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27 June 2024

Submission: Support the request for a 2-year temporary closure for harvesting mussels, Ōhiwa Harbour, Bay of Plenty.

Submitters

1. The New Zealand Sport Fishing Council (**NZSFC**) is a recognised national sports organisation with over 36,000 affiliated members from 50 clubs nationwide. The Council has initiated LegaSea to generate widespread awareness and support for the need to restore abundance in our inshore marine environment. Also, to broaden NZSFC involvement in marine management advocacy, research, education, and alignment on behalf of our members and LegaSea supporters. www.legasea.co.nz.
2. The New Zealand Angling and Casting Association (**NZACA**) is the representative body for its 24 member clubs throughout the country. The Association promotes recreational fishing and the camaraderie of enjoying the activity with fellow fishers. The NZACA is committed to protecting fish stocks and representing its members' right to fish.
3. The New Zealand Underwater Association (**NZUA**) comprises three distinct user groups including Spearfishing NZ, affiliated scuba clubs throughout the country and Underwater Hockey NZ. Through our membership we are acutely aware that the depletion of inshore fish stocks has impacted on the marine environment and the wellbeing of many of our members.
4. Collectively we are *'the submitters'*. The joint submitters are committed to ensuring that sustainability measures and environmental management controls are designed and implemented to achieve the Purpose and Principles of the Fisheries Act 1996, including "maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations..." [s8(2)(a) Fisheries Act 1996].
5. The submitters have supported previous s186A fishing closures where there has been a clear purpose to restore abundance and productivity of the marine environment.

6. Our representatives are available to discuss this submission in more detail if required. We look forward to positive outcomes from this process. We would like to be kept informed of future developments. Our contact is Helen Pastor secretary@nzsportfishing.org.nz.

Discussion

7. The **submitters support the application** made by Te Rūnanga o Ngāti Awa for the temporary closure to the harvesting of mussels in proposed area of the Ōhiwa Harbour. This application is made under section 186A of the Fisheries Act 1996 (**the Act**). Advice was received from Fisheries New Zealand (**FNZ**) on 12 June with submissions due by 29 July 2024.
8. We acknowledge Te Rūnanga o Ngāti Awa for their efforts to restore the mussel population in the Harbour, and accept that a further 2-year closure may be consulted on, as required, at the expiry of this initial 2-year application, to enable the mussels to continue to grow in size and numbers.
9. The submitters appreciate the commitment of Te Rūnanga o Ngāti Awa to place a traditional rāhui over the proposed 0.1km² closure area and not issue any Customary Fisheries Authorisations for the harvest of mussels during the 2-year closure period.
10. Our local members and supporters well remember the days when mussels were prolific in the Harbour. When Heyden Johnston, the President of the Whakatane Sportfishing Club, was first made aware of the application his reaction was typical of many since;

“When I was young people could go down to the Harbour and gather mussels for a picnic on the beach, or to take home to share with family and friends. I can’t remember the last time we were able to take the kids in our family to gather mussels for any occasion. It’s been too long, so any attempts to regrow mussels will be most welcome.”
11. Around five years Ngāti Awa embarked on a programme with neighbouring iwi to regenerate mussels in the harbour. Their research found there were a number of reasons for the decline of mussels. Those included sedimentation impacting on water quality, human predation, and predatory seastars in plague proportions.
12. Since then they have trapped and removed hundreds of seastars from areas known to be historic mussel beds. Their next initiative was to weave lines of native material (Tikouka) to be used for spat generation. This was successful, so once the spat was old enough to attach itself independently to the seafloor, reseeded commenced.
13. Ngāti Awa is committed to the ongoing trapping and removal of seastars to enable mussels to grow to maturity, and now want Ministerial approval to limit human predation on these growing mussels.
14. Sedimentation is a major threat to the ecology and nearshore environment.
 - a. **We recommend** the Bay of Plenty Regional Council work with Ngāti Awa and the Whakatane and Ōhiwa Harbour communities to restore water quality in the Harbour. This will require dedicated resources and effort, however these are only required because of historic and ongoing poor management of on-land practices.
 - b. Investment in limiting sedimentation will help to address the loss of natural biodiversity, organisms, and a traditional food source for Ngāti Awa and the community.

15. If the mussel beds are to reopen to harvest in the future, we would expect FNZ to collaborate with Ngāti Awa and the community to conduct a formal survey and assessment of mussel abundance in the Harbour.
16. Harvesting controls will also need to be reviewed and imposed.
 - a. **We encourage FNZ** to initiate discussions now with Ngāti Awa and the Whakatane and Ōhiwa Harbour communities to determine the future management of the mussels. These discussions take time and need to be meaningful in order to gather community buy-in.
 - b. In the past decade the submitters have worked with iwi and hapū to successfully implement Te Puna Mātaitai in the Bay of Islands, including specific controls to protect and enhance mussel populations within the Bay.