Fisheries 2030 - Vision, result areas and action plan

Unlocking the potential of the New Zealand fisheries sector

November 2008







Wayne McNee Chief Executive Officer Ministry of Fisheries ASB Bank House 101 - 103 The Terrace Wellington

25 November 2008

Dear Wayne

Fisheries 2030

We are pleased to present our final report setting out the vision, result areas and action plan for Fisheries 2030, in accordance with our agreement of 12 August 2008. We would like to extend our thanks to the Ministry, the Project Manager and the various stakeholders for the valuable feedback provided as this document was developed.

Please note the restrictions outlined on the following page, beneath the table of contents.

If there is anything else we can do to assist in relation to the further development or implementation of this work, please do not hesitate to contact us.

Yours sincerely PricewaterhouseCoopers

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We reserve the right, but will be under no obligation, to review or amend our Report, if any additional information, which was in existence on the date of this report was not brought to our attention, or subsequently comes to light.

This report is issued pursuant to the terms and conditions set out in our Agreement dated 12 August 2008.

1 Introduction

Our fundamental finding is that, while New Zealand fisheries management is amongst the world's best, there is further significant potential to create economic, cultural, social and environmental value through the development of new institutional arrangements and tools. This potential will help to drive a primary sector-led strengthening of the New Zealand economy. Suggested actions to unlock this potential are provided over pages 2 - 6.

The Ministry of Fisheries is leading the development of a longterm vision and action plan for New Zealand fisheries that is understood and broadly supported by all stakeholders, including Ministry of Fisheries staff. This vision will guide approaches to fisheries management and provide improved certainty to stakeholders as they make decisions about investments and activities. Legislative reform may be required to support its implementation.

The Ministry contracted PricewaterhouseCoopers (PwC) to facilitate stakeholder discussions on vision and to develop a high-level draft action plan to achieve the vision.

A series of workshops and discussions with a range of stakeholders and Ministry of Fisheries staff were undertaken. This paper draws on the views expressed and represents an initial view on the 'why' and 'what' of the vision and result areas for 2030 to be considered by the incoming Minister. It makes suggestions with regards to the 'how' over the next five or more years and outlines an action plan for achieving the vision. This approach to vision formation is necessary in view of the highly divergent,

entrenched and strongly-held views of stakeholders and the current low levels of confidence, trust, and leadership in the sector. While there is some commonalty of view at the level of vision and result areas, consensus appears relatively superficial, and conceals fundamentally different interpretations of key concepts.

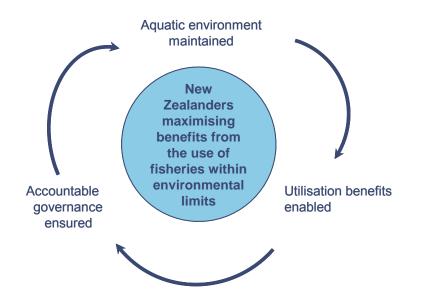
This paper is an attempt to address these issues and to provide a basis for going forward by articulating a small number of enabling objectives and actions with a five-year time horizon. These are intended to provide stakeholders with the tools to build confidence, improve relationships, and unlock potential within the sector. As a greater sense of consensus and commitment develops amongst stakeholders, more detailed objectives and actions for the longer term may be developed.

It is also likely that society's view of the vision and supporting actions will change over time and that, in order to maintain legitimacy, periodic realignment will be required. An important part of the vision for Fisheries 2030 is the development of a process that provides for continued engagement and consensusbuilding with stakeholders and the wider public about the direction of the sector.

The development of this work has also been undertaken in recognition that whilst there is, as yet, no crisis in New Zealand's fisheries, there are sufficient emerging trends to suggest that some significant problems exist. The status quo is, in this important sector, not a tenable option.

2 Fisheries 2030: Five Year Plus Action Plan

Stakeholders told us that a short, memorable vision statement would be useful to capture the spirit and intent of Fisheries 2030. Having attempted to synthesise the many suggestions made to us, we suggest the following schematic, with the vision in the centre.



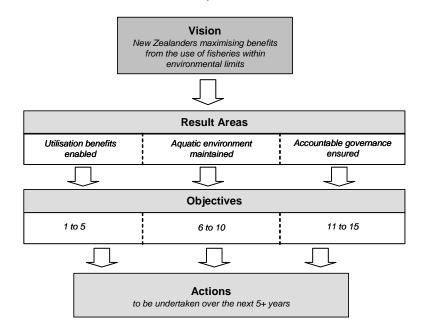
The phrases shown in the outer circle reflect the three key result areas required to achieve the vision. These are outlined below.

Five Year Plus Action Plan

The following result areas have been discussed with a small group of stakeholders in considerable detail. There is a partial degree of consensus with regard to these. Although this document is intended to provide direction through to the year 2030, the focus of the result areas, objectives and actions is on what needs to happen in the short-term, in order to build a strong foundation and consensus for moving forward to achieve the vision. It will necessarily be an incremental, phased approach.

This means identifying the actions that need to be taken over the next five years and agreeing on the order in which these actions are taken.

While three distinct result areas are described below, all result areas and actions are inter-dependent.



3 Fisheries in 2030

In this section, we build on the ideas expressed in the stakeholder sessions to outline the key elements of the vision, at a high-level, that we would like to see achieved for the New Zealand fisheries sector by 2030. We believe that there is a degree of consensus around these.

By 2030, New Zealand's fisheries will be:

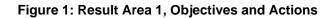
- world-leading and recognised for achieving a track record of environmental and commercial leadership and success, both domestically and internationally;
- a sector that New Zealanders are proud of, in that they understand that a precious but limited national resource is being responsibly managed, in the interests of all, for both the present and the future;
- based on healthy and abundant aquatic environments that are ecologically sustainable, about which we have reliable and dynamic information;
- a sector in which there are positive Crown-Maori partnerships, balancing and optimising cultural and commercial value;
- profitable and efficient, with a strong focus on long-term economic value;
- characterised by high trust and high accountability relationships amongst both use and non-extractive use interests and between stake/rights holder entities and Government; and

 a dynamic system in which transparent and robust decisions about allocation and trading-off are being made by stake/rights holders themselves, within a more enabling legislative and regulatory framework.

Pre-conditions

If the result areas are to be achieved, the following pre-conditions will be in place and clearly evidenced:

- All stakeholders having a stake/rights, and associated responsibilities, that are understood and for which people can be held accountable;
- Clarity around the reciprocal roles and responsibilities of the various stakeholders in the fisheries sector;
- A more enabling approach to the creation of economic value from the fisheries sector;
- A dynamic, transparent and responsive system of management and harvesting that takes account of wider aquatic ecosystems;
- Meaningful co-management relationships with Māori within the context of the Fisheries Settlement;
- Greater confidence and trust between the participants/stakeholders in the fisheries sector (and between the public and the sector); and
- Decisions being made on the best available information irrespective of source.



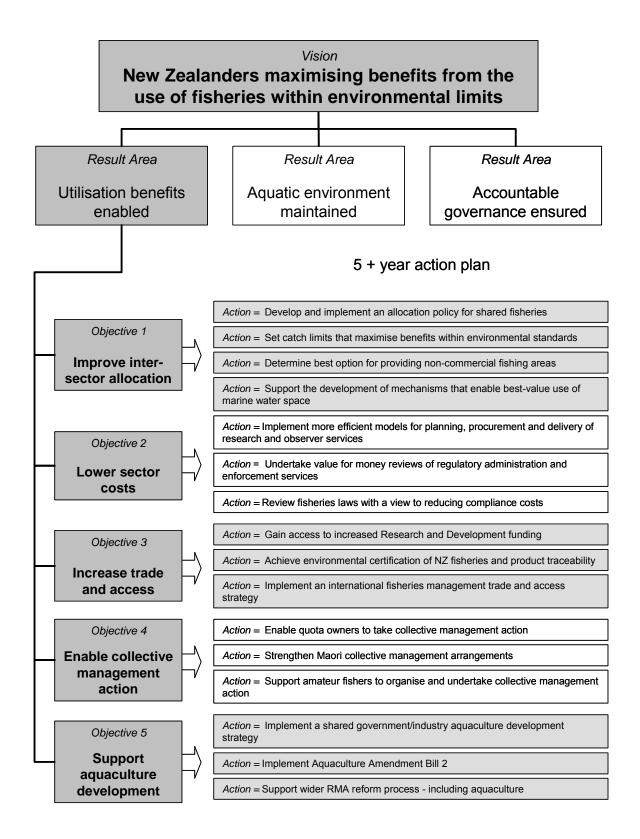


Figure 2: Result Area 2, Objectives and Actions

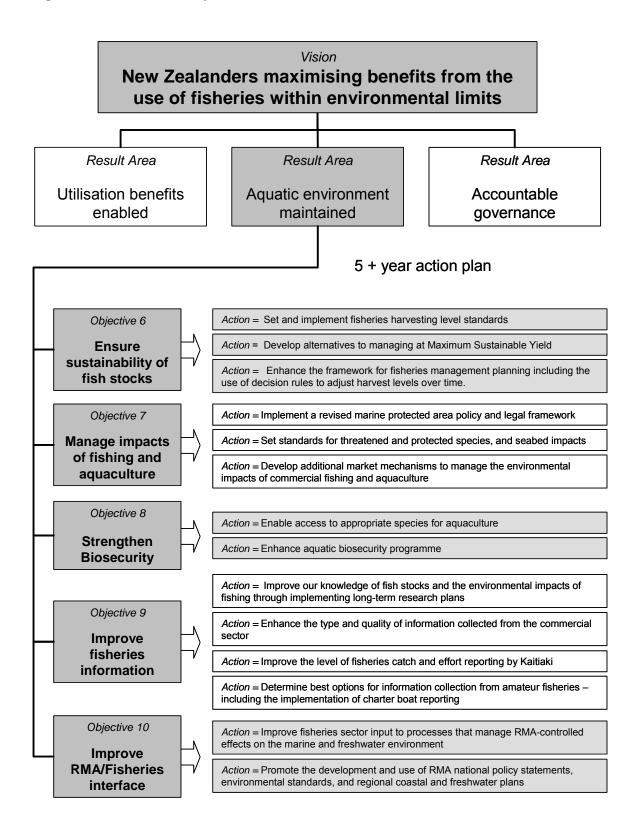
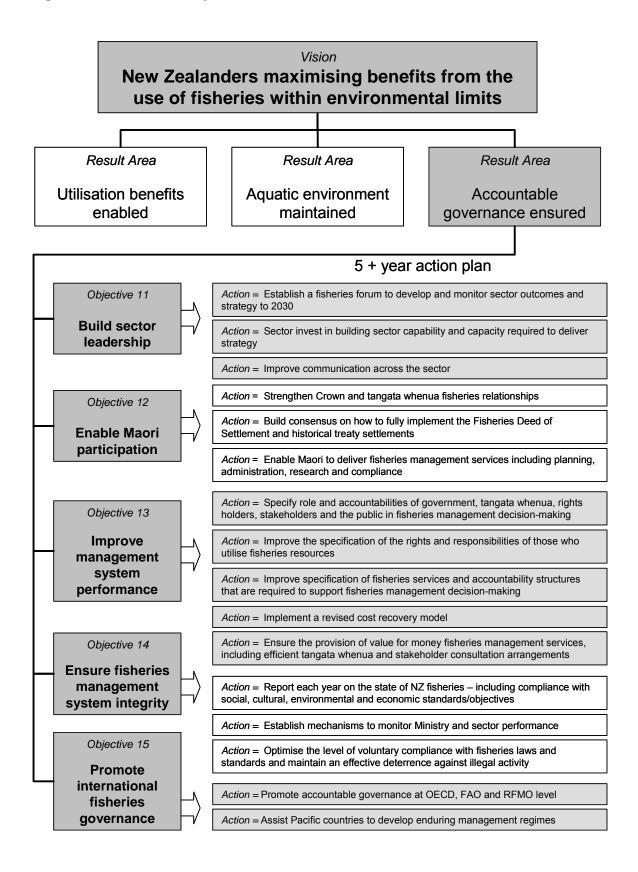


Figure 3: Result Area 3, Objectives and Actions



4 Overview: The Strategic Challenge

New Zealand's fisheries and aquatic environment are national taonga. They represent a valuable source of cultural, social, economic, and environmental well-being for the nation. They are fundamental to our lifestyle and integral to 'brand New Zealand'. Given world protein demand and international fisheries degradation, fish harvesting and aquaculture also provide huge opportunity for future economic prosperity.

Fisheries and aquatic environments require prudent and wellinformed stewardship to ensure that their value (in all of the above dimensions) is balanced and maintained for current and future generations.

Given New Zealand's international competitive positioning as a key producer of sustainable and high value primary products, it is critical to unlock and maximise the value potential of the fisheries sector and its contribution to strengthening the New Zealand economy.

Most fisheries management systems operating around the world are characterised by multiple and conflicting objectives, multiple stakeholders with divergent interests, and high levels of uncertainty about the ecosystem and fish resources being managed. New Zealand is no different. Without some form of Government oversight and policy intervention, a number of issues tend to arise, including the following:

- depletion of the resource;
- an inability of those harvesting the resource to secure benefits from it;

- an over-investment in utilisation;
- under-investment in management; and
- a lack of confidence by the wider community.

The New Zealand fisheries management system currently uses a mix of controls on both the total amount of fish that can be taken and on fishing methods, seasons, size limits, etc. These tools aim to influence the behaviours of fishers and other users of the aquatic environment. Such tools comprise a mix of controls and sanctions, as well as economic incentives and instruments.

In many parts of the world, over-fishing has depleted fish stocks and aquatic environments have been damaged by the use of questionable fishing methods. Internationally, fisheries managers face common challenges in their attempts to manage fisheries sustainably. These include conflict over allocation between users, too many fishing vessels, increasing demand for fish and fish products, consumer demand for environmental sustainability, uncertainty and high costs of information, lack of understanding of dynamic marine ecosystems, changing environmental conditions, incomplete monitoring, and, in many fisheries, high levels of noncompliance with fisheries rules.

In New Zealand, we have avoided the worst of these problems. Our quota management system, when introduced, was worldleading. In recent years, further significant gains have been difficult to secure. There is considerable potential to further improve the value derived from this scarce and precious national resource. Fisheries resources are shared among those who derive legitimate value from them — including customary, amateur, and commercial fishers, people who value knowing that our fisheries and aquatic environment are in good health and other non-extractive users.

Those who have the right to use fisheries resources also have responsibilities. Responsibilities include using fisheries in a sustainable and efficient manner, protecting the aquatic environment, and taking only their share of the available yield.

Current generations must also share fisheries resources with future generations, since some adverse effects of fishing may only be reversible over a number of human generations. These are not new challenges. However, there is a sense that the rate and extent of the change arising from the multiplicity of interests, expectations, and challenges facing the sector will continue to accelerate.

Any new vision and action plan for 2030 which seeks to increase the value of New Zealand fisheries must respond to all of these issues. Developing these responses poses particular public policy challenges and successfully implementing them will require us both to learn from recent history and to confront a number of longstanding problems in the current system. The development, over the next five to ten years, of a much more open, enabling and dynamic system of fisheries management will be critical to success.

5 A Scan of Key Trends Affecting Fisheries

New Zealand's fisheries do not exist in isolation from global trends and issues. Stakeholders have suggested that the following be taken into account as a part of this process.

 Political Increasing Māori assertion of demands for recognition and support Treaty issues Devolution of authority from central governments (governance guidelines) to multi-level governance Number of global blocs/treaties increase, including international cooperation MMP – importance of consensus Pressure for transparency of decision-making 	 Economic Current global recession deepening Knowledge economies Māori economies Largest potential economies – China, India, Indonesia, USA and other emerging economies Trade blocs increase flow of goods and services Financial markets' volatility globally Free Trade Agreement with China Transparency and sustainability expected by the consumer
 Sociological Multicultural world, increased immigration – multicultural New Zealand Ageing of the developed world Surge in young population from less developed world New Zealand population composition changes Urbanisation Demand for proof of sustainability/organics/honesty 	 Technological Rapid increase Increase in knowledge technologies and knowledge capital = information economy Emphasis on sustainability, driving technological advances Biotechnology Data available to more and more users/people
 Legal Globalisation of treaties and agreements Concerns about the legality of global commons usage Increasingly legal and regulatory complexity Enforcement/compliance challenges 	 Environmental Global changes – violent weather events and infectious diseases New Zealand resources become scarce and highly valued by rest of the world (e.g. water) Climate change concerns Demand energy resources increasing High seas pressure Land/sea interface pressure

6 Recent History

Management of New Zealand's fisheries has changed greatly over the last 30 years. The considerable legislative and regulatory amendment and accretion that have occurred have largely been designed to avoid over-fishing, improve efficiencies, increase the value obtained from fisheries, and address concerns about Māori fishing rights.

Key developments have included the following:

- In 1978, New Zealand established its Exclusive Economic Zone (EEZ), from which time it assumed management control of all fishing in the EEZ. New Zealand was at the forefront of development of the United Nations Convention on the Law of the Sea, under which it was possible to establish a 200 nautical mile EEZ.
- In 1986, the Quota Management System (QMS) was established and applied to manage most major New Zealand fisheries. Under the QMS, individual transferable quotas are used to allocate commercial fishing rights.
- In 1992, Māori fishing claims arising from the Treaty of Waitangi were settled. The Settlement provided Māori a stake in New Zealand's fishing industry and provided for ongoing non-commercial customary fishing rights.
- In 1994, a comprehensive cost recovery programme was implemented requiring the commercial sector to pay the costs of the services that support their fishing and aquaculture activities.
- The 1996 Fisheries Act provided for a more precautionary and ecosystem-based approach to managing fisheries.

- Since 1999, there has been provision for approved service providers to supply specified fisheries services required by government. Consistent with this approach, registry services have been provided by an industry-owned company, Commercial Fisheries Services Ltd (*FishServe*) since 2001.
- In 2004, a number of amendments to the Resource Management Act and the Fisheries Act concluded a substantial reform of aquaculture management. In addition to settling Māori claims in relation to customary aquaculture rights, the reforms enable the creation of Aquaculture Management Areas and define the permissible impact of aquaculture on fishing.
- By October 2005 most significant fisheries had been introduced into the QMS, with nearly 60 species brought in since 2001. Species comprising 95% of the total commercial harvest are now managed in the QMS.
- In 2005, the Government approved a strategy for managing the environmental effects of fishing. It is currently being implemented and provides a framework for setting standards in relation to the adverse impacts of fishing on the aquatic environment. Specific rules, especially relating to fishing methods, ensure that the standards are met.
- In 2005, the Government approved a Marine Protected Areas strategy designed to ensure the maintenance of biodiversity across the range of New Zealand's ocean habitats.

 In 2005, the Minister of Fisheries approved a fisheries plan framework, to enable the co-ordinated development of management objectives for all fisheries.

While noting the key developments above, it should be recognised that a multiplicity of other activities have also been undertaken in the course of implementing these initiatives.

It should also be noted that, in spite of the significant progress that has been made, the New Zealand fisheries management framework is, arguably, still incomplete. Key issues that remain outstanding include:

- The development of modern, accountable governance arrangements;
- Maximising the value of fisheries and their contribution to the New Zealand economy;
- Effective and efficient allocation mechanisms between sectors; and
- Good integration with other resource management regimes affecting aquatic environments.

7 Issues Identified Through the Stakeholder Engagement Process

The process has identified a number of specific problems that make the development of a shared and aspirational vision and strategy for fisheries very challenging.

There is widespread recognition that the current operating model, although not broken, has issues which, over time, and without some form of Government intervention, is unlikely to serve the interests of the sector as well as it might. That said, there is also a lack of consensus at this point as to the best pathway forward. Set out below is a brief summary of the main issues identified through the stakeholder engagement process.

Allocation

The QMS was a world-leading innovation in fisheries management when initially implemented. It has enabled better management of New Zealand's fishery resources than has been the case for most other nations. Many stakeholders, however, also felt that the implementation of the QMS had been sub-optimal, in that allocation of rights in shared fisheries remains a highly contentious issue, and one which not infrequently results in litigation.

This lack of clarity with regard to rights actually appears to suit some stake/rights holders, in that it allows them to critique the system while not taking responsibility for improving it. Such unconstructive gaming is unlikely to diminish unless steps are taken to strengthen the framework for intersectoral allocation and provide better tools to enable non-commercial values to be met.

Part of the problem is that there are barriers to transfer amongst incumbent rights holders. Although recreational (amateur) and customary fishers have a share of the total allowable catch (TAC) in most fisheries, as we do not, in practice, manage to these limits, it is not clear how they could benefit through the acquisition or retirement of Individual Tradable Quota (ITQ). Further, there are currently no well-organised or financed structures that could engage in such trade on behalf of recreational or customary fishers.

The result is the perception by stake/rights holders of a zero sum game in the allocation of fisheries resources. While they may be economically rational on an individual basis, zero sum behaviours will lead to less than optimal outcomes on a sectoral basis. If all stake/rights holders were willing to work constructively together and accept accountability for outcomes, it should be possible to have a net positive sum allocative framework.

Government involvement	There is currently a high level of intervention, regulation, and compliance activity at the level of Government, with the Minister almost invariably being the ultimate decision-maker, un-buffered by arms-length entities to which powers have been delegated. As a result, issues that, in another sector might be addressed by a devolved 'clearing house' of some kind, in the fisheries sector escalate to the Minister (and often, the courts). This model places high reliance on the Minister's ability and willingness to engage at an unusual level of detail in decision-making, as well as high demand on departmental resources to support this.
	The Ministry of Fisheries, meanwhile, also has a wide span of activity, from policy development to local enforcement activity, with approximately 8000 fisheries regulations. It is struggling to balance these roles and relationships and frequently finds itself the target of sector disaffection.
	The centralised and cumbersome regulatory regime and the current reliance on achieving compliance by regulation raise significant issues of durability - both from a relationship and a fiscal point of view. Continuing with the current model is likely to result in continued growth in bureaucracy together with ongoing problems of fragmentation between the various sector interests.
	Some stakeholders said that they felt that the innovation, creative energy, and joy that were once part of fishing had been diminished by the lack of trust and difficult relationships amongst stakeholders, and between stakeholders and Government.
Information shortfalls and asymmetries	Under section 13 of the Fisheries Act, the Minister is obliged to set a TAC that will move the stock size to a level at or above that which will produce maximum sustainable yield (MSY). Accordingly, scientific research is geared toward stock assessment and modelling to estimate the exact shape of the yield curve for a particular fishery.
	Under this model, it is challenging to obtain information of sufficient certainty. In addition, it requires considerable resources and leads to frequent debate about the exact point at which MSY occurs. There has been a record of mixed success. Arguments over the sufficiency and interpretation of information are at the heart of some of the frequent legal challenges to the Minister's decisions and create disincentives to consensual decision-making.
	At present, there are also few mechanisms for aligning dynamic, fisher-generated data about time, location, composition, and rate of catch with 'big science' information purchased by the Government. Data on customary and recreational catch is poor and thus impedes management of and provision for these interests.

Environmental impacts of fishing	An increased focus on the sustainable management of fisheries, including their environmental impacts, has developed in recent years. This parallels an increased global focus on environmental issues in the aquatic domain and pressure from a New Zealand public with strong interests in the aquatic environment.
	Environmental considerations in fisheries management in New Zealand are also based on the principles of the Fisheries Act and related environmental legislation that require fisheries management to take account of the wider ecosystem within which fisheries exist.
	The challenge is to identify the environmental effects that are adverse, in the sense that they pose unacceptable risks to the sustainability of stocks or marine ecosystems. Most fisheries stakeholders do not believe that we should seek to minimise or avoid all effects. It is not possible to utilise fisheries and simultaneously maintain all aquatic environments in pristine condition. On the other hand, environmental groups and many of the public are concerned about the impacts of fishing on the aquatic ecosystem.
	There are significant issues with regard to the impacts of land-based activities and climate change on fisheries. The current fisheries management system provides levers to control allowable take in order to manage stocks. In fact, some fisheries may be more heavily impacted by a factor such as land-based sediment run-off into breeding estuaries, an issue that the fisheries sector cannot presently control. The coordination and integration of the resource management frameworks for coastal land management and fisheries management should be improved.
	There are natural tensions between environmental groups with an interest in aquatic environmental issues and those with harvesting rights. The former struggle to adequately resource their engagement and advocacy across the diverse range of sector groups and decision-makers. The latter would argue that greater trust should be placed in them to manage catch and catch methods with long-term sustainability in mind.
Participation of Māori in fisheries management	The settlement of Māori claims to commercial and customary fishing rights now sees Māori as a major player in the New Zealand fishing industry, and provides a platform from which to greatly influence the future development of fisheries management. Since the 1992 Settlement, Māori have increased their control of the commercial fishing quota to over 30% of New Zealand's commercial fishing rights. Tāngata whenua have also increasingly taken up the autonomous management of their customary non-commercial interests using a range of regulatory instruments.
	However, the relationship of Māori to the range of fisheries management issues is intensely complex for both Māori and non-Māori. Māori currently participate in management at a number of levels. Confusion can occur over which role is being taken at any given time and the mandate of different groups to represent these interests.
	The result is that some aspects of the Fisheries Settlement have been slow to get traction. Improved mechanisms for Crown-Māori decision-making and co-management should be a key priority over the next few years.

Differing world views	To the independent observer, there appear to be highly divergent explicit and implicit ideological constructs for the long- term direction of aquatic and fisheries management in New Zealand: from market models, through co-management, to 'big-Government' models. Sector stakeholders tend to debate issues from different ideological corners. This can make for emotive discussions and means that, even when apparently similar language is used, meanings are often different and consensus limited.
Reputational problems	There are problems with the domestic and international image and reputations of fisheries and fishers. Popular television programmes emphasise the compliance aspects of fisheries management and place the focus on sector mavericks and free-riders. Certain elements of the environmental movement also emphasise images of poor environmental practices. This tends to further undermine the public confidence in fisheries harvesting and management – some of which is justified.
	The general lack of public awareness and understanding of fisheries management issues, and the poor 'brand' for fishers (particularly commercial fishers), have resulted in low-quality public debate and lower than desired public support, from the perspective of commercial fishers. This has had an impact on the Government's oversight of and involvement in fisheries issues.
	Fishers themselves admit to having been less than proactive about their public image, and feel poorly resourced to ameliorate undesirable perceptions, sanction those within the sector who breach standards, and improve information and understanding.
	These issues also go to the heart of Brand New Zealand. Positioning our fish and fish product exports as top-end, rather than commodity products, is essential to growing the future value of the industry. International and local consumers will need to continue to be convinced that New Zealand's environmental and fisheries management practices are sound.
Aquaculture	Recent growth in the aquaculture industry has led Government to develop a package of measures to reform the management regime for aquaculture. The purpose of the reforms is to enable aquaculture to increase the contribution it makes to the national economy, while not undermining the fisheries management regime, as well as to ensure that the adverse environmental effects of aquaculture were managed.
	There have been considerable practical difficulties in the implementation of these measures, in part because of the complexity of the interface with local and regional government entities with responsibility for water quality, environmental effects and allocation of water space. These problems have created considerable uncertainty for investors in the industry, who struggle to understand the apparently higher bar being applied to aquaculturists compared to their land-based equivalent farmers. These problems are compounded by weak information about the impacts of aquaculture on wild fish ecosystems.

Cumulative impact of issues	Collectively, these problems have resulted in a highly regulated system. Rules have been developed in part due to issues of philosophy, and the lack of confidence and trust of the various participants. The current operating model is typified by conflict, political influence, court action, and a regulatory regime that involves a command and control approach to management and enforcement rather than collective decision making and accountability. The current model encourages participants to look backwards, at perceived historical grievances, rather than forward, to a future vision.
	The current position has led to a situation in which some stakeholders almost appear to relish the prevailing angst, in that it allows them to blame others for any problems. If the sector is to break out of this unconstructive cycle, it will be necessary for stakeholders to accept that there must necessarily be Government oversight – the issue becomes the nature and extent of that involvement. Similarly, there needs to be a different framework if the Government's current position is to change. This will involve a recognition that things need to be done differently, and sector participants must step up and take accountability for improved outcomes.
	There is currently a lack of clear leadership from sector players, with few formal or informal key influencers who can effectively articulate the case for change and lead its implementation, while maintaining the confidence of the sector, the Government and the wider public. While there are examples of effective governance and leadership, such as the Nelson Scallop Commercial Stakeholder Organisation, Southland CRA8 fishery and the Rock Lobster Council, these are seen as the exception rather than the rule. Some stakeholders told us they felt that good leaders in the sector often became burned out by their attempts to navigate complex and bureaucratic processes.
	As yet, the current model, and its perceived dysfunctional relationships, has not resulted in highly adverse fisheries sector outcomes. New Zealand's fisheries are in better shape than many or most in the world. Some sound decisions and successful initiatives have been undertaken, by both government and other stakeholders. There is no immediate crisis, but there are significant tensions.
	This makes the development of a shared and aspirational vision and action plan both essential and urgent. Experience in other sectors/regimes would suggest that by the time a full-scale disaster is recognised, resolving it may take generations. It is important therefore that the opportunity to capture benefits for all stakeholders is taken up.
	In our view, the sector currently reflects the famous parable of the boiled frog. If you put a frog into a pot of boiling water, it will leap out right away to escape the danger. But, if you put a frog in a kettle that is filled with water that is cool and pleasant, and then you gradually heat the kettle until it starts boiling, the frog will not become aware of the threat until it is too late. The frog's survival instincts are geared towards detecting sudden changes.
	The time to articulate vision and develop new ways of doing things is now, in order to proactively mitigate problems and maximise value from our fisheries.

8 Results: How Will We Know We Are Getting There?

If all of the five year plus actions outlined above are achieved, the sector will have taken significant steps towards achieving the objectives for Fisheries 2030.

The sector needs to be able to measure, and report on, activities and results from each of the objectives, to gain a common understanding of progress towards the agreed result areas, and to adjust the objectives or actions in light of experience.

An effective monitoring regime needs to be able to assess fisheries performance over long periods of time in a consistent, clear and cost effective way. Managers, including the Government and stakeholders must be confident about its integrity and practicality.

The performance indicators used, the means by which the relevant information is obtained, and the reporting process itself, are an important part of improving fisheries management performance. All stakeholders need to be confident that the indicators used are appropriate, and that the "progress reports" are a helpful and accurate reflection of the impact that the actions are having. In our view, the best way to ensure the indicators are robust and have stakeholder support, is to involve stakeholders in their development and use the practical experience that they have. Stakeholders will, through their supply of relevant data, be an integral part of a successful monitoring regime

A monitoring regime, with suitable performance indicators to measure progress towards objectives, should be developed with stakeholders in the next stage of the process.