



17 March 2009

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Dear Paul, Richard and Paul

CLARIFICATION OF STATEMENTS IN BRIEFING TO THE INCOMING MINISTER OF FISHERIES

Thank you for your letter of 24 December 2008 on the above topic. The answers to your specific questions are provided later in the letter, but I thought it might be helpful to first set out some of the context in which the Ministry of Fisheries (MFish) work is proceeding.

New Zealand fisheries are in generally good shape, especially when compared to fisheries of other countries. The quota management system has proved a sound mechanism for allowing commercial harvest within sustainability limits, we have a comprehensive Treaty settlement dealing with access to fisheries and we have made good progress on addressing the impact of fishing on the environment.

Since my arrival at MFish it has been obvious to me that the management of fisheries resources is of great interest to many New Zealanders; but it also seemed clear that there wasn't a clear picture of the long-term view.

Last year, I commissioned PriceWaterhouseCoopers (PWC) to prepare a report on a draft vision and strategy for New Zealand fisheries. That report, Fisheries 2030, was developed after a series of meetings between PWC and individual stakeholders, as well as several combined meetings, between August and October. You were present at some of those meetings, Richard.

The draft report shows that most in the fisheries sector acknowledge that it would be helpful if we were able to develop, and achieve consensus, around long-term management goals to use as guides for management activities. Simply put, if we have a common view of where we want to go, we should find it easier to get together and find ways of making it happen.

The draft report was prepared by independent consultants and does not therefore represent Government policy. It does however highlight some perceptions and issues that MFish needs to be aware of when we carry out our usual role of administering the Fisheries Act and advising the Minister.

MFish, like all Government agencies, monitors the operation of its legislation to see where improvements can be made. In some cases these involve “fix-ups” of a technical nature, in others more extensive policy change is involved, but in each case advance planning is necessary. Within MFish we recognised that, if the Fisheries 2030 approach was continued there was the possibility of policy, and legislative, change to enable the implementation of any approved strategies. Accordingly, we established a Project team to identify the changes that might flow from the creation of a Fisheries 2030 Vision and strategy. This group has been working on general analysis, based on the current operation of the Act, and the general requirements for effective fisheries management.

I must stress that there has been no Government decision made to amend the Fisheries Act; this work is preparatory only.

1. *Do the terms “long-term fisheries strategy,” ‘long-term vision and strategy for our fisheries’ have the same meaning and are therefore interchangeable?*

Yes these terms are talking about the same thing. The idea is that there should be a long-term vision for the fisheries sector which sets out a common view about what fisheries should be like in 2030. The long-term strategy is the actions that need to be taken to reach the vision. Expectations around environmental, economic and social performance have changed, and this has created tensions that fisheries management systems have struggled to cope with

2. *What are the details of this ‘project’ and who has been working on it apart from MFish?*

The project has been set up to identify areas where policy and legislative change might be an option to improve the long-term performance of the fisheries sector. This includes amendments to fix current “technical” problems already identified in the Fisheries Act. There has been no external involvement to date.

3. *Does the phrase ‘ensure sustainability’ have the same meaning as in the Act or something else, and if something else what is intended?*

The phrase used in the BIM has no technical meaning and was used to indicate that, in general, any management regime must provide for the needs of both present and future generations.

4. *What are the assumed shortcomings with the Fisheries Act 1996 ('the Act') that are preventing 'utilisation whilst ensuring sustainability'?*

At a general level, the Act provides relatively few opportunities for collaboration between stakeholders, there is a lack of clarity about how allocation between sectors is addressed, there are limited alternatives to alter management targets, and the relationship between fisheries and other uses of the aquatic environment remains uncertain. In addition, there is little statutory support for objective-based fisheries management; especially the creation of standards and fisheries plans.

5. *What are the priority legislative amendments intended by you, and what particular outcomes are pursued?*

We have not yet established any possible priority legislative amendments. There are several general areas, similar to those identified in the draft PWC report, that might be suitable for further analysis for reform, but these need to be carefully assessed against the Government's existing priorities. The whole process of identifying specific options will be dependent on the discussions with the Government about strategy development and their preferences, if any, for legislative change.

It is my intention to keep all sectors informed of the result of MFish's discussions with the Minister about where, and how, strategy development might occur. There is no specific process in place at present, but I anticipate that the recreational sector would be involved, along with other sectors and tangata whenua.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Wayne McNee', written in a cursive style.

Wayne McNee
Chief Executive