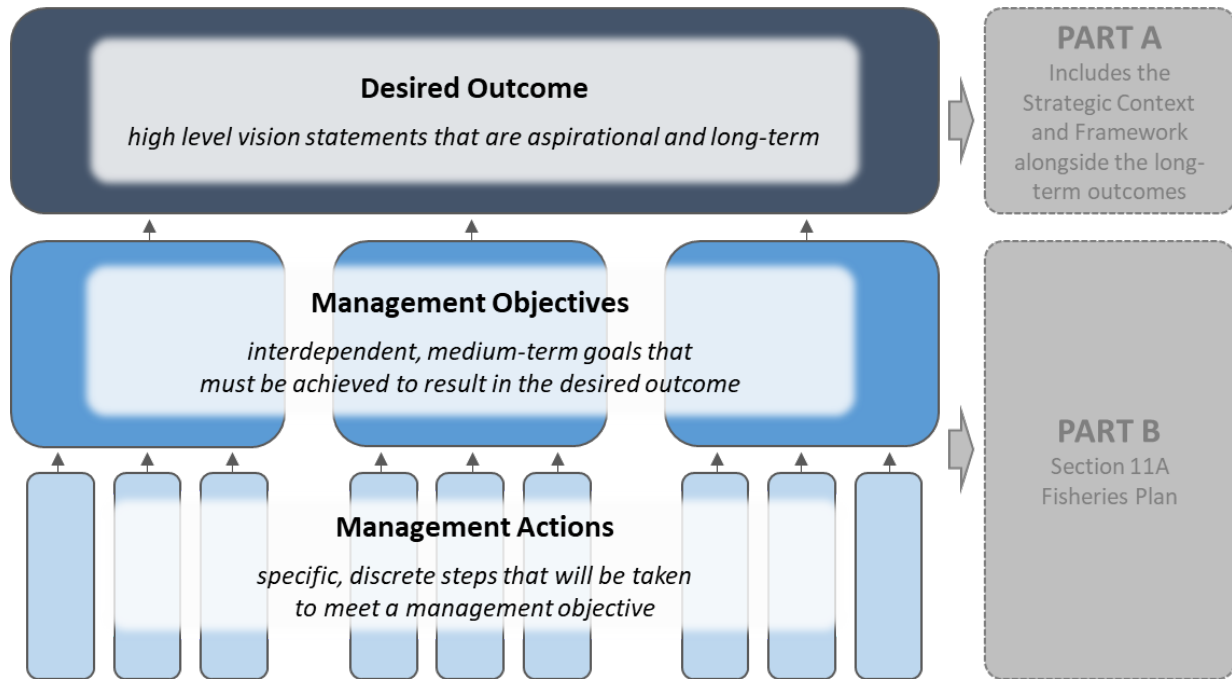


Figure 3. Hierarchical management structure showing the relationship between desired outcomes, management objectives and management actions

The Plan has three desired outcomes, described below, which encompass environmental, sustainable utilisation and governance outcomes. These are aspirational and long-term, high-level vision statements that together

represent the desired state of the Hauraki Gulf. They provide guidance for the setting and implementation of the management objectives and management actions.

1. Healthy, functioning aquatic ecosystems that support sustainable fisheries.

A healthy aquatic ecosystem is one that supports the ongoing biological productivity of its components 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 which meet the needs of Treaty partners and stakeholders.

Fisheries resources are managed to customised abundance levels and abundance targets that account for the needs of those with an interest in the resources. For fisheries resources that are of importance to tangata whenua and the recreational sector at the regional Hauraki Gulf scale, higher targets may be appropriate.

3. Inclusive and integrated regional participation in the governance of fisheries.

Governance structures will support Fisheries New Zealand and tangata whenua to work in partnership on the setting of management objectives and management actions and prioritisation of resourcing and will provide greater opportunities for regional stakeholders to input into the management of fisheries resources, at the regional Hauraki Gulf scale. Coordination with the Department of Conservation, local and regional councils, the Hauraki Gulf Forum, and other government agencies will be integrated into fisheries management efforts for the Hauraki Gulf.

4. Implementing the plan

4.1. Statutory processes

Implementation of many of the management actions contained in the Plan will require statutory processes to be followed during implementation. Final decisions in relation to these management actions can only be made once these processes have occurred.

4.2. Annual Planning Framework

The Plan will be implemented using an annual planning framework (Figure 4.). This framework generates two key 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 broader inshore fisheries management services and annual planning, including that of the National Inshore Finfish Fisheries Plan. Operational delivery of the Plan will also be underpinned by Treaty Partnership and will ensure obligations to Māori are met, including providing opportunities for tangata whenua input and participation. It will also provide for stakeholder engagement, including through the Hauraki Gulf Fisheries Plan Advisory Group (described further in section 4.6).

4.3. Annual Operational Plan

For each year of the Plan's lifecycle, an AOP will be prepared in partnership with tangata whenua, which sets out the management actions from this Plan that will be

prioritised, and progressed in the next financial year, and, where possible, years two and three.

Fisheries New Zealand must operate within available resources, therefore management actions for delivery in an AOP will be prioritised each year. Priorities will be determined in partnership with tangata whenua and will be informed by advice from the Hauraki Gulf Fisheries Plan Advisory Group, and through broader stakeholder engagement as part of the annual planning cycle to understand relative priorities, and gaps identified through the ARR.

4.4. Annual Review Report

An ARR will be prepared each year to assess the implementation of management actions specified in the AOP and to evaluate progress towards meeting the management objectives outlined in the Plan.

The ARR process also helps to identify gaps in performance and identify emerging issues for further analysis. This in turn informs the prioritisation of management actions for the subsequent AOP and the identification of new management actions for inclusion in the Plan.



Figure 4: Fisheries New Zealand Annual Planning Cycle

4.5. Annual planning with tangata whenua

Fisheries New Zealand has statutory obligations to provide for the input and participation of tangata whenua and to engage with organisations and representatives of Māori, that hold or exercise Māori rights and interests in fisheries resources, in accordance with the principles of the Treaty of Waitangi.

To meet those responsibilities Fisheries New Zealand has provided for the input and participation of tangata whenua in the development of the Plan and will provide for the input and participation of tangata whenua, at key points of the annual planning cycle, which includes:

1. sustainability measures;
2. the approval and amendment to fisheries plans;
3. decisions affecting customary non-commercial interests of tangata whenua;
4. policy and management measures that affect fisheries; and
5. the prioritisation of management actions during annual planning processes.

4.6. Hauraki Gulf Fisheries Plan Advisory Group

Fisheries New Zealand has established a Hauraki Gulf Fisheries Plan Advisory Group (Advisory Group) to discuss, provide advice and make recommendations on the prioritisation and delivery of management actions in the Plan to achieve the associated management objectives and desired outcomes.

This will include input into sustainability round prioritisation and management decisions, input into annual research planning and discussions on the management of the effects of fishing on the aquatic environment, as they relate to the Hauraki Gulf, whilst considering and where possible minimising unintended or negative consequences of decisions to areas outside of the Hauraki Gulf. The Advisory Group will also support a review of the Fisheries Plan in five years.

The purpose of the Advisory Group is to:

- serve as a collaborative forum to support finalisation of the Hauraki Gulf Fisheries Plan, monitor its implementation and evaluate its success;
- facilitate cross-sectoral identification, discussion and development of solutions for fisheries management issues and research priorities in the Hauraki Gulf; and
- provide for the collation of multi-sector advice to support fisheries management decision-making and inform ministerial advice.

This Advisory Group does not replace obligations under the Act to provide for the input and participation of tangata whenua or to consult with Māori representatives or organisations that hold or exercise Māori rights and interests. It also does not replace obligations to consult with persons or organisations having an interest in the fisheries or the effects of fishing on the aquatic environment in the Hauraki Gulf.

The Advisory Group will meet quarterly, and the meeting schedule will align with the annual planning framework and where possible with relevant iwi fisheries forum hui.

4.7. Monitoring and evaluation

Fisheries New Zealand is collaborating with Sustainable Seas National Science Challenge to co-develop a suite of fisheries system indicators (covering ecological, environmental, economic, cultural, and social elements and management aspects) to monitor fisheries resources and associated aquatic ecosystems as well as measuring the performance and effectiveness of management actions in the Fisheries Plan.

This collaboration has engaged with tangata whenua and stakeholders in the Hauraki Gulf (including recreational and commercial fishers, individuals with environmental interests, scientists, Government and Council representatives) to capture core principles for the co-development of this proposal and, ultimately, the indicator suite. Together this collaboration will undertake a co-development process to generate an indicator framework and a report detailing how that framework was formed.

These indicators will have practical utility providing an understanding of how the health of the Hauraki Gulf has changed in response to the management actions contained within this Plan and other EBFM strategies.

4.8 Integrated management of the Hauraki Gulf marine environment

Whilst Fisheries New Zealand manages fisheries resources and fishing activity under the Fisheries Act, there may be an overlap in management responsibility with other agencies (such as the Department of Conservation and regional councils) for the wider ecosystem, coastal marine management, and biodiversity protection.

The Plan looks to build and strengthen relationships with these agencies to enable more integrated management of the complex issues that affect the mauri of the Hauraki Gulf, including land-based impacts.

5. Legislative Context

The key pieces of legislation relating to the management of fisheries in the Hauraki Gulf are the Fisheries Act 1996, the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 (the Settlement Act) and associated binding protocols, which set obligations around how Fisheries New Zealand will engage with iwi on management and planning processes, the Māori Fisheries Act 2004 (Māori Fisheries Act) and the Hauraki Gulf Marine Park Act 2000.

This Plan is underpinned by and operates in a way that is consistent with that legislation. However, annual planning and service delivery processes may identify management actions that require changes in legislation to better allow this Plan's objectives and the overarching outcomes to be met.

5.1. The Fisheries Act 1996 (The Act)

The Act establishes a broad framework for managing fisheries in New Zealand. The purpose of the Act is to provide for the utilisation¹ of fisheries resources while ensuring sustainability². It is a statement of the overarching goal for fisheries management against which all decisions under the Act are measured.

Matters given effect to within the Act include:

- the application and administration of the QMS;
- measures that contribute to the sustainability of fisheries resources and avoiding, remedying or mitigating any adverse effects of fishing on the aquatic environment;
- recognition of the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 and the creation of tools to provide for customary use and fishery management practices; and
- allocation of Total Allowable Catch (TAC) among Māori customary, recreational, and commercial fishers.

In giving effect to the Act, decision makers are required to take into account environmental and information principles, and to act consistently with the Settlement Act and international obligations relating to fishing.

The Act 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.

5.2. Treaty of Waitangi Settlement obligations:

The Crown's obligations to iwi and Māori concerning fisheries and aquaculture arise through rights guaranteed by Article 2 of the Treaty of Waitangi. Those rights are confirmed in the Deeds of Settlement between the Crown and Māori. These rights are further reinforced through the obligations specified in legislation, including the Settlement Act, the Māori Fisheries Act, individual iwi treaty settlement legislation and protocols arising from those settlements, and the Act. Nothing contained in a fisheries plan changes the Crown's obligations to Māori under the Treaty of Waitangi.

The Settlement Act sets out how the effects of the settlement of Māori claims to fisheries relate to Māori fishing rights. It makes provision for non-commercial traditional and customary fishing rights and requires the Minister to consult tangata whenua, and to develop policies to help recognise the use and management practices of Māori in the exercise of Māori non-commercial fishing rights. In addition, any person making decisions under the Fisheries Act 1996 must act in a manner consistent with the provisions of the Settlement Act.

The obligations under the Fisheries Act require systems and processes to provide for input and participation of tangata whenua into sustainability proposals and consultation on such matters with Māori representatives. Decision makers must also have particular regard to kaitiakitanga when making decisions on sustainability measures for fisheries. Therefore, this Plan uses input and participation from Iwi Fisheries Forums, as well as Iwi Forum Fisheries Plans, and engagement with representatives of Māori and organisations that hold or exercise Māori rights and interests in fisheries resources. These approaches are aimed at providing tangata whenua with opportunities to engage in fisheries management processes and to have decision makers give regard to kaitiakitanga and protocols.

The Māori Fisheries Act implements the agreements made in the Deed of Settlement. The Māori Fisheries Act also provides for the development of the collective and individual interests of iwi in fisheries, fishing and fisheries related activities. It does so in a manner that is ultimately for the benefit of all Māori, and to establish a framework for the allocation and management of settlement assets.

¹ Utilisation means conserving, using, enhancing, and developing fisheries resources to enable people to provide for their social, economic, and cultural well-being.

² Sustainability means maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations, and avoiding, remedying, or mitigating any adverse effects of fishing on the aquatic environment.

5.3. Hauraki Gulf Marine Park Act 2000

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

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

The (Fisheries) Act³ requires that, in setting or varying any sustainability measures in the Hauraki Gulf, the Minister takes account of s7 and s8 of the Hauraki Gulf Marine Park Act. These sections recognise the national significance of the life supporting capacity of the Hauraki Gulf Marine Park, and define management objectives for its protection, including the protection and enhancement, where appropriate, of the contribution of the natural, historic, and physical resources of the Hauraki Gulf to the social and economic well-being of the people and communities.

5.4. Other domestic legislation

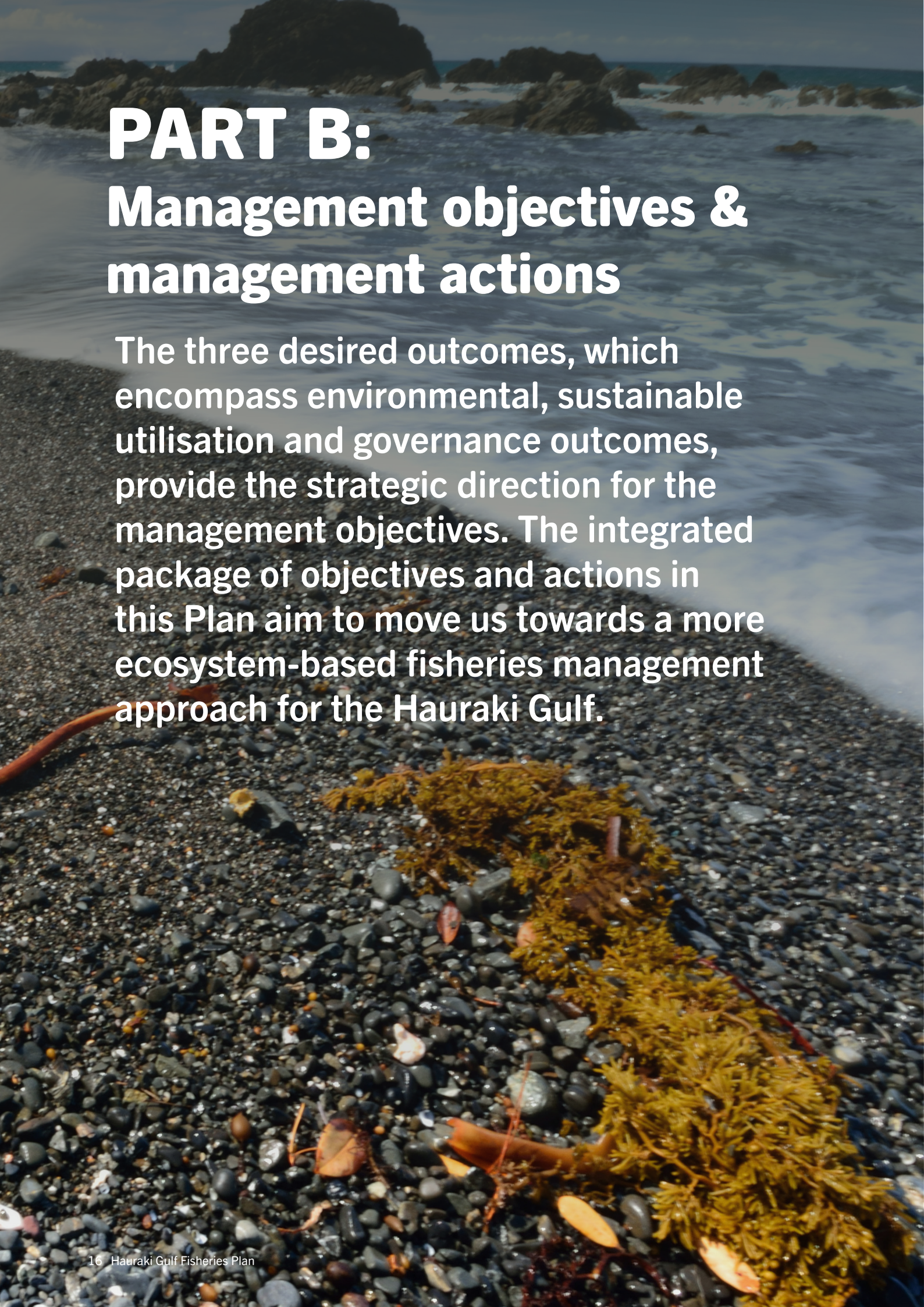
Other legislation which contributes to the management of the wider fisheries ecosystem include the:

- Marine and Coastal Area (Takutai Moana) Act 2011, which provides legal recognition and protection of customary interests in the common marine and coastal area, including through protected customary rights and customary marine title. Existing fishing rights are preserved as well as rights of access and navigation.
- Resource Management Act 1991, which is New Zealand's primary legislation for managing the environment, including air, soil, fresh water and coastal marine areas.⁴

- Wildlife Act 1953, which gives partial or full protection to all but one species of seabird.
- Marine Mammal Protection Act 1978, which makes provision for the protection, conservation, and management of marine mammals within New Zealand waters.
- Marine Reserves Act 1971, which provides for the establishment of marine reserves which, aside from limited exceptions, exclude all forms of fishing.

³ S11

⁴ Although this excludes controls on customary fishing conducted under regulations made under the Fisheries Act 1996, as provided for in section 10(d) of the Settlement Act.



PART B:

Management objectives & management actions

The three desired outcomes, which encompass environmental, sustainable utilisation and governance outcomes, provide the strategic direction for the management objectives. The integrated package of objectives and actions in this Plan aim to move us towards a more ecosystem-based fisheries management approach for the Hauraki Gulf.

6. Management Objectives

Achieving healthy, functioning aquatic ecosystems that support sustainable fisheries:

- 1.1 Protect marine benthic habitats from any adverse effects of bottom contact fishing methods, to enable passive and active restoration that support ecosystem services
- 1.2 Protect marine habitats, that have been identified as having ecological importance, from any adverse effects of fishing
- 1.3 Mitigate the impacts of fishing on the marine food chain
- 1.4 Reduce fishing-related deaths of non-fish and protected species, working towards zero deaths by 2050

Working towards fisheries resources being at levels which meet the needs of treaty partners and stakeholders:

- 2.1 At the QMA level, ensure all harvested stocks of wild marine species are at or above target levels
- 2.2 Address localised depletion of fisheries resources within the Hauraki Gulf
- 2.3 Ensure appropriate allocation of shared stocks by improving characterisation of recreational and customary fisheries
- 2.4 Decrease the mortality of undersized fish caused by all harvesting sectors and methods
- 2.5 Ensure harvest of intertidal and shallow subtidal species is sustainable

Achieving inclusive and integrated regional participation in the governance of fisheries:

- 3.1 Improve participation and engagement of tangata whenua and all stakeholders in fisheries management
- 3.2 Support input and participation of tangata whenua in fisheries management planning and decision making and have regard to tangata whenua-led kaitiakitanga, tikanga and mātauranga Māori
- 3.3 Increase capacity for tangata whenua and stakeholder participation in fisheries management
- 3.4 Partner with others working to improve the condition of the Hauraki Gulf

7. Management Actions

The management actions outlined below represent the specific steps that will be taken to contribute towards achieving the management objectives. Some actions, while relevant to the Hauraki Gulf Fisheries Plan, are not specific to the Hauraki Gulf and will be progressed at a national scale. These actions are denoted by an asterisk.*

7.1 Achieving 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, to enable passive and active restoration that support ecosystem services

Management Action 1.1.1

- Exclude bottom trawling and Danish seining from the Hauraki Gulf except within defined areas.

[subject to statutory processes]

Management Action 1.1.2

- Develop and implement a plan for managing the scallop fishery in the Hauraki Gulf that:
 - (a) is informed by stock status and new survey information
 - (b) excludes recreational scallop dredging from the Hauraki Gulf
 - (c) limits commercial scallop dredging in the Hauraki Gulf to within the historical commercial dredging footprint
 - (d) facilitates the transition to alternative lower impact scallop harvest methods, including new innovative methods
 - (e) takes into account:
 - sustainability decisions for SCA 1 and SCA CS
 - the importance of high density broodstock beds and other drivers of scallop recruitment
 - the impact of harvesting methods
 - the ecological and cultural roles of scallops
 - the impact of non-fisheries drivers of depletion.

[excluding recreational scallop dredging and limiting commercial scallop dredging are subject to statutory processes]

Management Action 1.1.3*

- Identify funding opportunities and support research into alternative methods for scallop harvesting.

Management Action 1.1.4

- Support further data collection, model improvements and monitoring to improve the available information on benthic habitats and their distribution, including biogenic habitats.

Management Objective

1.2: Protect marine habitats, that have been identified as having ecological importance, from any adverse effects of fishing

Management Action 1.2.1*

- Using section 9(c) guidelines, identify habitats of particular significance for fisheries management in the Hauraki Gulf and document in a habitats database.

Management Action 1.2.2

- Design and implement a protection and monitoring regime for habitats of particular significance for fisheries management in the Hauraki Gulf, prioritising according to estimated level of risk.

Management Action 1.2.3

- Collaborate with the Department of Conservation to implement marine protection proposals in *Revitalising the Gulf* for the protection of habitats and biodiversity.

Management Action 1.2.4

- Collaborate with the Department of Conservation and regional councils to evaluate the benefits provided by marine protection in the Hauraki Gulf for supporting fisheries and ecosystem resilience in the face of changing climate.

Management Objective

1.3: Mitigate the direct and indirect impacts of fishing on the marine food chain

Management Action 1.3.1

- Scope and commission further research to assess the impacts of forage fish (small and medium pelagic species) removals on the marine food chain in the Hauraki Gulf and any additional research that is required on more species and life stages.

Management Action 1.3.2

- Review the management settings of important forage species in Fisheries Management Area 1 as needed to ensure impacts of removals don't adversely affect the marine food chain in the Hauraki Gulf.

Management Action 1.3.3

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

Management Action 1.3.4

- Facilitate the co-development of a management plan for restoring healthy kelp forests, which will consider the causes and address the environmental impacts of kina barrens and include management considerations for predator species such as snapper and crayfish.

Management Objective

1.4: Reduce fishing-related deaths of non-fish and protected species, working towards zero by 2050

Management Action 1.4.1*

- Implement the National Plan of Action for Seabirds framework, continue to support the ongoing refinement, improvement, and uptake of seabird mitigation measures for commercial and recreational fishers.

Management Action 1.4.2*

- Devise policies and procedures for guiding Fisheries New Zealand's response to protected species bycatch notifications received through Non-Fish and Protected Species reports and coordinate this process with the Department of Conservation and the commercial fishing industry.

Management Action 1.4.3*

- Establish and promote a system to enable reporting of protected species bycatch⁵ by recreational fishers.

Management Action 1.4.4*

- Implement a programme to better estimate recreational fishing protected species bycatch and the risk to the population. To be considered alongside Management Action 2.3.5.

Management Action 1.4.5

- Develop a work programme to address risks to protected species in the Hauraki Gulf focused on education, outreach and other measures targeted towards recreational fishers and boaters to reduce harm to protected species, including through bycatch.

Management Action 1.4.6

- Continue to support regional collaborations focused on black petrel recovery.

Management Action 1.4.7

- Prioritise observer coverage on inshore bottom longline fishing trips that overlap with black petrel distribution until the wider rollout of onboard cameras on commercial fishing vessels.

Management Action 1.4.8*

- Implement the National Plan of Action for Sharks in the Hauraki Gulf.

⁵ Bycatch is defined as fishing-related incidental capture or mortality.

7.2 Working towards fisheries resources being at levels which 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 tangata whenua and stakeholders (recreational, customary, commercial, non-take) to determine and document their fisheries resource needs and priorities within the Hauraki Gulf.

Management Action 2.1.2

- Set management targets and Total Allowable Catches to achieve/restore abundance at stock levels necessary to support the needs and priorities identified in management action 2.1.1 and within an ecosystem-based fisheries management framework.

Management Action 2.1.3

- Identify and prioritise stocks or groups of stocks for management interventions. Input these recommendations into annual sustainability round and research prioritisation processes.

Management Action 2.1.4

- Work with stakeholders and treaty partners to develop a long-term management strategy for scallops, informed by a review of recent declines in abundance.

Management Action 2.1.5

- Develop biological reference points for the Coromandel scallop fishery to inform future management and support sustainable utilisation.

Management Objective

2.2: Address localised depletion of fisheries resources within the Hauraki Gulf

Management Action 2.2.1

- Define and develop criteria for localised depletion and for setting targets for recovery.

Management Action 2.2.2

- Collect data and/or initiate research to identify key stocks and areas that may suffer from localised depletion within the Hauraki Gulf.

Management Action 2.2.3

- For stocks at risk of localised depletion, develop approaches for more responsive management within the park on a per species or species group basis.

Management Action 2.2.4

- For key stocks utilised by all sectors where localised depletion due to fishing has been identified, explore and where appropriate implement a range of tools to support increasing local abundance, including through:
 - (a) voluntary agreements on complementary measures that will be applied by each of the harvesting sectors (commercial, customary non-commercial and recreational)
 - (b) regulating fishing methods, locations, available seasons and catch limits
 - (c) an agreed monitoring strategy that is implemented using appropriate monitoring measures for commercial, recreational (including Amateur Charter Vessel) and customary harvest
 - (d) the use of appropriate customary tools and reporting.

Management Action 2.2.5

- Review netting restrictions, to protect vulnerable reef species and other non-target species.

Management Objective

2.3: Support appropriate allocation of shared stocks by improving characterisation of recreational and customary fishing

Management Action 2.3.1⁶

- Review Amateur Charter Vessel reporting requirements in Fisheries Management Area 1 to ensure timely and accurate fishing effort and catch data are available.

Management Action 2.3.2

- Develop approaches for Amateur Charter Vessel reporting to improve timeliness and accuracy of reported data. Identify and pilot options for data validation.

Management Action 2.3.3

- Integrate Amateur Charter Vessel data with aerial access and National Panel Survey harvest and effort estimates.

Management Action 2.3.4

- Work with tangata whenua and kaitiaki throughout the Hauraki Gulf to improve collection of and access to customary data.

Management Action 2.3.5

- Identify and implement options for improving catch and effort information from recreational fishing in the Hauraki Gulf.

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

Management Action 2.3.6

- Explore methods to increase funding for research to improve information on recreational fishing.

Management Action 2.3.7

- Explore and develop the concept of Special Management Areas⁷ including identifying potentially suitable sites, consideration of appropriate gear restrictions, and a reporting framework.

Management Objective

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

Management Action 2.4.1

- Define trigger points that initiate a management response to reduce mortality of undersize fish.

Management Action 2.4.2

- Review available data to evaluate the effectiveness of existing management measures intended to decrease the mortality of undersized fish caused by the commercial sector and respond accordingly.

Management Action 2.4.3

- Encourage recreational fisher groups to reduce incidental catch of snapper below the minimum legal size, including development of a 'move on' practice and guidelines for gear use that reduces catch of small fish.

Management Objective

2.5: Ensure harvest of intertidal and shallow subtidal species are sustainable

Management Action 2.5.1

- Update baseline knowledge of hard shore and soft shore intertidal⁸ and shallow subtidal species abundance, distribution and harvest.

Management Action 2.5.2

- Review management approach and settings of intertidal and shallow subtidal shellfish harvest on the hard- and soft-shore. This could include adoption of seasonal closures or novel approaches to better manage intertidal shellfish harvesting.

⁶ This action could be considered at a national scale

⁷ Special Management Areas proposed would be areas designated as protected for certain species and habitats, while allowing for carefully managed and targeted sport fishing.

⁸ Intertidal and shallow subtidal species of interest include those found on soft substrate, namely cockles and pipis, as well as those commonly found on hard substrate, including: crabs, limpets, starfish, periwinkles, whelks, barnacles, and cats eyes.

Management Action 2.5.3

- Support community efforts to monitor/restore intertidal species.

7.3. Achieving inclusive and integrated regional participation in the governance of fisheries

Management Objective

3.1 Improve participation and engagement of tangata whenua and all stakeholders in fisheries management

Management Action 3.1.1

- Facilitate the ongoing input and participation of tangata whenua in fisheries planning, prioritisation and management, through Hauraki Gulf iwi fisheries forums or other platforms.

Management Action 3.1.2

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

Management Action 3.1.3

- Clearly communicate research prioritisation and sustainability round processes and identify opportunities to improve the early input and participation of tangata whenua on research prioritisation and planning and subsequent stakeholder input.

Management Action 3.1.4

- Identify and incorporate local knowledge, including mātauranga Māori, in fisheries management decision making and, where appropriate, in fisheries science.

Management Action 3.1.5

- Alongside the actions under Management Objective 3.3, assist in the design and piloting of Ahu Moana projects for co-management of intertidal and nearshore environments in relation to fisheries outcomes.

Management Objective

3.2 Support input and participation of tangata whenua in fisheries management decision making and have regard to tangata whenua-led kaitiakitanga, tikanga and mātauranga Māori

Management Action 3.2.1

- Facilitate transition to customary fishing regulations (either Fisheries (Kaimoana Customary Fishing) Regulations 1998 or new regulations made under s186 of the Act) and support iwi in efforts to use their customary and other management tools including mātaihai, taiāpure, and rāhui (s186a closures).

Management Action 3.2.2

- Explore ways to support mātauranga Māori researchers to conduct research of their own determination that is relevant to fisheries outcomes.

Management Action 3.2.3*

- Develop systems where mātauranga Māori informs and supports fisheries management decision making, including through the identification of fisheries and/or fishing grounds of particular importance to Māori.

Management Objective

3.3 Increase capacity for tangata whenua and stakeholder participation in fisheries management

Management Action 3.3.1

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

Management Action 3.3.2

- Establish a fisheries science and fisheries management education programme.

Management Action 3.3.3

- Invite industry and iwi fisheries forum representatives, kaitiaki and community stakeholders to attend fisheries science and fisheries management education programmes as they are developed⁹.

Management Action 3.3.4

- Support building tangata whenua capacity to participate in governance, management and monitoring of fisheries.

Management Objective

3.4 Partner with others working to improve the condition of the Hauraki Gulf

Management Action 3.4.1

- Build and strengthen relationships with councils to enable integrated management of complex issues that affect the Hauraki Gulf.

Management Action 3.4.2

- Collaborate with the Department of Conservation on efforts to develop, implement, and monitor marine protection proposals in *Revitalising the Gulf*. Further collaborate with the Department of Conservation to support monitoring within the Hauraki Gulf (see 1.2.2 and 1.2.4).

Management Action 3.4.3

- Support participation in habitat restoration and assist these restoration efforts, incorporating Mātauranga Māori where appropriate.

Management Action 3.4.4

- Actively encourage and support an integrated central and local government approach to substantially reduce sedimentation, other contaminants and biosecurity threats that affect fisheries in the Hauraki Gulf.

Management Action 3.4.5

- Support regional and district councils to adopt resource management measures to reduce sedimentation and other impacts on the Hauraki Gulf.

⁹ These programmes may differ depending on how they are tailored between sectors.

Appendix One: Summary of fisheries settlement protocols relevant to the Hauraki Gulf

Purpose

The purpose of the Primary Industries Protocols (the Protocol(s)) is to set out how settled iwi (Treaty of Waitangi settlements), the Minister for Primary Industries (the Minister) and the Director-General of the Ministry for Primary Industries (the Director-General) will establish and maintain a positive, co-operative and enduring relationship.

The Protocols should be read in a manner that best furthers the purpose of the settled iwi's Deed of Settlement.

The Protocols are living documents that should be updated to take account of the relationship between the parties, future developments and additional relationship opportunities.

MPI has Protocols with the following settled iwi with rohe moana within the Hauraki Gulf:

Hauraki Collective	Hauraki Collective
Ngāti Tai ki Tamaki	Ngāti Paoa
Ngāti Hei	Ngāti Whanaunga
Ngāti Pukenga	

The Protocols broadly outline that parties will need to work together in partnership and in the spirit of collaboration. Parties seek a relationship consistent with the Te Tiriti o Waitangi/Treaty of Waitangi and the principles of Te Tiriti/the Treaty. This relationship is intended to assist the parties in exercising their respective responsibilities with the utmost cooperation to achieve, over time, the outcomes sought by both.

The Protocols contain a set of guiding principles to support parties working together and set out how the Minister, Director-General and the Ministry will exercise their functions, powers and duties in relation to matters set out in the Protocols.

Protocols are publicly accessible as part of individual Treaty settlement documents on the Govt.nz website:

<https://www.govt.nz/browse/history-culture-and-heritage/treaty-settlements/find-a-treaty-settlement/>









Fisheries New Zealand

Tini a Tangaroa