

Credible Fisheries Management

99 Credible fisheries management requires acting in accordance with Treaty of Waitangi principles and engagement with tāngata whenua and stakeholders to implement the Government's policy of fisheries plans based on objectives-based management. This enables clear links between the strategies and services provided. Tāngata whenua and stakeholders will need confidence that decisions of the Government are properly implemented and performance is monitored and reported upon.

100 Factors that currently support credible fisheries management for the SIF are as follows.

Tāngata Whenua Input and Participation

101 Tāngata whenua in the SIF area belong to the Ngai Tahu iwi. The Ngai Tahu iwi is represented locally by 18 papatipu Runanga. Tāngata whenua input and participation for the SIF management is through four regional forums based at Kaikoura, Canterbury, Otago and Southland.

Stakeholder Input and Participation

Recreational input

102 Recreational fishers provide input into the SIF management through the South Marine Recreational Fishers Advisory Group. This group comprises representatives from the major areas of recreational fishing in the SIF. In addition, representation takes into account the main fishing methods in each area. These representatives are able to communicate effectively with recreational fishing clubs as these tend to be based on fishing methods in their area.

Commercial Input

103 Quota holders of SIF fishery stocks are generally members of South East Finfish Management Ltd. The company is able to make input into the SIF management as it has a formal governance structure with executive staff. The catching sector represented by the New Zealand Fishing Industry Guild, Port Associations based on Federation of Commercial Fishermen membership and a Trawling Group.

Conservation Input

104 Conservation input is available from marine scientists at Canterbury and Otago University and from conservation organisations such as Forest & Bird Society, WWF, Greenpeace and local environmental groups such as the Friends of Banks Peninsula), all have an interest in SIF fishery.

Protecting Value

105 The level of non-compliance and quantity of illegal unreported catch in the SIF is unknown. However, MFish believes that offending is occurring and the offences of greatest concern are misreporting area, species, and quantities of catch, particularly through illegal discarding of fish. The nature of this mixed and highly variable fishery makes it prone to this

type of offending. Other offences of concern are breaches of method and daily bag and stock limits in non-commercial fisheries, and illegal sale by all sectors. There have been prosecutions under all these categories in recent years.

106 Incentives to offend include the low cost of fishing (all sectors), easy access through the ACE available from the high TACCs of RCO 3 and FLA3, different values of the stocks and limited markets for some stocks.

Promoting Compliance

Information and Education

107 MFish provides education services and access to a range of information for the non-commercial sectors. These services include:

- development and distribution of information products such as signs and brochures that provide information on rules and guidelines for measuring and handling fish
- provision of information about rules and offending through the interaction of Fishery Officers and Honorary Fishery Officers with fishers, at schools, boat shows, and communications with, or advertising in, the media and the MFish website.

108 Awareness of rules and compliance is also influenced by the consultation process MFish uses to identify and progress proposed changes to fishing rules.

109 MFish information and education services do not, on the whole, specifically target SIF fishers. However, these services do focus on individual SIF stocks or issues relevant to an area.

110 The quota registry service provider 'FishServe' outlines commercial fishers high-level obligations including the requirement to acquire a fishing permit and ACE.

Monitoring, Surveillance and Enforcement

111 MFish carries out monitoring, surveillance and enforcement services in the recreational, customary, commercial sectors as well as manage poaching-black-market (PBM). These activities include:

- monitoring and surveillance
- offence detection
- investigation of potential or detected offending
- prosecution of detected
- development and maintenance of analytical tools to support these activities.

112 The MFish monitoring and enforcement capability may be directed at each sector, or across sectors and types of offending based on sector behavior and/or fishery characteristics. Activity focus on establishing an in depth understanding of fishing-related activity to allow compliance or enforcement needs to be identified more easily.

Services

113 This section provides detailed information on the range and category of services provided for the SIF. Some of these services are specific to this fishery while others are general in nature but have an impact on the SIF. Specifically, this section provides comprehensive information on:

- regulations in place in the fishery
- stakeholder measures in place in the fishery
- general MFish services provided in the current year (2006-07) that may be relevant to the SIF
- specific services for the SIF that will be delivered over the coming year(2006-07).

114 These services have been categorised using the 'Category of Services' framework produced for fisheries plans.

Regulations

115 The following sets of regulations apply to the SIF:

- Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986
- Fisheries (Southland and Sub-Antarctic Areas Amateur Fishing) Regulations 1986
- Fisheries (South East Area Amateur Fishing) Regulations 1986
- Fisheries (South East Area Commercial Fishing) Regulations 1986
- Fisheries (Commercial Fishing) Regulations 2001
- Fisheries (South Island Customary Fishing) Regulations 1999
- Gazette Notices made under the Act
- various Taiāpure-local fishery regulations
- various Mātaitai Reserve bylaws
- various regulations made under the Act
- various Marine Mammal Sanctuary regulations.

116 These regulations cover all aspects of commercial and recreational fishing in the area, not just the stocks under review in the SIF. The following specific regulations from the above legislation relates to the SIF:

Regulation	Who does it apply to	Date introduced	Purpose of regulation when introduced	Is this regulation still relevant	Outcome	Category
Set nets are restricted to 1000m length, and no more than 3000m (1500m in Lake Ellesmere) to be set unless more is authorised.	Commercial	1993	To reduce the impacts of set netting on marine mammals and seabirds.	Probably	Environment Protected	3
Set nets must be serviced within a 24-hour period. Exception: 48 hours permitted in the Canterbury area, but only between October and December.	Commercial	1993	To reduce set net loss and fish wastage.	No	Environment Protected	3
Surface set nets are banned in FMA3	Commercial/ Amateur	1989	To reduce impact on marine mammals.	Probably	Environment Protected	3
Commercial set netting is not permitted within 4 nautical miles of Banks Peninsula.	Commercial	1986	To protect the viability of Hector's dolphin populations. Three dolphin mortalities consideration for action.	Yes	Environment protected	3
Non-commercial set netting is not permitted from October to March in the Canterbury area between the Waiau and Waitaki Rivers. Exception: Flatfish areas are open in October and March	Amateur	2002	To protect the viability of Hector's dolphin populations.	Yes	Environment protected	3
No set netting is allowed between February and April in the Waimakariri River at the entrance to the Kaiaipoi River and the entrances to the river and streams flowing into Lake Ellesmere.	Amateur/ Commercial	Around 1980	To protect the viability of the East Coast South Island salmon population by reducing salmon catch. The areas listed in the regulation are the locations where the salmon congregate before they swim up river.	Probably	Value maximised/ Environment protected	3
Trawlers, greater than 23m in length or 250kv power, are not permitted to fish in the salmon conservation area off Banks Peninsula between 7 December and 14 February unless they have a historical right to do so.	Commercial	1991	Salmon protection: protects area where congregate before they migrate up river.	Probably	Value maximised/ Environment protected	3
No set netting is permitted within 300nm of Motunau Island, southeast	Commercial/ Amateur	1993	To protect the viability of the penguin population.	Yes	Environment protected	3

Regulation	Who does it apply to	Date introduced	Purpose of regulation when introduced	Is this regulation still relevant	Outcome	Category
Moeraki Peninsula and parts of Otago Peninsula.						
Commercial trawling is prohibited in Pegasus Bay from Waimakariri River to Okains Bay.	Commercial	1986	Elephant fish: protects the egg laying and nursery area.	Maybe	Environment protected	3
Minimum legal size of 25cm for RCO3, FLA3, TAR3.	Commercial/ Amateur	Before 1986	To allow fish to mature and breed before being harvested.	Maybe	Environment protected	3
Minimum trawl cod end mesh size of 100mm and minimum set net mesh sizes.	Commercial/ Amateur	Before 1986	Permit undersized fish to escape from nets.	No	Environment protected	3
Trawl vessels > 46m are not permitted to fish within the Territorial sea.	Commercial	1986	To prevent local depletion and environmental damage in the inshore.	Maybe	Value	2
Trawling and bottom long lining is not permitted in the Solander Trench near Foveaux Strait.	Commercial	1986	To prevent local depletion and environmental damage in the inshore.	Maybe		2
Set and drag netting is banned in the Catlins lake	Commercial/ Amateur	1993	To prevent local depletion of flounders.	Probably		
Danish seining is prohibited within 3nm of the coast	Commercial	Around 1940	To reduce sustainability risk.	Maybe		
Commercial fishing is not permitted within the internal waters of Fiordland.	Commercial	2005	Part of the Fiordland Marine Management Strategy to reduce fishing pressure in this area.	Yes		3
Commercial fishing prohibited in the following mātaihai reserves; Rapaki Bay, Koukourarata (Port Levy) and Te Whaka a Te Wera (Paterson Inlet).	Commercial	Since 2000	To support customary use.	Yes	Best value realised	3
No fishing permitted in the Northern Kaikoura Peninsula.	Commercial/ Amateur	2004	Sustainability concerns – a S186B closure.	Temporary closure	Environment protected	3
A maximum of 25 hooks per fishing line is permitted for recreational fishers.	Amateur	1994	Prohibits bulk fishing and the risk of localised depletion.	Probably	Environment protected	
A maximum of one set net per person and it must not exceed 60 m in length or be set within 60 m of another net.	Amateur	1993	Prohibits bulk fishing and the risk of localised depletion.	Probably		
Recreational fishers drag nets must be less than 40m in length.	Amateur	Before 1986	Prohibits bulk fishing.	Probably		

Regulation	Who does it apply to	Date introduced	Purpose of regulation when introduced	Is this regulation still relevant	Outcome	Category
Trawling, using set nets >100m, using lampara nets, box and teichi nets are all prohibited in the following areas; Le Bons Bay; Akaroa Harbour; Timaru Harbour; Oamaru Harbour and Otago Harbour.	Commercial	1986	To prevent localised depletion of recreational areas.	Probably	Environment protected/best value realised	
Restrictions on the number of individual fish an amateur fisher can take during one fishing day.	Amateur fishers	1993	Sustainability reasons.	Probably		
Restrictions on the total number of finfish that can be taken in any one day.	Amateur fishers	1993	Sustainability reasons	Probably		
No fisher will use a set net between one hour before sunset and one before sunrise in the following areas: <ul style="list-style-type: none"> • Motunau Island • Banks Peninsula • Otago Harbour • Port Chalmers • Tairoa Head • High Cliff • Catlins Lake 	Commercial /Amateur fishers	1986	To reduce the possibility of catching marine mammals and seabirds	Yes		
Set nets for use in Lake Ellesmere must have a mesh size greater than 100mm.	Amateur Regulations	1986	To prevent catching trout.	Probably		

Also need to know:

- How much effort is required to manage /monitor and enforce these regulations
- The cost of this effort

Stakeholder Measures

116 Voluntary agreements and codes of practice implemented by stakeholder representative groups. MFish has no power to monitor and enforce these measures although the information generated/collected from them would be useful for management purposes.

Stakeholder measure	Date introduced	Who does it apply to	Who manages it	Purpose of measure	Is this measure still relevant	Outcome	Category
Recreational fishers in Kaikoura, Motunau and North Otago agree not to set net if marine mammals and seabirds can be seen.	2000 onwards	Recreational fishers	Local recreational fishing groups	Reduce the impacts of set netting on marine mammals and seabirds	<i>Stakeholder input required</i>	Environment protected	3
Recreational fishers in Kaikoura, Motunau and North Otago agree only to fish reef areas.	2000 onwards	Recreational fishers	Local recreational fishing groups	Reduce the environmental impact of fishing	<i>Stakeholder input required</i>	Environment protected	3
Commercial set net fishers must use acoustic pingers and adopt good set netting practice such as short soak times.	2002	Commercial set net fishers	S E Finfish Management Ltd	Reduce environmental impacts of set netting/Promote responsible fishing	<i>Stakeholder input required</i>	Environment protected	2
No set netting inside the 40m depth contour.	2002	Commercial set net fishers	S E Finfish Management Ltd	Reduce environmental impacts of set netting	<i>Stakeholder input required</i>	Environment protected	2
No set netting within 2km of yellow eyed penguin colonies.	2002	Commercial set net fishers	S E Finfish Management Ltd	Reduce the impact of set netting on penguins	<i>Stakeholder input required</i>	Environment protected	2
All marine mammals and seabirds caught during harvest should be reported to DoC/MFish.				Promote responsible fishing	<i>Stakeholder input required</i>	Environment protected	2
Fishers should not set net or trawl in an area if marine mammals and seabirds can be seen.	2002	Commercial set net fishers	S E Finfish Management Ltd	Reduce the environmental impacts of set netting/Promote responsible fishing	<i>Stakeholder input required</i>	Environment protected	3
Trawling and purse seining not permitted in the Otago Peninsula	2002			To protect the bryozoan bed area	<i>Stakeholder input required</i>	Environment protected	2

General MFish Services Applicable to SIF

117 The following generic services are delivered by MFish across a range of fisheries of which the SIF is one. Where these generic services result in specific services related directly to the SIF, these are discussed in more details in the following section.

MFish Group	Business	Service	Description	Why its relevant to this fishery	Cost	Effort	Outcome	Category
Compliance		Education services	Development and distribution of educational products for recreational fishers, including signs and brochures, that promote information on rules and guidelines for measuring and handling fish	Information produced for <i>Southern Region Fishery Management Area</i> and <i>Fiordland Marine Area</i> Participation in community events such as boat shows/school visits			Credible fisheries management	2
		Monitoring and enforcement	Compliance monitoring and enforcement to ensure regulations in place are adhered to.	Duties performed by the regional compliance offices in Dunedin and Invercargill include: <ul style="list-style-type: none"> • Vessel inspections • LFR inspections • Non-commercial patrols • Investigations and prosecutions undertaken 			Credible fisheries management/Environment Protected	2/3 Can specifically relate to the SIF but unlikely to be planned in that way
		Surveillance		Non-commercial customary patrols undertaken as per District Surveillance Plan			Environment protected/	2/3 As above

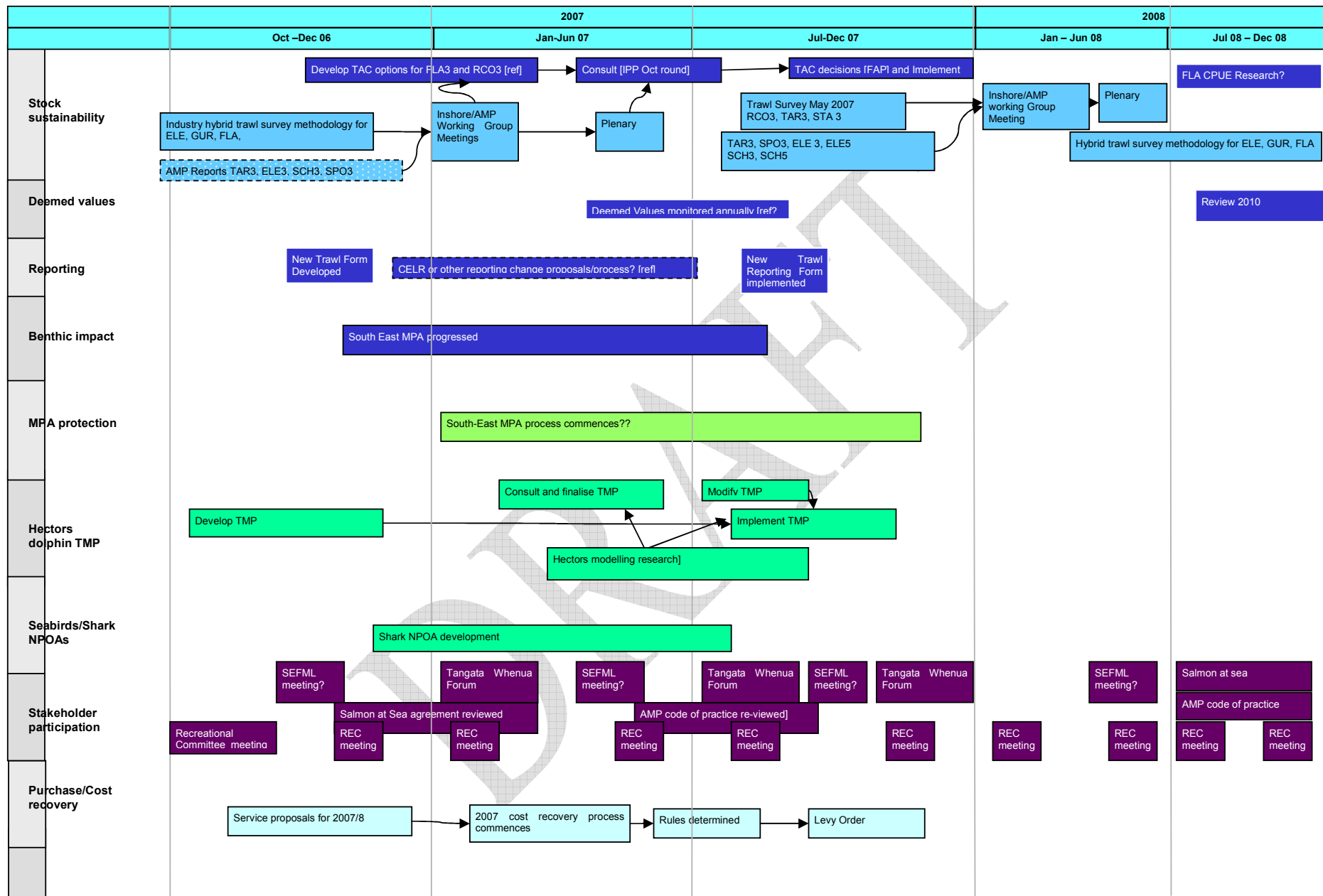
MFish Group	Business	Service	Description	Why its relevant to this fishery	Cost	Effort	Outcome	Category
				Investigations Poaching and blackmarket initiatives				
Fisheries Information	Observer coverage	Agreed observer days in FMA3	Observer days delivered on behalf of DOC to monitor the set net fishery				Environment protected	3
	Specific stock assessment	Estimate of biomass and sustainable yields for fishstocks	Relate specifically to the stocks in the fisheries plan				Environment protected	3
	Biodiversity research	Ascertaining the role of different organisms and habitats in maintaining the health and sustainability of the NZ aquatic environment	Research into Hector's dolphins – could have impact on regulations in SIF fishery and the environmental restrictions currently in place				Environment protected	2
Fisheries Operations	Fisheries management	On going work delivered by the SFMA team to support the SIF fishery	Some of this work is directly applicable to the SIF (category 3): <ul style="list-style-type: none"> • Statutory processes • Ministerial servicing • General monitoring Other aspects of this work do not directly relate to the SIF but still impact on it (Category 2): <ul style="list-style-type: none"> • Recreational 				Best value/Credible fisheries management/Best value realised	2/3

MFish Group	Business	Service	Description	Why its relevant to this fishery	Cost	Effort	Outcome	Category
				<ul style="list-style-type: none"> committee Customary forums 				
		Objectives based fisheries management implemented through fisheries plans	Working with stakeholders to develop fisheries plans in order to better define what we want to achieve from fisheries and to clearly link the management interventions and services to these objectives.	SIF fishery benefiting from this approach although purpose of the service is for fisheries management as a whole			Best value/Environment protected/credible fisheries management	2/3
		Deed of settlement implementation	To increase the capacity of Maori to participate in fisheries management processes	Benefits customary fishers in the SIF and provides greater clarity for other stakeholders			Best value/Credible fisheries management	2
		MPA development	In collaboration with DOC, MFish will provide an integrated process including regional consultation, for establishing a network of MPAs around New Zealand	South-East MPA process likely to commence in early 2007. This will have implications for and require input from the stakeholders in the SIF			Environment protected	2

Specific SIF Services

118 This part of the paper provides a description of specific services that will be delivered in the SIF during 2006-07. These services are all Category 3 services. Flowchart shows SIF Scheduled Services/Processes to 2008.

Service	Description	Purpose	Timeframe	Cost	Effort
Observer Days	DOC has requested 165 observer days to monitor the inshore set net fishery. These days that will be roughly proportioned between Nelson, Kaikoura and Southland (Oamaru to Bluff) fisheries.	Environment protected: To monitor the impact of set netting on seabirds and marine mammals	2006-07		Approx. 55 days in the SIF
Fisheries research	Reinstate the winter trawl survey INT2004/02	Stock sustainability	Oct to Dec 2006		
	Stock research reports for RSK, FLA, SCH	Stock sustainability	Oct to Dec 2006		
	Review/Draft AMP reports for TAR3, ELE3, SCH3 and SPO3	Stock sustainability/enabling commercial fishers to maximise value			
Sustainability measures	Develop TAC options for FLA3 and RCO3, draft advice, consult and implement	Stock sustainability	Dec 2006 to Oct 2007		
	Deemed value review process implemented. Review of all SIF stocks to assess whether the TACC has been breached or significant deemed values have been paid – where this is the case alternative deemed value rates may be proposed. (Deemed Value Standard)	To ensure appropriate deemed values are in place in the SIF to encourage fishers to balance catch with ACE rather than deeming fish landed.	February to October 2007		
Reporting Measures	New trawl catch reporting forms.	To provide relevant information for fisheries management	2006-07		
Environment/habitat protection	South-East MPA process commences (not specific to this fishery)	Collaborative development of proposed MPAs in FMA3	2006-07		
	Hector's dolphin draft threat management plan progressed	Hector's dolphin better protected	2006-07		
	Shark national plan of action developed	Credible management of sharks	2006-07		
Compliance	Any particular compliance services for the SIF – are compliance likely to divulge this information.	Credible fisheries management by ensuring stakeholders have confidence in the fisheries management system			



SIF Scheduled Services/Processes to 2008

SECTION 2: MANAGEMENT OBJECTIVES

119 This section will describe the outcome of MFish's work to clarify what everyone wants out of the fishery, and where they each want the fishery to be in the future.

120 MFish will do its best to help the different parties reach common ground. However, sometimes those parties will have different views that can't be reconciled. In such cases, the Minister of Fisheries must step in and make a decision.

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SECTION 3: ASSESSMENT AND RISK ANALYSIS

121 This section covers the next step which is to look at how well our existing management framework meets the objectives and standards of the SIF plan (e.g. fisheries sustainability and environmental effects of fishing).

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SECTION 4: MANAGEMENT MEASURES AND OPERATIONAL PLAN

122 This section describes the management measures that will deliver the most efficient and cost-effective results for the SIF. Where possible, stakeholders will be allowed discretion and flexibility around how and when they harvest seafoods, as well as encouraging voluntary compliance.

123 The final SIF plan will also include the specific responsibilities for implementation, contingency strategies (where necessary), performance measures, and monitoring of the SIF.

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SECTION 5: MONITORING AND REVIEW OF THE OPERATIONAL PLAN

124 This section will describe the outcome of a formal review of the SIF plan conducted at an appropriate time in the future (every five years?). The government in collaboration with tāngata whenua and stakeholders will update the current situation taking into account an analysis of the monitoring of the standards, consider the appropriateness of management objectives, re- assess the fishery, decide on new management measures and develop an operational plan for the next five years.

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