

Kahawai Challenge Team
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Ever since the first overseas trawlers steamed over the horizon more than 40 years ago fisheries management has been contentious. As fisheries have been fished down or depleted the controversy has deepened, and public concern about how we go about rebuilding and enhancing our fisheries has increased.

So what is the Ministry of Fisheries doing to reverse localised depletion?

Very little it seems when we look at the history of spatial management.

One of the underlying issues is the extensive quota management areas. For example, Kahawai 1 (KAH1) extends from East Cape to North Cape. Area 1 for gurnard, flounder and mullet is even larger, stretching from East Cape around North Cape and west down to north Taranaki.

Having such vast management areas, with varying abundance in harbours, bays and out wide, has proven to be unrealistic. Kahawai is a classic illustration. In the Hauraki Gulf kahawai have become so small MFish now refer to it as a nursery fishery.

Seasonal runs of large kahawai create a momentary frenzy but for the shorebased or small boat fisherman the prospect of catching enough to feed his family has become a lottery.

For years the NZ Big Game Fishing Council battled against purse seining, to protect kahawai for use as bait, a sport fish and source of tourism revenue, and as a healthy food choice.

At 44 cents per kilo kahawai was hardly a commercial goldfish.

Despite ongoing protestations kahawai continued to be poorly managed.

Nothing, it seems, was going to stop purse seiners, assisted by spotter planes, vacuuming up kahawai and shipping them across the Tasman to be used as fishmeal and crayfish bait.

Finally the Minister of Fisheries decided to introduce kahawai into the Quota Management System in 2004. The objective was to reduce conflict by better managing the fishery. It was this and the subsequent decision in 2005 that triggered the Kahawai Legal Challenge.

No regard was given to the ongoing depletion, excessive commercial fishing that had caused the disappearance of large schools of kahawai, or the effect on the environment and dependent species, both birds and finfish.

Instead of taking the opportunity to restore abundance the Minister, at the time, reduced the public's allowance and commercial catch limit by an equal proportion, irrespective of who had caused the depletion or unavailability of kahawai to sustenance fishers.

This proportional reduction was highly objectionable to thousands of New Zealanders who aspired to having more abundant fisheries through the application of the purpose and principles of the Fisheries Act 1996. That purpose is to manage fisheries sustainably to enable people to provide for their social, economic and cultural wellbeing.

The Supreme Court has since ruled that the Minister has, in effect, discretion under the Act to allocate the available catch among commercial and non-commercial (customary and recreational) interests, as long as he makes an informed and reasonable decision.

Unfortunately, until we have sufficient abundance for conservation, sustenance and commercial use the Ministry's explanation that the lack of kahawai could be due to them "feeding on the bottom" neither adds up nor puts 'more fish in the water'.

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