

12 December 2012

Rock Lobster Submissions
Fisheries Management – Inshore Fisheries
Ministry for Primary Industries
PO Box 2526
WELLINGTON 6140

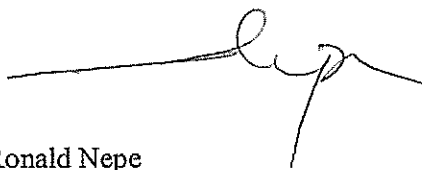
Tena koe

RE: SUBMISSION TO INDUSTRY POSITION PAPER 2 - (IPP 2)

CRA 3

On behalf of Rongowhakaata Iwi Asset Holding Company Limited

1. We agree to the Management Procedure Model in 2010
2. We support option CRA 3 – 01
3. We support that CRA 3 TAC be increased to 354.5 tonnes
4. We support that the CRA 3 TACC be increased to 225.5 tonnes
5. We support that all the other sectors allowances remain the same

A handwritten signature in black ink, appearing to be 'Ronald Nepe', written over a horizontal line.

Ronald Nepe
Chairman
Rongowhakaata Iwi Asset Holding Co. Ltd.

Rock Lobster Submissions.
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Ministry for Primary Industries.
P.O.Box 2526.
Wellington 6140.

SUBMISSION TO INDUSTRY POSITION PAPER 2.(IPP 2)

CRA 3.

Tena koutou.

On behalf of Rongowhakaata Iwi Trust;

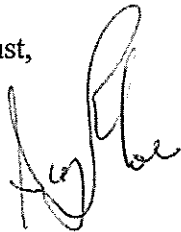
1. We agreed to the Management Procedure Model in 2010.
2. Rongowhakaata support Option CRA 3—01.
3. We support that the CRA 3 TAC be increased to 354.5 tonnes.
4. That the CRA 3 TACC be increased to 225.5 tonnes.
5. That all the other sectors allowances remain the same.

Rongowhakata Iwi Trust,

Stan Pardoe.

Trustee.

12.12.2012.

A handwritten signature in black ink, appearing to read 'Stan Pardoe', is written over the printed name and title.

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P.O. Box 2526
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12th December 2012

SUBMISSION TO INDUSTRY POSITION PAPER 2. (IPP 2)

CRA 3.

Ten Koutou,
On behalf of Te Aitanga A Mahaki Iwi Asset Holding Ltd;

1. We agreed to the Management Procedure Model in 2012.
2. Rongowhakaata support Option CRA 3 – 01.
3. We support that the CRA 3 TAC be increased to 354.5 tonnes.
4. That the CRA 3 TACC be increased to 225.5 tonnes.
5. That all the other sectors allowances remain the same

Te Aitanga A Mahaki Iwi Asset Holding Ltd.

Bill Ruru

A handwritten signature in black ink, appearing to be 'Bill Ruru', with a large loop at the start and a wavy line extending to the right.

Director

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SUBMISSION TO INDUSTRY POSITION PAPER 2. (IPP 2)

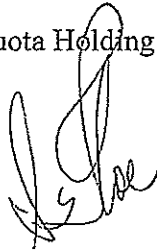
CRA 3.

Ten Koutou,
On behalf of Ruamano Quota Holding Ltd;

1. We agreed to the Management Procedure Model in 2012.
2. Rongowhakaata support Option CRA 3 – 01.
3. We support that the CRA 3 TAC be increased to 354.5 tonnes.
4. That the CRA 3 TACC be increased to 225.5 tonnes.
5. That all the other sectors allowances remain the same

Ruamano Quota Holding Ltd.

Stan Pardoe

A handwritten signature in black ink, appearing to read 'Stan Pardoe', written over a faint, larger signature.

Director

From: Dion Maaka
Sent: Friday, 1 February 2013 3:22 p.m.
To: FMSubmissions
Cc: Dion Tuuta
Subject: Submission PKW - Review of Rock Lobster Sustainability Measures for 1 April 2013 (CRA3 & CRA4)

Tena koe,

Parininihi ki Waitotara (PKW) Incorporation is a Maori Incorporation based in Taranaki. PKW has significant interests in both land (17,000ha leased and 3,000ha owned) and fisheries assets. PKW has the equivalent in quota shares of CRA3 of 5,600kgs, CRA4 32,225 kgs and CRA6 16,143 kgs.

In regard to the review of rock lobster PKW support:

- CRA3 - Option CRA3_01: Be guided by the CRA3 Management Procedure and increase the TAC from 322.3mt to 354.5mt and TACC from 193.3mt to 225.5mt.
- CRA4 – Option CRA4_01: Be guided by the CRA3 Management Procedure and increase the TAC from 661.9mt to 694.7mt and TACC from 466.9mt to 499.7mt.

Any queries please contact myself directly.

Nga mihi
Dion

Dion Maaka
PKW Financial Controller

Parininihi Ki Waitotara Incorporation

Taranaki House
109 Devon Street West
Corner Devon/Robe Streets
PO Box 241
NEW PLYMOUTH 4340

Web: www.pkw.co.nz

From: Rodney Tribe '
Sent: Friday, 1 February 2013 4:29 p.m.
To: FMSubmissions
Subject: Submission : Review of Rock Lobster Sustainability Measures for 1 April 2013

This email is to act as the submission from Ngāi Tahu Seafood (NTS) and Toitū Te Whenua (TTW) in relation to the Review of Rock Lobster Sustainability Measures for 1 April 2013, discussion paper No2012/24 - with the exception of CRA3 and CRA4 where the submission is on behalf of NTS only.

CRA8

NTS and TTW fully endorse and support management options that promote sustainability and both economic and non-economic benefit for all users.

We feel that current measures, while conservative in relation to the utilisation of the B4-L CPUE calculation, are our preferred method of operation of management procedures in guiding and setting TAC/TACC's.

We acknowledge that from a science perspective the F2-LFX calculation method may give a wider view of total biomass. However we feel that some of this data may be conservative given that many fishers may understate their X codes and that practices of stretching escape gaps during certain periods would also allow escapement that would not show up in any data.

While from a science perspective this gives a conservative view of actual data, our belief is that there are currently no sustainability issues with the use of the current method and that this would be best for guiding the fishery in terms of management as it is specifically related to lobsters that are taken and landed for market.

The ideal situation is to have both Science and Management Committees aspirations met. This could entail the utilisation of both methods - the F2-LFX for overall biomass/abundance calculations, and the B4-L for setting and guiding TAC/TACC decisions.

We do not believe that if the methodology is altered to F2-LFX that the "Rule" for CRA8 should remain with the same lift point on the plateau. Accordingly we support the CRA8 Management Committee's view of lifting this point if B4-L cannot be used for TAC/TACC setting.

CRA7

Again NTS & TTW fully endorse and support management options that promote sustainability and both economic and non-economic benefit for all users.

On this basis we support the use of the New Rule 39 as described in CRA7_02 for setting TAC/TACC and non-commercial allowances.

We have some additional concerns on the use of F2-LFX CPUE calculation methodology for CRA7. Our opposition to the use of such a method is stronger in CRA7 than it is in CRA8 and we believe a B4-L method is the more conservative method that will help to guide the struggling CRA7 fishery forward.

CRA7 is well known to have a highly migratory stock and widely varying levels of recruitment, both pre-recruit and puerulus. It is the highly migratory nature of the CRA7 fishery that gives us great concern in using any non-verifiable or estimated data in the calculation of CPUE and use in future management procedure application.

For example the market price of certain grades of lobster may not meet fishers expectations and be returned to sea. Under F2-LFX these lobsters would help build a picture of an increased biomass but the possibility of these lobster moving off the grounds prior to the next season also needs to be taken into account. Given migration in CRA7 is variable and cannot be accurately modelled or predicted, our view is that trying to maintain conservatism through only using B4-L is the best approach for this fishery. Management tools such as mapping and using pre-recruit and puerulus settlement should also be considered.

CRA3 & CRA4

NTS support the positions of the area specific CRAMAC's for these fisheries, noting as we have above that our preference for CPUE calculations in relation to setting TAC/TACC's and rule operations is one where only verifiable landed data is used such as B4-L

Should you have any Queries in relation to our submission, please do not hesitate in contacting me directly.

Kind Regards

Rodney Tribe

Rodney Tribe
Quota and Compliance Manager



Disclaimer:

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This e-mail message has been scanned for Viruses and Content and cleared by **MailMarshal**

From: Nikki Searancke
Sent: Friday, 1 February 2013 1:53 p.m.
To: FMSubmissions
Subject: REVIEW ROCK LOBSTER CRA 3 - 1 APRIL 2013

SUBMISSION - REVIEW OF ROCK LOBSTER SUSTAINABILITY MEASURES - 1/4/13

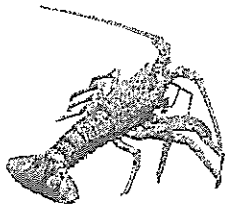
This submission is made by Ngati Oneone Hapu Kuamatua - Temple Isaacs, Ingrid Searancke & Rutene Irwin.

We the Ngati Oneone Hapu oppose the CRA 3_01 increase the TAC & TACC - TAC 354.5 tonnes and TACC 225.5 tonnes....

We have opposed all increases of the TAC & TACC in the previous year. Our reasons are based on the low recruitment and the privilege given to commercial fishers of concession fishing - 52mm in winter; predominantly in our customary waters, known as 910.

To assist further our cause we are now consulting among our own Ngati Oneone hapu the creation of Maitaitai in our rohe. This is to stop the commercial pots in our rohe and to protect our mahinga kai as our waters are the primary fishing areas for ourselves and local recreational fishers.

Kind regards, T Isaacs, I Searancke & R Irwin.



NZ ROCK LOBSTER INDUSTRY COUNCIL

PRIVATE BAG 24-901 WELLINGTON 6142
64 4 385 4005 PHONE
64 4 385 2727 FAX
lobster@seafood.co.nz

February 1st 2013

Rock Lobster Submissions

Fisheries Management-Inshore Fisheries

Ministry for Primary Industries

PO Box 2526

Wellington 6140

NZ Rock Lobster Industry Council

Submission on

Review of Rock Lobster Sustainability Measures for 1
April 2013

SUMMARY

The NZ Rock Lobster Industry Council (NZ RLIC) supports a range of proposals to implement management Procedures and to set TACs and TACCs for rock lobster fisheries.

The NZ RLIC submission can be read in conjunction with submissions from the Otago Rock Lobster Industry Association and the CRA 8 Management Committee Incorporated.

Introduction

The NZ Rock Lobster Industry Council (NZ RLIC) welcomes the opportunity to submit on the 2012 review of rock lobster Sustainability measures for 01 April 2013.

NZ RLIC is an umbrella organisation for the nine commercial stakeholder organisations, known as CRAMACs, operating in each of the rock lobster (CRA) management areas of New Zealand. CRAMAC membership comprises CRA quota owners, processors, exporters, and fishermen in each region. All nine CRAMACs hold a significant majority mandate of CRA quota shares owned in the regions.

The rock lobster industry organisational structure places strong emphasis of regional autonomy and self-determination which in itself is a reflection of the important move away from a “one stock all NZ waters” management approach for the rock lobster fisheries in favour of separate and discrete stock assessment and TAC/TACC setting processes where possible.

The Proposals – Management Procedures

1. The NRLMG is seeking tangata whenua and stakeholder views on proposals to use new management procedures in CRA 7 and CRA 8 rock lobster fisheries to guide TAC setting from the 2013-14 fishing year onwards, from 1 April 2013.

2. The rock lobster industry has a firm commitment to the ongoing use of management procedures to inform TAC and TACC decisions. Management procedures enable timely responses to variations in stock abundance. Management procedures can effectively de-politicise TAC setting if the inherent rule parameters are well defined and agreed in advance. Management procedures enable levels of stock abundance to be maintained thereby contributing greater security and certainty and less variability in levels of commercial and non-commercial fishing success.
3. Importantly, Management Procedures work. This is evidenced by the range of options presented in the IPP.
4. The options endorsed by the NZ RLIC are -

Stock	Option	Description
CRA 7	CRA7_B	Agree to use the <u>new</u> 'Rule 39' CRA 7 Management Procedure to guide TAC and TACC setting.
CRA 8	CRA8_A	Agree to use the <u>modified</u> 'Rule 1' CRA 8 Management Procedure to guide TAC and TACC setting [See discussion below].

5. The NZ RLIC:
 - (a) Endorses the use of the new 'Rule 39' CRA 7 Management Procedure.
 - (b) Proposes a modified new 'Rule 1' CRA 8 Management Procedure (named Rule 13 in a number of runs presented to the NRLMG in November 2013).
6. In their consideration of NRLMG options the CRA 8 Management Committee expressed some concern about the proposed new 'Rule 1' management procedure. They were concerned that CPUE calculated by the *F2-LFX* algorithm is higher than that from *B4-L* procedure, and could possibly invoke TACC increases that they fear may not be available in terms of "exploitable" biomass.
7. Members of the stock assessment science team (Breen/Starr) calculated that the average difference in CPUE between the two procedures for the past three years is 17%, with *F2-LFX* giving the higher values. In the years when CPUE was as low as 1.9 kg/potlift, which is the rebuild target and the left-hand edge of the rule's plateau, the difference is negligible. An alternative rule would have the right-hand edge of the plateau shifted to the right (increased) by 17%. Then the new rule would generate no more TACC increases than the older rule.

8. A 17% increase in the right-hand edge of the plateau would put it at just over 3.7 kg/potlift. This alternative (named rule 13 in a set of rules run in November) was run through the base case operating model and the three robustness trials R1 (increasing catchability), R2 (decreased recruitment) and R3 (increased CPUE observation error).
9. Shifting the plateau edge to 3.7 in the base case has these effects:
 - (a) very small increase in CPUE and biomass indicators
 - (b) small (2% at the most extreme) decrease in mean commercial catch
 - (c) further decrease in already-small annual variation
 - (d) decrease in number of years with TACC changes
 - (e) decreased time spent right of the plateau and increased time on the plateau
10. These changes are all quite small. Changes in the robustness trials are similar.
11. 'Rule 13' has thus been subjected to the same evaluation as the rules discussed by the RLFAWG and is clearly an acceptable option from the standpoint of rule behaviour. It is a more conservative rule than rule 1.
12. The NZ RLIC endorses the CRA 8 Management Committee preference and submits that in final advice to the Minister the NRLMG should recommend the 'rule 13' management procedure to guide TAC/TACC setting for CRA 8.

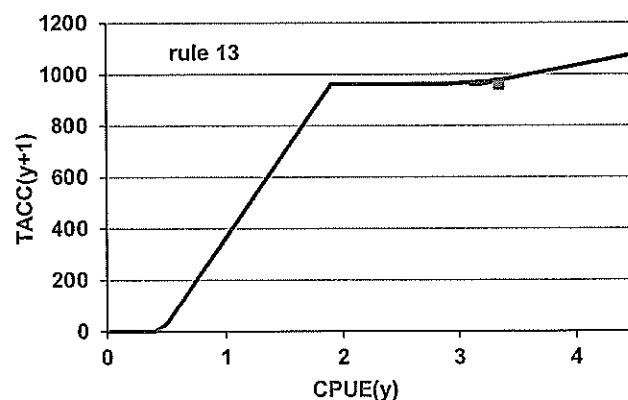


Figure 1: **Rule 1** for CRA 8: the red dot shows the 2011-12 offset-year standardised CPUE.

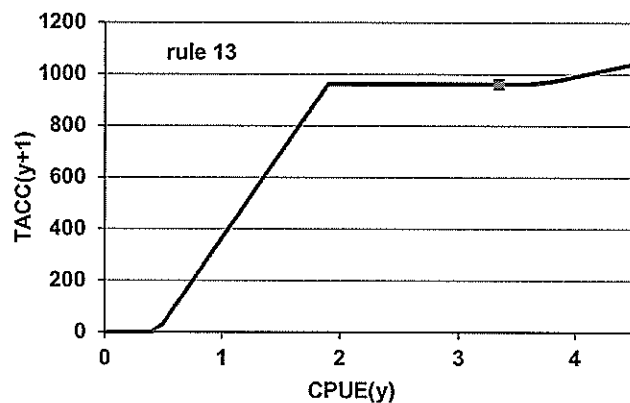


Figure 2: **Rule 13** for CRA 8: the red dot shows the 2011-12 offset-year standardised CPUE.

The Proposals – TAC/TACC Decisions

13. The NRLMG is seeking tangata whenua and stakeholder views on proposals to review TACs, TACCs and allowances for CRA 3, CRA 4 and CRA 7 rock lobster fishers for the 2013-14 fishing year, beginning 1 April 2013.
14. Although the NZ RLIC and the CRA 8 Management Committee propose a new 'rule 13' management procedure for CRA 8 this year, its operation results in no change to the CRA 8 TAC, TACC or allowances.
15. The NZ RLIC endorses the options outlined below.

Stock	Option	TAC	TACC	Customary Allowance	Recreational Allowance	Other mortality
CRA 3	CRA3_01: Be guided by the CRA 3 Management Procedure and increase the TAC and TACC	354.5 tonnes	225.5 tonnes	20 tonnes	20 tonnes	89 tonnes
CRA 4	CRA4_01: Be guided by the CRA 4 Management Procedure and increase the TAC and TACC	694.7 tonnes	499.7 tonnes	35 tonnes	85 tonnes	75 tonnes

CRA 7	CRA7_02: Be guided by the new 'Rule 39' CRA 7 Management Procedure and decrease the TAC and the TACC	64 tonnes	44 tonnes	10 tonnes	5 tonnes	5 tonnes
CRA 8	CRA8_01: Be guided by the new 'Rule 13' CRA 8 Management Procedure and retain the current TAC, TACC and allowances	1053 tonnes	962 tonnes	30 tonnes	33 tonnes	28 tonnes

16. The NZ RLIC agrees that the proposed CRA 3 TAC increase:

- (a) Does not pose a risk to stock sustainability;
- (b) Should not have an impact on stock rebuilding goals (i.e. to a level at or above a standardised autumn-winter CPUE equivalent of 1.14kg/potlift).

17. The NZ RLIC **supports** the NRLMG proposal that the TAC increase proposed under Option CRA3_01 should result in an increase of only the TACC, with allowances remaining at current levels.

18. Under Option CRA4_01, the NZ RLIC agrees that the allowances set for customary Maori, recreational interests and other sources of fishing-related mortality (e.g. illegal fishing) should not change and that only the TACC should be increased.

19. Under Option CRA 7_02 the NZ RLIC agrees the NRLMG proposal that the allowances set for customary Maori, recreational interests and other sources of fishing-related mortality (e.g. illegal fishing) do not change.

20. Under the modified Option CRA 8_01 (rule 13) the NZ RLIC agrees the NRLMG proposal that the allowances set for customary Maori, recreational interests and other sources of fishing-related mortality (e.g. illegal fishing) do not change

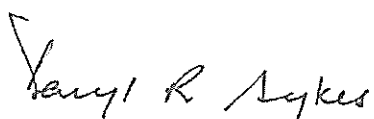
21. The NZ RLIC notes and endorses CRA 8 Management Committee concerns over the calculation of recreational catch estimates for use in the CRA 8 stock assessment and submits that more investment is required to enable evaluations and decision making based on credible non-commercial catch information, in particular recreational and illegal removals.

General

22. The NZ RLIC does not agree the MPI description of the management approach for the NRLMG being *"to monitor and manage these stocks closely to ensure full utilisation can continue in a sustainable way"* (S: 1.5, page 5 of IPP).
23. First, the NRLMG ('the group') has no authority to 'manage stocks'. Second, stocks are not effectively 'managed' in the absence of accurate and reliable information about recreational and illegal removals. Third, sector representatives of the NRLMG have never made any commitment to 'full utilisation'. The industry position for over twenty years has consistently been to secure high levels of stock abundance to buffer against cyclical variations in recruitment.
24. The MPI description is at odds with the IPP where it reports that at a September 2012 meeting in Dunedin the following joint sector aspirations were identified:
- *For CRA 7: increased abundance, improved stability, a more responsive management regime and increase safety;*
 - *For CRA 8: high stock abundance and maintained stability.*
25. The management objective inherent in those aspirations fails in circumstances where removals cannot be effectively constrained to the allowances made for them. This is an area of concern which must be properly addressed by the NRLMG prior to the delivery of initial advice in December 2013.

Yours sincerely

NZ Rock Lobster Industry Council



Executive Officer



Ngati Porou
Seafoods Ltd

SUBMISSION

**Review of Rock Lobster Sustainability Measures for 1 April 2013
Initial Position Paper – December 2012**

Submission Compiled by: Ken Houkamau (Resource controller – NPSL)
Date Completed: 1 February 2013

EXECUTIVE SUMMARY

This submission is presented on behalf of Ngati Porou Seafoods Limited, the commercial asset holding company established under the Maori Fisheries Act settlement process to receive and manage the quota assets allocated to Ngati Porou.

Ngati Porou Seafoods Limited reaffirms our commitment to effective fisheries management and sustainability which has been an intergenerational part of our core values and culture.

We are descendants of Tangaroa (God of the sea). The relationship is recorded in our history and in our lifestyles. From fishing in the Pacific, to trapping crayfish in whanau allotted pools; cruising the Tasman trading goods gathered in Ngati Porou, to enforcing Rahui for the conservation of our kapata kai by sheer force of mana. We are part of the sea and other fisheries, and they are part of us.

This philosophy is further embodied in our company vision statement and purpose for its existence;

Me te tiaki i te moana me ona rawa, ka taea te whakahiato nga kai moana tokomaha rawa atu ma Ngati Porou me ona hapu mo ake tonu atu.

‘To manage, protect and enhance Ngati Porou’s seafood resources and environment in a profitable and sustainable manner for the future’

The onset of colonial contact brought the Treaty of Waitangi and its guarantee of our rangatiratanga and other tikanga. They form the basis of the rights now metamorphosed into a bundle of assets allocated under the Maori Fisheries Act to Ngati Porou on agreement with the Crown.

In making this submission Ngati Porou Seafoods Ltd, which includes more than 70,000 registered shareholders, indicates its strong desire to ensure our resources are managed in a responsible manner and agreements with the Crown as well as our tikanga are maintained and honoured.

We tautoko (support) the Minister of Fisheries recent statements pertaining to the importance of fisheries to New Zealand’s economy, heritage, culture and national identity.

We also bring to the attention that NPSL is a member of the Iwi Collective Partnership which is a collective of twelve iwi across the North Island who have pooled their annual catch entitlement together, including Rock Lobster, to improve management decisions, returns, and opportunities within the fisheries sector.

**Review of Rock Lobster Sustainability Measures for 1 April 2013² Initial Position Paper –
December 2012**

Written submissions should be sent directly to:

Email: FMSubmissions@mpi.govt.nz

Post: Rock Lobster Submissions
Fisheries Management – Inshore Fisheries
Ministry for Primary Industries
P O Box 2526
Wellington 6140

2. Background

NPSL write in response to the National Rock Lobster Management Group's proposed TAC, TACC and allowances for CRA3 and CRA4. They are as follows;

Stock	Option	TAC (Tonnes)	TACC	Customary Allowance	Recreational Allowance	Other Mortality
CRA3	CRA3_01: Be guided by the CRA 3 Management Procedure and increase the TAC and TACC	354.5	225.5	20	20	89
	CRA3_02: Retain the current CRA 3 TAC and allowances	322.3	193.3	20	20	89
CRA4	CRA4_01: Be guided by the CRA 4 Management Procedure and increase the TAC and TACC	694.7	499.7	35	85	75
	CRA4_02: Retain the current CRA 4 TAC, TACC and allowances	661.9	466.9	35	85	75

In reviewing these fishery management options NPSL feel it is important to convey some background underlying goals and principals of the CRA3 management plan which directly relate to this matter at hand.

NPSL management positively participated in the Cra3 multi-stakeholder group since its inception and are supporters of this kaupapa and its focus on local area management initiatives and developing long term sustainable fisheries through improved information collection.

A Cra3 fishery management plan was developed by the multi-stakeholder group, which included participation by the Ministry of Fisheries. This plan highlighted the need for better management tools to be implemented and identified key goals to achieve this.

High-level Goals	
1	A Sustainable CRA 3 Fishery
2	Quality Information for Decision-Making
3	A Healthy CRA 3 Fisheries Environment
4	A Fishery for All Sectors

Included in its key goals was the establishment of a management procedure to better manage stock abundance, growth, and annual TAC / TACC changes to provide more certainty to all users.

Part of this process included workshops with other stakeholders, MOF, and scientists to provide key data for various models which culminated in Rule 2(a) being adopted.

Key elements of Rule 2(a) were;

- Conditional upon a 3yr fixed TAC, set at the current TAC (293 tonnes), unless off-set year CPUE falls below 0.75 kg/pot lift or rises above 1.08 kg/pot lift.
- The management procedure will be evaluated every year.
- The relation between CPUE and provisional TAC (before minimum and maximum changes limits operate and ignoring the initial fixed TAC) is illustrated in figure A.

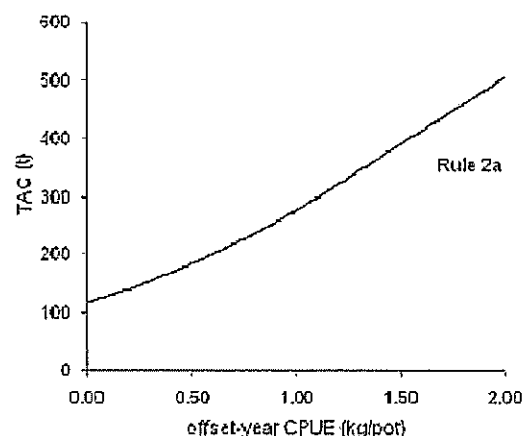


Figure A: The "Rule 2a" CRA 3 Management Procedure

Rule 2(a) also indicated that should the CPUE move up or down beyond the parameters agreed then the TAC could be adjusted in various ways, namely;

- After the initial fixed TAC expires, if the procedure result in a TAC that does change by more than 5%, no change will be made
- After the initial fixed TAC expires, if the procedure results in a TAC that changes by more than 10%, the TAC will be changes by 10% only

CRA4

In March 2012 the Minister agreed to use the 'Rule 28a' CRA 4 Management Procedure from the 2012-13 fishing year.

Some important elements of the CRA 4 Management Procedure are:

1. The output variable is TACC (tonnes) (non-commercial catch assumptions are made from the operating model)
2. Offset-year standardised CPUE is used as an input to the rule to determine the TACC for the fishing year that begins in the following April.
3. CPUE is calculated using the 2003 "B4" procedure. This procedure sums all landings (to a licensed fisher receiver) and effort for a vessel within a calendar month and allocates the landings to statistical areas based on the reported area distribution of the estimated catches.
4. The management procedure is to be evaluated every year (no "latent year"), based on offset-year CPUE.
5. It has no thresholds for minimum and maximum change, except a maximum 25% increase limit below the first plateau.

The CRA 4 Management Procedure is based on a generalised 'step' rule. Below a CPUE of 0.5 kg/pot lift, the TACC is zero; between a CPUE of 0.5 and 0.9 kg/pot lift, the TACC increases linearly with CPUE to a plateau of 467 tonnes, which extends to a CPUE of 1.3 kg/pot lift. As CPUE increases above 1.3 kg/pot lift, TACC increases in steps with a width of 0.1 kg/pot lift and a height of 7% of the preceding TACC.ⁱ

3. RECOMMENDATION

Cra3 Recommendation:

NPSL supports option CRA3_01 (Be guided by the CRA 3 Management Procedure and increase the TAC and TACC).

Under the CRA3 management procedure it proposes a TAC of 293 tonnes for 3 years (2010–11, 2011–12 and 2012–13) unless offset-year CPUE falls below 0.75 kg/pot lift or increases above 1.08 kg/pot lift. If the CPUE falls outside these limits, the harvest control rule equations will lead to a TAC recommendation.

Since this management procedure has been in place we have had steady improvements of the CPUE. The 1.08 kg/pot lift upper CPUE threshold was well exceeded in the 2012. The 2012 autumn-winter standardised CPUE of 2.35 kg/pot lift supports the assumption that stock abundance is improving, the CRA3 management procedure is working, and that we should continue to use it to guide our decision making processes.

The 10% increase in TAC to 354.5 tonnes is estimated as conservative and TACC to 225.5 tonnes represents an estimated \$1.8 million to commercial sector earnings which is significant.

A principal concern however to all sectors is the sustainability of the stock. NPSL have always participated in the CRA3 multi-stakeholder group since its inception and supports these local area management initiatives and developing a long term sustainable fishery through improved information collection.

This being said, the current information available suggests that this increase in TAC/TACC poses little risk to the current sustainability of the CRA3 stock.

We again would like to highlight the uncertainty surrounding non-commercial Lobster catch volumes. We support initiatives that aim to improve this. Improved information from these sectors will improve our ability to manage the stock abundance, growth, and annual TAC/TACC changes, meaning better certainty to all users.

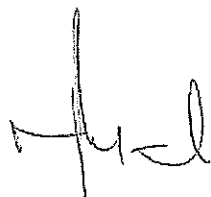
In supporting the TAC increase, NPSL think it would be an opportune time for the local area management forum to revisit the regulatory measures used that may no longer be suitable, i.e.: Cra3 Concession, closed season, voluntary closures, as in line with other recent consultations we have contributed in.

Cra4 Recommendation:

NPSL supports option CRA4_01 (Be guided by the CRA 4 Management Procedure and increase the TAC and TACC

After reviewing the CRA4 TAC, TACC and allowances the best available information suggests that the increase poses little risk to the sustainability of the Lobster and the increased CPUE in recent years indicates greater abundance in the fishery.

Noho ora mai koe

A handwritten signature in black ink, appearing to be 'M R Ngata', written in a cursive style.

M R Ngata (General Manager)
Ngati Porou Seafoods Ltd,
47-53 The Esplanade
PO Box 1296, GISBORNE

ⁱ NRLMG – Review of Rock Lobster Sustainability measures for 1 April 2013, page 32. MPI discussion paper no 2012/29



The Otago Rock Lobster Industry Assoc.Inc.

23 ERIN STREET DUNEDIN 9010

29th January 2013

Fisheries Management-Inshore Fisheries

Ministry for Primary Industries

P.O.Box 2526

Wellington 6140

OTAGO ROCK LOBSTER INDUSTRY ASSOCIATION [ORLIA]

Submission on

REVIEW OF ROCK LOBSTER SUSTAINABILITY MEASURES FOR 1ST APRIL 2013

The ORLIA Supports

CRA7 B Agree to use the new ‘ Rule 39’ Management Procedure to guide TAC setting in CRA7

The Otago Rock lobster Industry Associations members hold 95% of quota shares and are 80% of CRA7 fishers. The association welcomes the opportunity to present this submission on the review of Rock lobster Sustainability Measures for 1st April 2013.

The CRA7 fishery is unique among New Zealand lobster fisheries in having a significantly smaller MLS. This regional difference being in recognition of the predominantly recruitment habitat of the Otago Coast, and the regular southern migration of 4 to 6 year old lobster.

BACKGROUND

The CRA7 fishery has always been a cyclical fishery. The combination of predominantly recruitment habitat, regular migration and only periodic settlement creates a fishery with peaks of abundance 4 to 5 years after each period of recruitment. 2007 was the start of the most recent peak, from a period of settlement in 2002/2003. Regular migration combined with a mass migration in 2009 have placed the stock abundance at the bottom of the cycle. Settlement in 2009/2010/2011/2012, combined with a strong showing of undersized lobster in this seasons catch, give us confidence for the future.

The first Management Procedure for CRA7 was based on the notion that when the fish are abundant the catch should be maximised. The increase in CPUE in 2007 and 2008 resulted in a TACC for the 2009 season of more than 180ton of which only 126ton was landed. On a small piece of coast we had a 50% increase in the size of the fleet and catch effort.

The coastal kelp forests and every available reef system were plastered with pots as the fishermen who had purchased the new abundance of ACE attempted to catch it. The more than 50ton short fall in catch tells a story of significant financial hardship for the many that had uncaught ACE at the end of the fishing year. In addition area's that have traditionally been left to supply lobster in the lean years were fished heavily.

This was a salutary lesson as to the impact of a high exploitation rate Management Procedure. A simple boom, catch when abundance is high and bust, a low TACC approach, doesn't work when ACE is paid for before the fish migrate.

THE ORLIA VIEW

The ORLIA supports 'Rule 39' Management Procedure, which responds quickly to both increase and decrease in abundance. This to be tempered by a TACC plateau at **80TON**. We believe this represents a conservative approach to the management of the CRA7 fishery. By lowering the commercial catch during periods of rising abundance more fish will be available to recreational and customary fishers and provide greater stability of catch in periods of low recruitment.

The future requires the re-establishment of lost lobster habitat and development of techniques to create consistent settlement. The industries stand of growing abundance and to increase sustainable catch levels has never worked in CRA7. The migratory nature of the Otago fishery will always have to be at the fore front when considering management options.

Simon Gilmour
Executive Officer



20 January 2013

Rock Lobster Submissions
Fisheries Management – Inshore Fisheries
Ministry for Primary industries
PO Box 2526
Wellington 6140

Submission

Review of Rock Lobster Sustainability Measures for April 2013

This submission is made by the CRA8 Management Committee Inc. (“the Committee”). This organisation is a fully constituted and incorporated society that is recognised as the commercial stakeholder organisation representing the interests of the commercial rock lobster industry in the southern South Island including South Westland, Fiordland, Stewart Island, Foveaux Strait and adjacent islands.

This submission is made in relation to both of the Initial Position Papers released for consultation in relation to decisions affecting the CRA8 fishery.

Initial Position Paper 1

Proposal to Use New Management Procedures to Guide TAC Setting for CRA8

The Committee is fully supportive of the development and use of management procedures to guide TAC setting and therefore operate as the cornerstone of the CRA8 fishery management regime.

When the current management procedure was being considered in 2007 and 2008 the Committee held the view that a new management procedure should include both biological and economic considerations in its development. As a result the Committee advocated for a management procedure that included a range of CPUE values (lower and upper parameters within a plateau) that would maintain the Total Allowable Catch (TAC) at a constant level and provide stability for the fishery and industry. In turn this provided confidence and some certainty for business planning and investment.

The resultant 2008 management procedure was conservative in its outcomes and this was demonstrated in the manner in which it exceeded the statutory requirements to manage the fishery at or above *Bmsy* and also the agreed proxy *Bref*.

It also recognised that within the CRA8 fishery the best economic result is not necessarily achieved through maximum exploitation of the vulnerable biomass. The ability to target fishing effort at certain times of the year and certain grades when market prices are at their most favourable is a much more desirable outcome.

On reflection, it is clear that the strategy of the Committee at that time was correct. In consideration of a “new” management procedure the views of the Committee have not changed and the Committee supports the ongoing use of a “plateau” rule.

The Committee supports the move to a rule that sets the Total Allowable Commercial Catch (TACC) outcome. As proposed by Option CRA8_A ‘Rule 1’.

The intention to use a new procedure for preparing and utilising data for CPUE calculation and standardisation provides some concerns and is not readily supported. The new method (F2-LFX) uses new data sets over and above the current (B4-L) method that relies on actual verifiable weights taken from the Catch Landing Data section of the Catch Effort and Landing Return. The results from the use of each method show major differences. The largest of these new data sets is the estimate of rock lobsters recorded against Destination Code ‘X’ in the CELR. The accuracy of this information is highly questionable and at the same time is a large figure. The total estimated weight recorded against “X” may in some years exceed the weight of actual landings. This has generated a large amount of unease amongst CRA8 industry members that a method that uses highly unreliable estimates can produce a credible and consistent result.

Despite earlier assurances that the differences in the CPUE results between the two methods would be minimal the reality is different. It is incongruous to the extent that use of the current method shows a decrease in CPUE for the 2012/13 off set year but the new method records an increase and moves the annual data point close to where an increase in the TACC would be invoked.

The average discrepancy between the two methods for the last five years is approximately 0.5kgs per potlift as can be seen from the following table¹. In support of the point made above is the fact that the amount of variation between the results is not consistent.

YEAR	B4-L	F2-LFX
07/08	3.6065	3.8856
08/09	3.6549	4.0709
09/10	3.0368	3.5215
10/11	2.8477	3.2122
11/12	2.7446	3.3457

¹ “Some Comparative Plots” Paul Starr 19 November 2012

Weights recorded against Destination Code 'L' are a true record of the exploited portion of the fishery. The current management procedure (and determination of the parameters) was developed using the B4-L CPUE calculation. There is a relationship between the two.

CPUE is used as a relative index of abundance. However the biomass of the whole fishery as determined by the F2-LFX method is different to the outcomes determined by the B4-L method which essentially measures the size of the exploited biomass. The Committee submits that CPUE based on this method should continue to be used in determining outcomes from the new management procedure. Particularly as the new rule is a TACC rule.

If the new method (F2-LFX) is used the upper parameter of the management procedure must be increased to retain the relativity between the management procedure design and CPUE calculation. In this instance the upper parameter must move from 3.2kgs to 3.7kgs. Analysis of this option proves that the 'safety' of such a rule is not compromised, and is in fact slightly increased².

To reiterate: it is the favoured position of the Committee that the current method of CPUE calculation be retained and used to determine TACC outcomes of the 'new' management procedure. There is no need to change something that has been proven to be successful and that is readily understood and accepted by the CRA8 industry..

Initial Position Paper 2

Proposed TACs, TACCs and Allowances for CRA8

The Committee supports the proposal to use the new CRA8 Management Procedure "Rule 1" - subject to the amended upper parameter (if a decision is taken to utilise the F2-LFX method) – to set the TAC, TACC and non-commercial allowances at the current amounts (Option CRA8_01).

Given that the 2012 stock assessment predicts a 16% decline in biomass over four years until 2016, some caution should be taken in making any adjustments and it would be remiss to adopt any position other than the status quo.

The Committee disagrees with the estimate of recreational catch of 87.5 tonnes for 2011³. This figure is a result of the use of methodology in the 2012 stock assessment that assumes a linear relationship between recreational catch and CPUE from a start point of 1994/95. However a major regulatory intervention in 2005 for the Fiordland Marine Area – where most recreational rock lobster fishing in CRA8 occurs – removed the open ended ability to accumulate catch at the rate of the daily limit for each day of a trip. A maximum of 15 rock lobsters per trip was introduced. The effect of this has been considerable. Where fishers may have previously taken up to 60 each (10 days x 6 per day) the limit is now 15. Trips of 10 days and longer are common in this area.

The Committee contends that the current recreational harvest is likely to be close to the recreational allowance. However without robust record keeping and reporting the actual figure will never be known. This lack of recreational data compromises credible fisheries management strategies and the Committee fully supports the development of principles for

² "More CRA8Rules" Paul Breen 19 November 2012

³ Page 28 IPP, Table 3.9

non-commercial allowance setting based on good data. The Committee acknowledges the efforts employed to improve the collection of customary fishing data but sees the refusal of the recreational sector to contribute in a responsible manner as completely unacceptable. Claims that the rock lobster fishery is highly valued by the recreational sector are not borne out by this lack of action and responsibility.

The Committee submits that full value in non-commercial allowance setting, for both management and sustainable utilisation opportunities, can only be achieved where the catches are constrained to the allowances.

Summary

The CRA8 Management Committee Inc.:

- Supports the use of management procedures in CRA8;
- Supports the introduction of the proposed Option CRA8_A 'Rule 1';
- Does not support the use of the new (F2-LFX) method for CPUE calculation;
- Supports the retention of the current method (B4-L) for CPUE calculation;
- Supports the increase in the upper parameter to 3.7kgs for 'Rule 1' in the event of the F2-LFX method being imposed;
- Supports the proposed Option CRA8_01 - subject to the above amendment (if necessary) - to set the CRA8 TAC, TACC and allowances;
- Does not agree with the estimated recreational catch figure for CRA8;
- Supports moves to develop principles for non-commercial allowance setting;
- Considers that non-commercial catches must be constrained to the appropriate allowance; and
- Considers the refusal of the recreational sector to take responsibility and contribute to credible fisheries management through the provision of catch data as completely unacceptable.

Malcolm Lawson
Chief Executive Officer

Mark Connor
President
NZ Sport Fishing Council
PO Box 93
Whangarei
secretary@nzsportfishing.org.nz



Rock Lobster submissions
Fisheries Management – Inshore Fisheries
Ministry for Primary Industries
PO Box 2526
Wellington 6140
FMSubmission@mpi.govt.nz

1 February 2013

NZ Sport Fishing Council submission on the review of Rock Lobster sustainability measures for 1 April 2013

NZ Sport Fishing Council

1. The New Zealand Sport Fishing Council appreciates the opportunity to submit feedback on the review of Rock Lobster sustainability measures for 1 April 2013. The Ministry for Primary Industries (MPI) released their proposals on 14 December 2012, with submissions due by 1 February 2013.
2. NZSFC representatives are available to discuss this submission in more detail if required. We look forward to positive outcomes from this review and would like to be kept informed of future developments. Our contact is Roz Nelson, secretary@nzsportfishing.org.nz.
3. The New Zealand Sport Fishing Council is a National Sports Organisation with over 32,000 affiliated members from 56 clubs nationwide. Rock Lobster are highly valued by members of clubs affiliated to the Council and a growing number of contributing supporters. Rock Lobster are harvested to feed family and friends. For many, these prized Crayfish simply cannot be valued in dollars.
4. Rock Lobster must be abundant to enable us to provide for our social, economic and cultural wellbeing, and be sustainable to meet the reasonably foreseeable needs of future generations, as per section 8(2)(a & b) of the Fisheries Act 1996.
5. The New Zealand Sport Fishing Council is committed to ensuring that sustainability measures and management controls are designed and implemented to achieve the Purpose and Principles of the Fisheries Act 1996. A precautionary approach needs to be taken in this highly valued fishery, which is managed using uncertain and incomplete information.
6. The New Zealand Sport Fishing Council is concerned that our members, supporters and others nationwide are becoming disillusioned with the ongoing mismanagement and subsequent depletion of our taonga [treasure], our Crayfish.

NZSFC recommendations

- That the Minister takes a more active role in the management of Rock Lobster, to restore abundance, to decrease the risks associated with low biomass levels and to provide for reasonable public use.
- That the Minister addresses the sustainability concerns of non-commercial stakeholders by agreeing to stop the use of Management Procedures based on CPUE [Catch Per Unit of Effort] controls, and to initiate a full review of Rock Lobster management.

Executive summary

7. The Ministry for Primary Industries (MPI) is following advice from the National Rock Lobster Management Group (NRLMG) that is driving Rock Lobster stocks in Crayfish 3 (CRA3, Gisborne) below levels that provide for reasonable public use.
8. Catch Per Unit of Effort (CPUE) point estimates, with little supporting information, are not a reliable proxy for abundance, particularly in CRA3.
9. The growing gap between modeled stocks and the observed stocks is diverging to the point where the models can no longer be relied upon as being 'best available information'.
10. There is insufficient information being gathered on catch to permit Management Procedures to be used in a useful, and potentially lawful way.
11. In our view, implementation of the proposed Management Procedures in our Rock Lobster fisheries will not meet the statutory obligations in the Fisheries Act 1996.
12. The use of Management Procedures based on CPUE-driven harvest controls must cease and a full review undertaken to correct the misnomer that in all Rock Lobster stocks 'CPUE is a reliable indicator of abundance'.
13. The New Zealand Sport Fishing Council (NZSFC) considers the current proposals benefit commercial interests and the NRLMG, to the detriment of non-commercial interests in the Rock Lobster fisheries.

NRLMG advice

14. In 1992 the National Rock Lobster Management Group (NRLMG) was established as a statutory body to provide advice to the Minister on managing the Rock Lobster fisheries. It is advertised as a multi-stakeholder group comprising representatives of customary, recreational and commercial fishing interests, and MPI. In reality, sector representatives are limited to Te Ohu Kaimoana (TOKM), NZ Rock Lobster Industry Council (NZ RLIC), New Zealand Recreational Fishing Council (NZRFC) and the Environment and Conservation Organisations of Aotearoa New Zealand (ECO).
15. The Ministry for Primary Industries is now engaged in the management of Rock Lobster from the sideline. The role of MPI as the facilitator of a group (NRLMG) comprising users has had the longest running trial in the Rock Lobster fishery. There is nothing obvious upon which to gauge the Group's performance or success, as s13(2) relieves advisors of the need to properly examine stocks for $B_{current}$ and B_{msy} estimates, leaving open the possibility of choosing convenient proxies. Computer simulations to estimate stock size, where made-up numbers validate other contrived numbers, are a poor alternative to actual observational data.
16. NRLMG participants routinely select data with the comment "agreed to by Working Group members". This arises from the demands of the stock assessment models or Management Procedures for information, much of which is unknown. In our view, the unknowns overwhelm what is known about the Rock Lobster stocks.
17. The potentially most valuable data sets to inform on the status of a Rock Lobster fishery relate to:
 - a. Annual recruitment and abundance of pre-recruits; and
 - b. The full description of the catch and harvest by sex and size.It seems that this data is missing or merely guessed at.

18. NRLMG advice routinely excuses itself from properly addressing the parlous state of non-commercial catch in some areas, CRA3 particularly, on the basis of poor information or by simply ignoring the matter.
19. The Purpose and Principles of the Fisheries Act 1996, sections 8-10, support the management of fisheries at abundant levels to enable people to provide for their social, economic and cultural wellbeing. The public has rights to fish for food and recreation under the Fisheries Act and failure to properly provide for this right is unreasonable. There are many ways that the public's fishing interest in the stock could be advanced in advice papers, but these are forgone in the pursuit of commercial benefits through higher catches.
20. In our view the NRLMG fails to give advice that enables all sectors to maximise the benefits from the Rock Lobster fisheries, instead adopting strategies and crafting advice that benefit commercial users, while barely noting the non-commercial dissent.
21. In our view the NRLMG must be held accountable to all stakeholders. In 2001 it was agreed by the Minister and NRLMG that the group would *"provide well informed, credible, and consistent research and management information and advice to sector groups, Government agencies, and Ministers"*¹. The NRLMG must be obliged to achieve this unfulfilled commitment.

CPUE as a proxy for abundance

22. Assuming that commercial Catch Per Unit of Effort (CPUE) is proportional to abundance comes with many risks. It is inevitable that some major problems are only resolved by using numbers "agreed by members of the Working Group". Under this scenario, validation is not required if members merely agree. Commercial CPUE is often affected by operational changes and market demands, but there is no consistent way that these changes are recorded or taken into account.
23. One critical assumption is that commercial fishing effort effectively samples the vulnerable biomass. The submitters reject the assumption that CPUE provides an unbiased sample of population abundance, primarily on the grounds that Rock Lobster have always suffered serial depletion - as the stock is fished down effort is redeployed to pockets of remaining adult stock.
24. The Rock Lobster population is fished at different rates across its range. Areas close to home ports are the first to be depleted. As catch rates diminish pots are moved to grounds holding a less heavily fished population, where abundance is greater. When that is exhausted another move is made, allowing stocks to be serially depleted without any apparent decline in CPUE to highlight changes in stock size.
25. Without knowing what effort is applied to the same area, in the same way, and the catch composition, the changes in raw CPUE data becomes non-attributable. In future some form of electronic logging of location and catch by pot lift could help.
26. High grading, where fishers release low value Crays and keep premium size animals, in line with market demand, is influencing the proportion of catch retained. The NZSFC is concerned that there seems little validation of what is recorded as 'returned to the sea'.
27. The NZSFC highlight to the Minister that the rapid increases in CPUE seen in some stocks last year merely indicate a change in fisher behaviour or the area fished. The Minister and fisheries managers must be wary of relying on CPUE as an index of abundance, especially where the rate of increase is implausibly high.

¹ NRLMG 2003 Annual Report.

Application of Management Procedures

28. Management Procedures are a mechanism used to guide catch limit decisions in most Rock Lobster fisheries. Management Procedures are driven by CPUE data.
29. Setting and altering the Total Allowable Catches (TACs) based on un-validated fisher-recorded CPUE data requires a good deal of faith to overcome the possibility that this data is easily manipulated, as there may be a high incentive to do so.
30. The basic understanding of Rock Lobster settlement, recruitment, growth, migration, natural mortality, and natural variances are mostly missing. A few small pieces have been studied, but the unknown dominates the knowledge base, and this alone reinforces the need for the Minister to act in a precautionary manner when managing the Cray fisheries.
31. One informative data set that has not been properly utilised is the size distribution of landed catch. To understand how the stock is affected by fishing it is critical that we know the numbers of each cohort being taken in commercial Cray pots. This data is important if we are to have any understanding of population changes, particularly when no reliable index of Rock Lobster settlement and recruitment exists.
32. Most of the commercial landed catch is passed over Licensed Fish Receiver scales to grade into sizes. For most Rock Lobster fisheries this data is available for the past 20 years. This information provides essential indicators of the changes in size structure of the harvest.
33. Tracking changes in the age/size composition of the harvest is essential if the effects of a Minimum Legal Size (MLS) Concession are to be understood.
34. Moreover, we are seriously concerned that commercial fishers, in CRA3 in particular, are reliant on Concession fish. At earlier CRA3 regional meetings fisheries managers advised that Concession fish were estimated to be between 60 and 70% of landed catch.
35. The Minister must insist that information on where, when and how many fish below the Minimum Legal Size, at 52mm and 53mm, is being harvested by commercial fishers as per the Concession. This information is critical to determining whether it is the abundance of these small fish that is skewing the CPUE results.
36. Without this information we can only guess at the proportion of how many Rock Lobster below the MLS are contributing to the CPUE. Having validated this information the Minister will then be empowered to make a more informed TAC decision.
37. THE NZSFC REQUESTS the following information –
 - a. What percentage of fish below the MLS are landed, per stock?
 - b. When and where are fish below the MLS being harvested, per stock?
 - c. What proportion of legal Rock Lobster catch is returned to the sea?
 - d. What is the trend in high grading, over time, in each Rock Lobster fishery?
 - e. What is the total effort in pot days for each fishery?
 - f. What is the trend in total effort?

Management without this supporting information means there is no ability to crosscheck the changes observed in CPUE. Validation of such important information enables credible management.

38. In a fishery of such high social, economic and cultural value it is important for the Minister to insist he receives full and balanced advice, and MPI must provide the Minister with the best information – not just an all-powerful point estimate of CPUE.

Differing worlds of modeled and observed stock

39. The assumptions made of stable Rock Lobster stocks used to base historical abundance (B_{ref}) and B_{msy} on is an illusion – convenient certainly, but unfortunately not supported by observation.
40. There has not been a stable period since the Second World War. Ask any fisher that worked through the 1960s, 70s and 80s and hear of expansion, as better boats, mechanical haulers, better pots, enabled the exploitation of new grounds. The major fishing strategy was breaking in new territory.
41. There is clearly something basically wrong with a model that cannot be confirmed by observations. The changing size of Rock Lobster in the CRA3 population and the loss of range, confirm a stock that long-time observers have estimated at less than 10% of the unfished stock – below the ‘hard limit’ as per MPI’s Harvest Strategy Standard.
42. The calculations of B_{msy} , and the B_{ref} estimate, are simply not credible to anyone who compares the model predictions against real-time, daily observations. The 2009 CRA3 stock assessment predicted further decline in stock size, and (cynically) this is overturned by a ‘miraculous’ and unpredicted rebound in CPUE since the introduction of the Management Procedure.
43. A plausible explanation of how stock size has leapt from low and declining, to record highs in just three years is required, with supporting information, before allowing CPUE to drive Management Procedures.
44. In our view, the Management Procedure being applied in CRA3 fails to meet the provisions of ss8, 13, 20, 21 of the Fisheries Act 1996, by making changes to the Total Allowable Commercial Catch (TACC) while barely paying lip-service to the need to provide for public catch and interests, or comply with other statutory duties.

Public frustration with depletion

45. Abundance continues to fall along in the northeastern Rock Lobster fisheries, CRA1 (Northland), CRA2 (Auckland – East Coast) and CRA3 (East Coast – Gisborne). Non-commercial catches have plummeted in response to stock depletion.
46. The concentration of commercial potting on the remnants of the Rock Lobster stock has the public questioning the process that permits increasing fishing effort in a stock that, in many places, is seemingly fished out.
47. The cycle of NRLMG advice being accepted on face value, in stark contrast to the observations of the public, has seriously eroded confidence in the Ministry’s ability to control and manage commercial activity in the Rock Lobster fisheries.
48. There are increasing numbers of people aware that this advice is only guided by a goal of securing a short-term commercial benefit. NZSFC members have asked the executive to explore other means of influencing these decisions.
49. The NRLMG and the Minister must take non-commercial interests and needs seriously.
50. There was a clear message from the stakeholders’ meeting held in Dunedin last year. Joint sector aspirations were identified for two quite different fisheries, CRA7 (Otago) and CRA8 (Southland). High abundance was the goal in both cases -
 - For CRA7: increased abundance, improved stability, a more responsive management regime and increase safety (meaning – less chance of overfishing);
 - For CRA8: high stock abundance and maintained stability.Stakeholders in other Quota Management Areas would likely endorse similar goals if an equivalent process were conducted.

Fisheries Act support for reasonable public catch

51. Advice to the Minister includes comments on his statutory duties when making decisions under the provisions of the Fishers Act 1996. This advice would include, among other matters, how the decision conforms to the Purpose (s.8).
52. The Purpose directs the Minister to manage fisheries sustainably, to both enable people to provide for their social, economic and cultural wellbeing, and to maintain the potential of the fishery to meet the reasonably foreseeable needs of future generations. (s8)(2)(a & b).
53. The Supreme Court has also identified the obligations of the Minister in saying, *“the notion of people providing for their wellbeing, and in particular their social wellbeing, is an important element of recreational interests²”*.
54. The NZSFC urges the Minister to make a lawful decision. To do so, the Minister must be made aware that the application of Management Procedures to set TACs and TACCs, particularly in CRA3, ignores the public’s fishing interests and has resulted in further depriving the public of an opportunity to a reasonable catch.
55. Gisborne-based recreational fishers have spent thousands of hours advocating for the local fishery to be managed at a higher abundance level, to enable the local community to provide for their wellbeing. All to no avail.
56. Increasing abundance in the Rock Lobster fisheries would yield many benefits for the Minister and others including, but not limited to:
 - a. Improved marine environment, with more diversity and robust fisheries;
 - b. Increased real-time CPUE for commercial fishers;
 - c. Increased size and abundance of Rock Lobster available for non-commercial use;
 - d. Reduced conflict between various interest groups; and
 - e. Simplified and more credible management processes inclusive of stakeholder input.

Hauraki Gulf Marine Park Act

57. The Hauraki Gulf Marine Park boundaries fall within the CRA2 management area. When setting the TAC the Minister is required, under s11(2)(c) of the Fisheries Act 1996, to have *particular regard* to sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000. These sections recognise the Hauraki Gulf’s national significance, the wellbeing of people and the protection and enhancement of the natural resources, including kaimoana, within the Park.
58. The NZSFC emphasise the need for the Minister to comply with the provisions of these Acts, to rebuild this fishery to abundant levels, to improve marine diversity and to enable people to provide for their social, economic and cultural wellbeing.

Previous NZSFC submissions

- 2012 – Submission on the review of Rock Lobster regulatory controls.
- 2012 – Submission on the review of Rock Lobster sustainability measures for 1 April 2012
- 2011 – Submission on the review of Rock Lobster commercial Concession Area Regulations
- 2011 – Submission on the review of Rock Lobster sustainability measures for 1 April 2011
- 2010 – Submission on the review of sustainability measures for CRA 3 & 4, for 1 April 2010.
- 2010 – NZSFC Zone 5 clubs submission on the review of CRA sustainability measures for 1 April 2012.

² NEW ZEALAND RECREATIONAL FISHING COUNCIL INC AND ANOR V SANFORD LIMITED AND ORS SC 40/2008 [28 May 2009]. Para 54. Review of Rock Lobster sustainability measures for 1 April 2013. NZSFC submission, 1 February 2013.