



**To:** Hon Shane Jones, Minister for Oceans and Fisheries

**From:** Emma Taylor, Director Fisheries Management

## Wairarapa Commercial Pāua Fisheries Plan

<b>Date</b>	11 July 2024	<b>Reference</b>	B24-0457
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<b>Decision required</b>	<b>Date decision required by</b>
YES <input checked="" type="checkbox"/> / NO <input type="checkbox"/>	At your convenience

<b>Other agencies/industries consulted on during the production of this briefing</b>
Fisheries New Zealand (FNZ) met with the Commerce Commission to clarify the compatibility of Industry led shelving arrangements (contained within the Wairarapa Commercial Pāua Fisheries Plan) with the Commerce Act 1986 (paragraphs 36 to 41 refers).

### Purpose

- This briefing asks you to approve a Fisheries Plan for the Wairarapa commercial pāua fishery (within PAU 2) under section 11A of the Fisheries Act 1996 (the Act).

### Background

- Pāua around the central and lower North Island is managed under the PAU 2 Quota Management Area (QMA), extending from Cape Runaway around the southern end of the North Island to Tirua Point north of Taranaki (Figure One).
- PAU 2 includes blackfoot pāua (*Haliotis iris*) and yellowfoot pāua (*H. australis*). This fishery is highly valued by recreational and customary fishers, and tangata whenua along this coastline also consider pāua a taonga species.
- The most recent stock assessment (2021)<sup>1</sup> was informed primarily by commercial catch information and only applies to the southeast portion of PAU 2 (Wairarapa), as commercial fishing controls limit commercial fishing to this area. The assessment concluded that the pāua fishery is at or above the management target of 40 percent unfished biomass<sup>2</sup>.

<sup>1</sup> Neubauer, P (2022). The 2021 stock assessment of pāua (*Haliotis iris*) for PAU 2. New Zealand Fisheries Assessment Report 2022/35. 108 p

<sup>2</sup> Under the Harvest Strategy Standard, the default management target is 40 percent B<sub>0</sub> (unfished biomass)

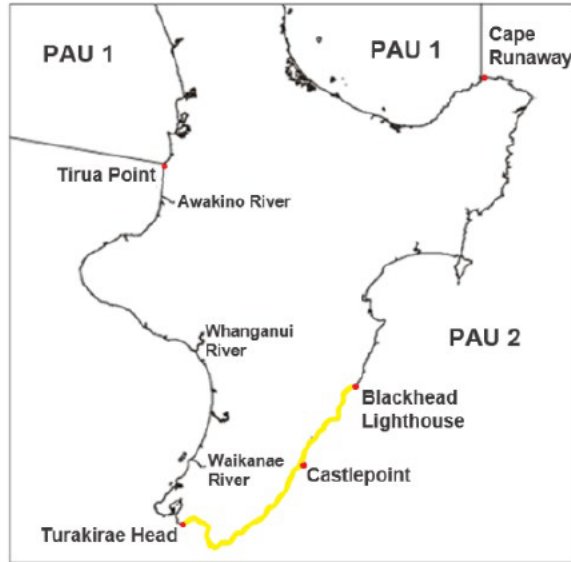


Figure One: PAU 2 showing the commercially fished area along the Wairarapa coastline (highlighted yellow).

- On 8 July 2023, Hon Rachel Brooking, the then Minister for Oceans and Fisheries (the then Minister), reviewed the catch settings and recreational daily bag limit for PAU 2. In this review, a Total Allowable Catch (TAC) and non-commercial allowances was set for the fishery for the first time (Table One). The then Minister also decided to reduce the recreational daily bag limit for pāua in PAU 2 from ten to five of each species per fisher.

Stock	TAC	TACC	Allowances		
			Customary Māori	Recreational	All other mortality caused by fishing
PAU 2	192.188	121.188	12	48	11

Table One: TAC, TACC, and allowances for PAU 2.

Previous fisheries plans

- Section 11A of the Act allows the Minister of Fisheries (now Minister for Oceans and Fisheries) to approve a fisheries plan, including objectives, strategies, and performance criteria, to support the purpose and principles of the Act.
- Fisheries plans are *not binding* on the decision-making abilities of either you or FNZ. Rather, the Act requires that you *must take into account* any relevant fisheries plan before setting or varying a sustainability measure under section 11, including any adjustment to a TAC/TACC<sup>3</sup>.

<sup>3</sup> Section 13 and section 14 of the Act.

7. Fisheries plans have been approved for all other pāua fisheries<sup>4</sup>. These plans have improved the management of these fisheries, particularly as they promote voluntary industry initiatives supporting fine-scale management measures, including:
  - a) harvest control rules (based on industry agreed CPUE<sup>5</sup> levels) and annual catch entitlement (ACE) shelving arrangements to improve fishery performance;
  - b) catch spreading arrangements to reduce risk of spatial depletion; and
  - c) larger minimum harvest size (MHS) limits and closed areas to protect spawning biomass.

## Proposed Plan

8. In December 2022, the Pāua 2 Industry Association Inc. (PāuaMAC2), representing the PAU 2 quota owners, ACE holders and harvesters, submitted a proposed PAU 2 Fisheries Plan (the Plan) for approval (**Appendix One**). As part of the approval process, FNZ undertakes input and participation with tangata whenua and consultation with stakeholders on your behalf, prior to submitting the plan to you for a decision.
9. This Fisheries Plan applies only to the commercial pāua fishery and is limited to the area where commercial harvesting takes place within PAU 2, from Turakirae Head to Blackhead Lighthouse along the Wairarapa coastline (Figure One).
10. PāuaMAC2 considers that, while the PAU 2 stock has been healthy and stable for some years, some areas are coming under increasing pressure. It believes that more can be done to enhance fine-scale management, improve the timeliness of industry-led management responses, and build ecosystem considerations into fisheries management.
11. In developing the Plan, PāuaMAC2 has closely worked with the PAU 2 quota owners and harvesters and has engaged with Mai Paritu tae atu ki Turakirae Fisheries Forum (East Coast of North Island from Paritu to Turakirae), who represent iwi and hapū with non-commercial fishing rights and interests in the area of PAU 2 covered by the plan.
12. The Plan sets out actions that will be voluntarily undertaken by the pāua industry within existing QMS settings such as, within the constraints of the relevant TACC and current regulatory settings. It utilises two main management tools:
  - a) enhancing pāua productivity and protecting breeding stock by increasing the minimum size at which pāua are able to be harvested; and
  - b) controlling commercial harvesting activity at a fine spatial scale, including by spreading effort and adjusting the MHS in different areas of the fishery.
13. The Plan will be reviewed after five years in consultation with FNZ and will include engagement with iwi.

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<sup>4</sup> PAU 3 (Kaikoura/Canterbury), PAU 4 (Chatham Islands), PAU 5A (Fiordland), PAU 5B (Stewart Island), PAU 5C (Southland/Otago), and PAU 7 (Nelson/Marlborough) fisheries.

<sup>5</sup> Catch per unit effort is a key measure of stock performance in pāua fisheries and is generally reviewed by Fisheries New Zealand's Shellfish Working Group as an acceptable index of sustainability.

### *Input and participation of tangata whenua*

14. Prior to consultation, FNZ<sup>6</sup> shared the Plan with the Mai Paritu tae atu ki Turakirae Fisheries Forum at the 10 March 2023 hui. The Forum was supportive of the Plan, but some iwi raised concerns around the strategy of pāua translocation.
15. To address these concerns, PāuaMAC2 provided supplementary information to explain the process of translocation research to the Forum. It also attended a hui with Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust to discuss concerns around translocation.
16. Although commercial fishing in PAU 2 is solely within the rohe of Mai Paritu tae atu ki Turakirae Fisheries Forum, the draft plan was also shared with the Te Tai Hauāuru Fisheries Forum (North Taranaki to Waikanae) and the Ngā Hapū o Ngāti Porou Fisheries Forum (East Cape). Neither forum returned any comments on the draft plan prior to consultation.

### **Consultation and submissions**

17. FNZ carried out public consultation<sup>7</sup> on the Plan between 26 June and 24 July 2023, with tangata whenua in the Wairarapa region granted an extension for consultation until 21 August 2023.
18. Eleven submissions were received from the following parties:
  - a) Pāua Industry Council (PIC);
  - b) PāuaMAC5;
  - c) Terra Moana;
  - d) PāuaMAC7;
  - e) PāuaMAC3;
  - f) PāuaMAC4;
  - g) B. Rolston;
  - h) Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust;
  - i) Te Aitanga a Mate te Aowera & Te Whanau a Hinekehu Takutai Kaitiaki Trust;
  - j) Ngāi Tūmapūhia-ā-Rangi ki Mōtūwairaka Incorporated; and
  - k) New Zealand Sport Fishing Council (NZSFC) and LegaSea.
19. A summary of submissions is attached in **Appendix Two**. Of the eleven responses, five submissions support the Plan entirely (commercial fishing entities) and five submissions support the Plan but raised some issues and/or suggested amendments (tangata whenua, an individual and other interests). A submission from NZSFC and LegaSea (hereafter NZSFC joint submission) objected to components of the Plan (discussed below).

<sup>6</sup> FNZ shared the plan under its obligation to provide for input and participation to inform your review and decision.

<sup>7</sup> As required under section 12 of the Act.

20. Commercial fishing entities (PāuaMAC3, PāuaMAC4, PāuaMAC5, PāuaMAC7 and PIC) support the Plan as it builds on existing approved fisheries plans that have shown improved management of commercial harvest activity and enhanced relationships between the pāua industry, iwi, and local communities.
21. The NZSFC joint submission is supportive of the Plan's objective to manage PAU 2 above 40 percent  $B_0$ <sup>8</sup> however it suggests that 50 percent  $B_0$  is a more conservative approach given the increasing threats facing New Zealand fisheries. Along with an individual submitter (B. Rolston), it rejects proportion allocation as having no legal basis. The NZSFC joint submission also suggested that you acknowledge that ACE shelving is not a legitimate management measure in the legislation and that you reject authorised management.
22. FNZ notes that the strategy relating to proportional allocation is a pāua industry aspiration and that you would not be bound to proportional allocation in future sustainability reviews. The issue of ACE shelving has previously been considered during approval of earlier pāua plans (discussed further below). Previous plans were approved by the then Minister subject to a caveat to manage industry's expectation on the nature and extent of ACE shelving and the need to set an appropriate TAC under the Act. Should you approve this Plan, we have included a similar caveat in your proposed decision letter (**Appendix Four**), to ensure compliance with the current legislation.
23. Authorised management (where a group of quota owners are authorised by you to perform specific management functions for the commercial fishery within Government-set standards) is not possible under current provisions of the Act. We have worked with PāuaMAC2 to ensure the wording in the Plan makes it clear that the ability to achieve this form of management is not currently available, and there is no legislative backing in place to enforce such an approach (see **Appendix One**, Part Three: Implementation, Monitoring and Review).
24. Te Aitanga a Mate te Aowera & Te Whanau a Hinekehu Takutai Kaitiaki Trust (Ngāti Porou) support the Plan but recommend the name be changed to make it clear the Plan doesn't apply to the wider PAU 2 area.
25. FNZ considers that the existing title 'Wairarapa (PAU 2) Fisheries Plan' indicates that Plan only applies to the area of PAU 2 where commercial harvesting takes place.
26. Early engagement with Ngāi Tūmapūhia-ā-Rangi ki Mōtūwairaka Inc through the Mai Paritu tae atu ki Turakirae Fisheries Forum identified concerns around the proposed translocation of pāua. Following supplementary information regarding translocation strategies provided by PIC, and subject to further engagement with mana whenua to differentiate which mana whenua will be consulted prior to translocation research, these concerns have now been addressed.

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<sup>8</sup>  $B_0$ : virgin biomass: The theoretical carrying capacity of the recruited or vulnerable biomass of a fish stock. Generally, it is the average over recent years of the biomass that theoretically would have occurred if the stock had never been fished.

27. During public consultation, Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust expressed concern that it was not involved in the development of the plan.
28. FNZ facilitated a meeting between PāuaMAC2 and Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust for the latter's views on the Fisheries Plan and to assert their role as kaitiaki. In your decision to approve the Plan, you must have particular regard<sup>9</sup> to kaitiakitanga<sup>10</sup>. Following this meeting, Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust submitted that it was supportive of some objectives and strategies within the plan but not supportive of the translocation of pāua.
29. You should note that the historic treaty settlement with Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust has been finalised, with the settlement area being the same area as for the Fisheries Plan. The Ministry for Primary Industries (MPI) recognises the Trust as the governance entity for the Ngāti Kahungunu iwi<sup>11</sup> in this area and as an advisory committee to the Minister for Oceans and Fisheries. You must have particular regard to kaitiakitanga and the views of the Trust in respect of any management or policy change in areas of importance.
30. Following consultation, PāuaMAC2 has adjusted the wording of the Plan to emphasise that translocation activity will only take place in areas agreed under PIC's existing special permit for investigative research or in areas defined in a Translocation Plan that will be developed in discussion and agreement with mana whenua hapū (see **Appendix Three**, Strategy 1.5 Fishery enhancement).

### *Shelving*

31. Shelving can be either informal or formal. Informal shelving occurs when individual quota owners simply choose not to fish ('shelve') their ACE. This is undertaken by many iwi, notably in longfin eel fisheries for sustainability reasons.
32. Alternatively, formal shelving occurs when quota owners, prior to the start of a fishing year, enter into an agreement to transfer a specified amount of ACE to a non-fishing entity (such as FishServe) and forgo that ACE for the remainder of the shelving agreement.
33. Formal shelving is an industry led sustainability tool to reduce catch and has been useful as an immediate measure, that can be implemented by industry participants, when deemed appropriate.
34. Formal shelving arrangements have been used in the oyster (OYU 5), pāua (PAU 4, 5D, 5D, and 7), and spiny rock lobster (CRA 2, 3, 4 & 5) fisheries.

<sup>9</sup> Having particular regard "Involves a greater obligation on the decision-maker than the requirement to have "regard" to a consideration.

<sup>10</sup> Exercise of guardianship; and, in relation to any fisheries resources, includes the ethic of stewardship based on the nature of the resources, as exercised by the appropriate tangata whenua in accordance with tikanga Maori.

<sup>11</sup> Ngāti Kahungunu Iwi hold commercial PAU 2 settlement quota through the Kahungunu Asset Holding Company Limited.

35. s9(2)(g)(i) [Redacted]

36. s9(2)(g)(i) [Redacted]

37. s9(2)(g)(i) [Redacted]

38. s9(2)(g)(i) [Redacted]

39. s9(2)(g)(i) [Redacted]

40. FNZ officials are happy to meet with you to discuss shelving implications further.

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<sup>12</sup> Section 30 of the Commerce Act 1986: Contracts, arrangements, understandings, or covenants containing cartel provisions prohibited.

<sup>13</sup> Section 30A of the Commerce Act 1986: Meaning of cartel provision and related terms Commerce Act 1986.

### *Fisheries Plan and your statutory obligations*

41. Should you approve this plan as a Fisheries Plan under section 11A of the Act then you must take this into account when you set or vary a PAU 2 sustainability measure in the future.
42. However, taking into account does not mean “*give effect to*” and you are not bound to any course of action in the Fisheries Plan.
43. Should a future decision require you to consider the Fisheries Plan, that decision can be inconsistent with this Fisheries Plan, however, you must take the Plan into consideration.
44. The Fisheries Plan does not override any of your statutory obligations under the Act, notably section 5 that requires your decisions are consistent with the provisions of the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992, and section 12 in respect to consultation.

### **Conclusions and Next Steps**

45. Overall, our preferred option is to approve the Plan. It will provide greater certainty for industry, promote responsible harvest practices, and encourage engagement between tāngata whenua and stakeholders. It supports the purpose and principles of the Act and, based on our experience with existing pāua fisheries plans, has the potential to improve management of pāua fish stocks.
46. While the measures in the Plan are voluntary, in some cases FNZ has an input or monitoring role, or FNZ authorisation is required for an activity (for example, a permit for pāua translocation). **Appendix Three** identifies these activities in detail. This can be resourced within FNZ’s current workplan.
47. Should you approve the Plan, we recommend that you sign the attached letters notifying PāuaMAC2 and submitters of your decision (**Appendix Four**).
48. Following this, FNZ will work with PāuaMAC2 to give effect to the specific objectives of the Plan.
49. We anticipate there will be little public interest in these decisions.



## Recommendations

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50. It is recommended that you:

- a) **Agree** to approve the Fisheries Plan under Section 11A of the Fisheries Act 1996;

YES / NO

- b) **Agree** to sign the attached letters notifying PāuaMAC2 and submitters of your decision.

YES / NO



Emma Taylor  
Director Fisheries Management  
Fisheries New Zealand

Hon Shane Jones  
Minister for Oceans and Fisheries

/ / 2023

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**Appendix One: PAU 2 (Wairarapa) Fisheries Plan**

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# PAU 2 (WAIRARAPA) FISHERIES PLAN

APRIL 2024



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Released Under the Official Information Act 1982

## Part One: Introduction

### Context

The pāua fisheries on the Wairarapa coast are highly valued by customary, commercial and recreational fishers. The commercial fishery is managed under the Quota Management System (QMS) as PAU 2. Although the PAU 2 Quota Management Area (QMA) is extensive, this plan applies only in the area where commercial harvesting takes place – that is, from Turakirae Head to Blackhead.



The PAU 2 Total Allowable Commercial Catch (TACC) of 121 tonnes was set in 1986 when pāua was introduced into the QMS.<sup>1</sup> Pāua is a taonga for mana whenua and is also a popular recreational dive fishery.

The PAU 2 stock is estimated to be fluctuating at or above its management target. Although the fishery has been healthy and stable for many years, some areas are coming under increasing pressure and the PAU 2 industry considers that there is no room for complacency. The current abundance is reliant in part on measures that have been put in place voluntarily by the industry, including effort spreading and raising the minimum harvest size above the minimum legal size (MLS). These initiatives have helped sustain the fishery, but more can still be done to enhance fine-scale management, improve the timeliness of management responses,

build ecosystem considerations into fisheries management, and encourage shared responsibility among fishing sectors. There is also a need to respond to current and future threats to pāua populations and habitats that are beyond the industry's direct control, such as siltation from terrestrial activities, warming sea temperatures and ocean acidification.

In order to effectively implement the industry's contribution to the sustainable management of PAU 2, PauaMAC2 has prepared this fisheries plan on behalf of all PAU 2 quota owners, ACE holders and harvesters for approval by the Minister for Oceans and Fisheries under section 11A of the Fisheries Act 1996. The fisheries plan focuses on managing commercial harvesting activity and is intended complement other fisheries management initiatives for PAU 2.

<sup>1</sup> PAU 2 does not have a Total Allowable Catch (TAC) or allowances for customary or recreational fishing as these were not necessary prior to 1996. If the PAU 2 TACC is adjusted in future, a TAC and allowances will be set.

## Scope

The fisheries plan applies only to the area of PAU 2 that is harvested commercially (Turakirae to Blackhead). It sets out actions that will be undertaken primarily by the fishing industry – that is, PAU 2 quota owners, ACE holders, harvesters and Licensed Fish Receivers (LFRs). These actions are implemented by industry initiatives within government management settings – i.e., within the constraints of the TACC and current regulatory settings such as the MLS.

The plan also provides guidance for decisions made by the Minister for Oceans and Fisheries. Before making any decision to adjust a sustainability measure or regulate or control fishing in PAU 2 the Minister must take the fisheries plan into account, alongside all other relevant statutory considerations. Although the Minister is not bound to follow the provisions in the plan, it is one of the matters that will influence decision-making for PAU 2.

The fisheries plan complements and is intended to integrate with other PAU 2 management initiatives, including the lower east coast Iwi Forum Fisheries Plan, other iwi management initiatives such as mātaihai and taiāpure, and the fisheries management functions of Fisheries New Zealand (FNZ).

## Management Approach

The PAU 2 plan is based on fine-scale, timely, and adaptive management responses. This management approach is particularly well suited to pāua because the sustainability and abundance of sedentary species such as pāua depends primarily on local conditions and local fishing effort rather than on stock-wide factors. The two main management tools utilised in the plan are:

- Enhancing pāua productivity and protecting breeding stock by increasing the minimum size at which pāua are able to be harvested (i.e., the minimum harvest size or MHS); and
- Controlling commercial harvesting activity at a fine spatial scale, including by spreading harvesting effort and adjusting the MHS in different areas of the fishery.

Other tools are also available if required, such as reducing the total level of commercial catch by setting aside an agreed proportion of Annual Catch Entitlement (i.e., ACE shelving) or enhancing local pāua populations using translocation. The management measures in the PAU 2 plan also recognise the important role that pāua play within the marine ecosystem.

## Annual Operating Plan

The PAU 2 Fisheries Plan provides an enduring framework for managing the fishery, but the operational management measures will be set and reviewed in the PauaMAC2 Annual Operating Plan (**AOP**).

The AOP will be prepared using the process documented overleaf and will be publicly available.

Timing	Action	Responsibility
May	Assess fishing activity, stock status and trends Set provisional measures for draft AOP using best available information	PauaMAC2 Executive, informed by feedback from harvesters
June, July	Engage with and seek feedback on the draft AOP from: <ul style="list-style-type: none"> <li>• PAU 2 quota owners and harvesters</li> <li>• Iwi</li> <li>• FNZ</li> </ul>	PauaMAC2 Executive
August	Discuss and propose fine-scale management measures Approve AOP management measures Provide AOP to FNZ	Divers forum PauaMAC2 AGM PauaMAC2 Executive
October onwards	Implement management measures specified in AOP	PAU 2 industry

## Part Two: Objectives, Strategies and Actions

### Objectives

**Objective 1:** Support and enhance the sustainability of PAU 2 by building and maintaining a buffer of abundance above the default target level of 40%  $B_0$ .

*40%  $B_0$  (40 percent of original biomass) is the default management target for all New Zealand's pāua fisheries.<sup>2</sup> The PAU 2 Fisheries Plan seeks to maintain the PAU 2 stock above the default management target by proactively building and maintaining additional abundance as an insurance policy against future risks to the fishery.*

**Objective 2:** Protect important pāua habitat.

**Objective 3:** Enhance industry performance.

### Strategies and Actions

#### Strategies for supporting and enhancing sustainability

**Strategy 1.1 Comprehensive data collection:** Improve the comprehensiveness and accuracy of information about the PAU 2 fishery by implementing the following actions:

- 1.1.1 Use data from FNZ's electronic catch and location reporting regime to detect fine-scale changes in the fisheries and inform management responses.
- 1.1.2 Require at least one shell sample per dive day (for shell length monitoring).
- 1.1.3 Incorporate diver-provided information into decision-making.

<sup>2</sup> Harvest Strategy Standard for New Zealand Fisheries, Ministry of Fisheries 2008.

**Explanation:** *Timely, fine-scale, verifiable commercial harvest information will be collected using FNZ's mandatory electronic catch and location reporting regime. Shell length sampling provides an important indication of the health of the fishery. Information provided by commercial divers is relevant to all the management measures in the AOP.*

**Strategy 1.2 Reduce the risk of serial depletion:** Reduce the risk of serial depletion by spreading fishing effort within the commercially harvested area of PAU 2, using the following actions:

- 1.2.1 **North-south ACE split:** Require an agreed proportion of ACE to be harvested in the north of the fishery.
- 1.2.2 **Catch caps:** Set and implement catch caps to spread effort at a smaller spatial scale.
- 1.2.3 **Area closures:** Close an area when the catch cap is reached, where necessary.
- 1.2.4 **Dashboard:** Use the PAU 2 Dashboard website to:
  - a) Monitor sub-area catch on a timely basis; and
  - b) Make aggregated catch and location information available to participating harvesters to assist in the implementation of catch spreading.
- 1.2.5 **Annual review:** Review all effort spreading arrangements on an annual basis and specify details in the Annual Operating Plan.

**Explanation:** *The management of commercial harvesting at a sub-QMA level can help spread fishing effort and reduce the risk of local depletion. Two types of catch spreading are used in PAU 2 – i.e., the north-south split and catch caps at a finer spatial scale. The north-south split relieves pressure from the well-utilised southern fishery and shifts effort into the northern area which is more challenging to fish due to the prevailing conditions. The boundaries and targets for ACE splitting will be reviewed on an annual basis. Consideration will also be given to mechanisms to facilitate ACE swaps between the north and south zones in order to suit the circumstances of individual ACE holders.*

*Catch caps will be set at an appropriate spatial scale (currently statistical areas) and will be reviewed annually, particularly if adjustments are made to the MHS. In some areas, catch caps will be indicative targets but in other areas it may be necessary to close the area to commercial harvesting when the catch cap has been reached. The AOP will specify the details of the catch spreading regime, including how decisions will be made about whether an area will be closed.*

**Strategy 1.3 Build abundance and protect spawning opportunity:** Build and maintain a buffer of abundance by implementing the following actions:

- 1.3.1 Gradually increase the Minimum Harvest Size (MHS) in areas of the fishery that can support the harvesting of larger pāua, with details specified in the Annual Operating Plan and reviewed annually.
- 1.3.2 Contribute to industry research programmes on pāua length at maturity and growth rates.
- 1.3.3 Ensure that well-utilised areas of the fishery are rested between fishing seasons.



**Explanation:** Increasing the commercial MHS above the MLS of 125mm will increase the biomass of the fishery and will allow additional spawning events before pāua become available for commercial harvest. Not all areas of PAU 2 support larger pāua and it is important to ensure that the MHS is compatible with catch spreading objectives. Variable MHS will therefore be set at an appropriate spatial scale and will not apply in all areas. The results of research on spatial variation in length at maturity, spawning behaviour, and the optimal number of spawning years will be used to set and adjust the MHS in the AOP.

Anecdotal information indicates that the PAU 2 fishery responds well to being left for a period of time between harvesting events. While resting often occurs naturally as a consequence of environmental conditions, consideration will be given to mechanisms to implement seasonal rest periods in areas where this would benefit abundance in the following season.

**Strategy 1.4 Timely adjustments to catch levels:** If a decline in biomass is indicated, proactively manage commercial catch levels by implementing the following actions:

- 1.4.1 Use ACE shelving to protect the fishery from the risk of significant decline, and specify the required level of shelving (if any) in the Annual Operating Plan.
- 1.4.2 Support the development and adoption of a harvest control rule (HCR) for PAU 2, and use the HCR to inform future adjustments to commercial harvest levels.

**Explanation:** Commercial catch levels in PAU 2 have not required adjustment since 1986. However, if a future decline in the fishery is indicated – e.g., through changes in catch per unit effort, biological indicators, or diver observations – the most effective response is to reduce the total amount of catch. ACE shelving allows the industry to proactively reduce catch in a secure and timely manner, and can be supported by TACC adjustments if required.

A harvest control rule (HCR) is a pre-agreed guideline that determines how much fishing can take place, based on indicators of stock status. An HCR will improve certainty and responsiveness for catch level adjustments in PAU 2.

**Strategy 1.5 Fishery enhancement:** Explore the potential to enhance the spatial extent of harvestable pāua populations in PAU 2 by translocating pāua from ‘stunted’ populations to faster growing areas by implementing the following actions:

- 1.5.1 Conduct research to identify suitable donor and recipient sites for pāua translocation.
- 1.5.2 Undertake translocation activity only in areas agreed under the Pāua Industry Council’s special permit for investigative research or in areas defined in a Translocation Plan developed in discussion and agreement with mana whenua hapū.

**Explanation:** Translocation is the moving of pāua from ‘stunted’ populations (i.e., areas where mature pāua rarely reach the MLS of 125mm) to faster growing areas in order to increase local pāua abundance. The sustainability of pāua stocks in all areas is paramount, including donor areas where pāua are sourced for translocation. Fishery enhancement techniques can also contribute to restoration of degraded marine ecosystems. Translocation requires a special permit to be obtained from FNZ. Any

*translocation plans for the special permit will be developed collaboratively with mana whenua. Details of translocation projects will be specified in the AOP.*

### Strategies for protecting important pāua habitat

**Strategy 2.1 Identify habitat of particular significance for fisheries management (HPSFM):** Identify areas that are particularly important for pāua larval settlement and nursery habitat, and map the HPSFM in the Annual Operating Plan, reviewing and amending as new information becomes available.

**Strategy 2.2 Habitat protection:** Work with iwi and other interested parties to ensure that important pāua habitat is protected from adverse effects of fishing and non-fishing activities, including activities managed under the Resource Management Act 1991 (RMA) or equivalent legislation, by implementing the following actions:

- 2.2.1 Build relationships with relevant local and regional authorities.
- 2.2.2 Promote the adoption of appropriate provisions to protect pāua habitat in planning documents prepared under the RMA and in resource consent conditions for activities that may have an adverse effect on pāua habitat.
- 2.2.3 Encourage FNZ to support the identification and protection of HPSFM under the Fisheries Act and other relevant legislation.

**Explanation:** *Fisheries Act section 9(c) requires decision makers to take account of the principle that HPSFM should be protected. Other marine and terrestrial activities can have adverse effects on pāua habitat – for example, the discharge of sediment from forestry harvesting or land disturbance. A fisheries plan approved under section 11A of the Act has status under other legislation, including the RMA, enabling an integrated, multi-agency approach to protecting areas that are critical for sustaining healthy pāua populations. The protection of pāua habitat along the Wairarapa coast will become increasingly important as the effects of climate change are felt.*

### Strategies for enhancing industry performance

**Strategy 3.1 Industry organisation:** Make sure that PauaMAC2 is able to effectively support the implementation of the PAU 2 Fisheries Plan by implementing the following actions:

- 3.1.1 Ensure the PauaMAC2 governance arrangements are fit for purpose and effectively represent the full range of interests of PAU 2 quota owners and harvesters.
- 3.1.2 Support the establishment and regular operation of a Divers' Forum for harvesters to share information and to develop and propose appropriate management responses for consideration by the wider PAU 2 industry.

**Explanation:** *PAU 2 has a wide range of quota owning interests, including substantial iwi quota ownership, and is harvested by local dive crews as well as crews based in other parts of the country. It is important for the implementation of the fisheries plan that PauaMAC2 effectively represents the full range of commercial rights and interests in the fishery. A divers' forum provides an opportunity for*

*sharing information among harvesters and allows divers' knowledge and understanding of the fishery to be fed into management decisions.*

**Strategy 3.2 Professional and responsible harvest crews:** Improve the performance of harvest crews by the following actions:

- 3.2.1 Require all harvesters to comply with PauaMAC2's general operating procedures and best practice rules, including procedures related to:
- a) Harvesting, returning to the sea, handling, and landing of pāua;
  - b) Biosecurity;
  - c) Protecting the fishery from theft; and
  - d) Recreational take by commercial operators.
- 3.2.2 Implement and maintain a regular harvester training programme covering matters such as best pāua handling practice, and compliance with industry and government rules.

**Explanation:** *Good harvesting practice builds on existing industry practices, and is an essential component of effective management of the PAU 2 fishery.*

**Strategy 3.3 Quota owner responsibility:** Foster quota owner responsibility for harvest crew performance by implementing the following actions:

- 3.3.1 Obtain agreement from PAU 2 quota owners to:
- a) Place conditions on ACE requiring harvesters to comply with all industry rules in the Annual Operating Plan; and
  - b) Enforce ACE conditions by withholding ACE from harvesters who fail to comply with the industry rules.
- 3.3.2 Encourage PAU 2 quota owners to use multi-year ACE commitments so that harvesters have the security of a longer-term interest in the fishery.

**Explanation:** *The effective enforcement of quota owner-imposed ACE conditions is a critical aspect of ensuring compliance with industry-initiated management measures. Quota owners should take active steps to help ensure that their dive crews are professional, economically viable and have a secure future in the PAU 2 fishery.*

**Strategy 3.4 Shared fishery responsibility:** Engage with iwi, other fishing sectors, and FNZ to promote the shared interests of iwi and all stakeholders in the responsible management of the PAU 2 fishery, including by the following actions:

- 3.4.1 Establish mechanisms for regular engagement between PauaMAC2 and iwi representatives to address common management issues for the pāua fishery and to discuss PauaMAC2's Annual Operating Plan.
- 3.4.2 Encourage the participation of mandated representatives of the recreational fishing sector in the management of PAU 2 by building relationships at local community level (e.g., at Ngawi, Tora, Riversdale).

- 3.4.3 Support the future subdivision of the PAU 2 quota management area, provided that boundaries are agreed by relevant iwi and the subdivision has the support Iwi and all fisheries stakeholders.
- 3.4.4 Maintain voluntary closures for community purposes at Ngawi and any other locations specified in the Annual Operating Plan.
- 3.4.5 Promote to government fisheries managers the following measures for effective management of the PAU 2 fishery:
- a) Given the observed increase in recreational fishing pressure in PAU 2:
    - Accurate and timely information is required on recreational harvest;
    - More effective constraint of recreational harvesting is necessary to reflect shared responsibilities and to protect the pāua fishery for future generations;
  - b) If a TAC is set for PAU 2, incentives and equity among sectors should be maintained by retaining the current proportionality between the TACC and a reasonable level of recreational catch; and
  - c) If additional areas of PAU 2 are closed to commercial or recreational pāua harvesting for any purpose, appropriate steps should be taken to avoid the adverse effects of displaced effort and catch.

***Explanation:** PauaMAC2 will establish regular opportunities to help inform Iwi and local communities of the PAU 2 Fisheries Plan, to seek support for industry management measures, and to integrate the PAU 2 Plan with other fisheries management initiatives. PauaMAC2 will not initiate a subdivision of PAU 2, but will support it where agreement is reached among relevant iwi. Subdivision can enhance sustainability and utilisation of pāua outside the current commercial area by improving fisheries information and management. Action 3.4.5 addresses issues that are beyond the industry's direct control but are nevertheless essential for achieving the objectives of the Plan. PauaMAC2 will promote these measures directly to the recreational fishing sector, as well as to FNZ and the Minister.*

## Part Three: Implementation, monitoring and review

### Implementing the measures in the Plan

The annual measures that will be implemented by the PAU 2 industry will be set out in the PauaMAC2 AOP, as described in Part One of the Plan.

The Plan's strategies and actions enable the implementation methods to evolve or change over time. At any one time a mix of the following implementation mechanisms may be in use.

- **Industry rules** – Industry members agree to and implement non-regulatory measures on a voluntary basis (e.g., rules relating to area closures or catch spreading).
- **ACE shelving** – If ACE shelving is used, prior to the start of the fishing year, PAU 2 quota owners will transfer the specified percentage of ACE to a non-fishing entity on the publicly-accessible ACE register maintained by FishServe. ACE that is shelved cannot be fished during that year. ACE shelving requires a high level of support from quota owners in order to achieve the specified level of catch reduction.

- **Authorised management** – A management tool that PauaMAC2 and the seafood industry are advocating be made available in future, which would require amendments to be made to the Fisheries Act.<sup>3</sup> Under authorised management, a group of quota owners would be authorised by the Minister to perform specified management functions for the commercial share of a fishery within government-set standards. Industry rules made under this regime would bind all quota owners and commercial harvesters in a fishery so as to provide government, iwi, and fisheries stakeholders with confidence that industry management measures will be implemented in a transparent, equitable and enforceable manner.
- **Advocacy & education** – In some cases the necessary management measures are beyond the control of the PAU 2 industry and rely on the actions of other parties – for example, in relation to protection of pāua habitat from degradation by land-based activities. In these cases, the PAU 2 industry will seek to implement the strategies in the plan by education and advocacy.

### Performance measures and monitoring

The PAU 2 Fisheries Plan has four performance measures which are set out below. Performance will be monitored by the PauaMAC2 Executive and by FNZ on an ongoing basis.

Performance measure	Monitoring mechanism
1 The AOP is prepared according to the requirements of Plan	FNZ receives the AOP by the due date and the AOP covers the measures specified in Plan
2 Industry compliance with industry rules in the AOP is sufficient to ensure the integrity of the management measures	PauaMAC2 monitors compliance with industry rules using information from harvesters, LFRs, and the PAU2 Dashboard  FNZ monitors electronic catch and position reporting
3 If ACE shelving is used, the level of ACE shelving is consistent with Fisheries Act requirements for ensuring stock sustainability and the specified level is achieved well prior to the start of the fishing year	PauaMAC2 and FNZ share information on PAU2 stock sustainability and discuss AOP specifications before July each year  PauaMAC2 monitors the level of ACE shelving using the quota register and reports the level of shelving achieved to FNZ
4 Community support for the Plan	PauaMAC2 and FNZ monitor community views through direct liaison with the Iwi Fisheries Forum and representatives of other fishing interests

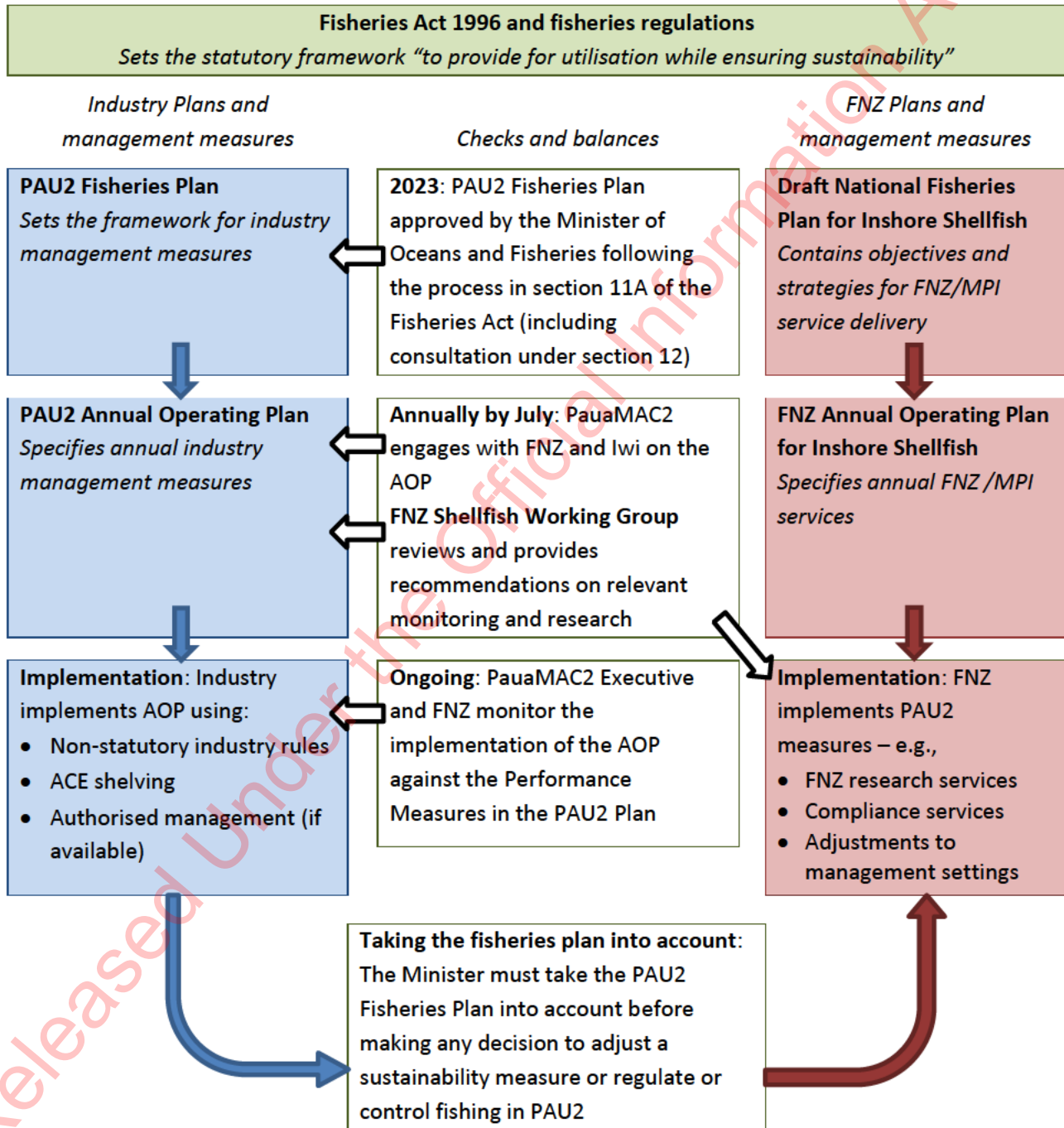
<sup>3</sup> Authorised management is described in detail in the Initial Seafood Industry Contribution to Fisheries Management Review 2015/16 *Creating Value 'Beyond Sustainability'* (December 2015).

Review

PauaMAC2 will review the PAU 2 Fisheries Plan after the plan has been in place for five years. The review will be undertaken in consultation with FNZ and will include relevant iwi engagement.

Integrating the Fisheries Plan with FNZ management measures

The PAU 2 Fisheries Plan aligns with FNZ’s management services for PAU 2 as shown below.



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## Appendix Two: Summary of submissions













Sector	For/Against position on plan	General comments
1 Commercial	Support	<b>Pāua 3 Industry Association Inc.</b> Notes it builds on existing successfully implemented pāua fisheries plans that have demonstrated improved management of commercial activity and enhanced relationships with iwi and local communities.
2 Commercial	Support	<b>Pāua 4 Industry Association Inc.</b> Notes it builds on existing successfully implemented pāua fisheries plans that have demonstrated improved management of commercial activity and enhanced relationships with iwi and local communities.
3 Commercial	Support	<b>PĀUAMAC 5 Industry Association Inc.</b> Notes it builds on existing successfully implemented pāua fisheries plans and if approved all significant pāua industries will be covered by an approved plan.
4 Commercial	Support	<b>PĀUAMAC 7 Industry Association Inc.</b> Notes that pāua fisheries plans recognise the fisheries are shared and promotes responsibility from the industry to manage their actions in a way to promote fisheries health and resilience.
5 Commercial	Support	<b>Pāua Industry Council</b> Notes that, if approved, all significant pāua industries will be covered by an approved plan. It outlines various benefits of industry prepared plans such as providing for finer-scale management not provided under a QMA approach, various management initiatives to ensure sustainable use, greater certainty for industry, and improved engagement with iwi and local communities, and better ecosystems outcomes.
6 Tangata Whenua	Support with amendments	<b>Te Aitanga a Mate Te Aowera &amp; Te Whanau a Hinekehu Takutai Kaitiaki Trust</b> support the plan as a plan for the commercially fished region but recommend that the name be changed to PAU 2 A or something similar to ensure it is clear the Plan doesn't apply to the wider PAU 2 area.
7 Recreational	Not support	<b>New Zealand Sports Fishing Council</b> It acknowledges the plan's objectives to better manage the PAU 2 fishery and enhance industry performance but recommend that the Minister reject any form of proportional allocation of the PAU 2 fishery and reject the proposal for 'authorised management'. It also does not accept ACE shelving as a legitimate management measure provided for in the legislation.
8 Other Interests	Support with amendments	<b>Terra Moana</b> supported the inclusion of improving data collection and identifying habitats of particular significance for fisheries management. It proposed a new strategy be added that improves the information base about the marine environment.

9	Individual	Support with amendments	<b>B. Rolston</b> supports the plan as a bond initiative by the commercial sector to ensure sustainability. They do not support the inclusion in the plan that the industry will promote proportional allocation between recreational and commercial sectors in future reviews of catch settings.
10	Tangata Whenua	Support with amendments	<b>Ngāi Tūmapūhia-ā-Rangi ki Mōtūwairaka Inc.</b> Support the concept of the fisheries plan for the Wairarapa pāua fishery and support translocation subject to further engagement with Wairarapa mana whenua to differentiate who “mana whenua” are from “Te Awhea River south to the Whareama River”.
11	Tangata Whenua	Support with amendments	<b>Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust</b> There are objectives and strategies within the plan that it does support which aim to ensure the sustainability of pāua in the Wairarapa for future generations. It does not support the use of translocation and found the purpose and strategy for doing so in the plan severely lacking.





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### Appendix Three: Tool-by-tool assessment of the Fisheries Plan for the Wairarapa commercial pāua fishery (within PAU 2)

 = Deliverable  = Fisheries New Zealand able to support or directly input  = Fisheries New Zealand and/or MPI compliance to monitor  = To be resolved (but does not prevent Plan approval)  = Feedback loop (from industry to Fisheries New Zealand)		Voluntary measure (Industry led)	Government (Fisheries New Zealand)	Legislative barrier (Fisheries Act 1996, RMA)
Strategy	Activity/support required			
Comprehensive data collection (1.1)	<p>Improve the comprehensiveness and accuracy of information about the PAU 2 fishery by implementing the following actions:</p> <ul style="list-style-type: none"> <li>Use data from Fisheries New Zealand's electronic catch and location reporting regime to detect fine-scale changes in the fisheries and inform management responses.</li> <li>Voluntary: Require at least one shell sample per dive day (for shell length monitoring).</li> <li>Incorporate diver-provided information into decision-making.</li> </ul>	✓	  	
Reduce the risk of serial depletion (1.2)	<p>Reduce the risk of serial depletion by spreading fishing effort within the commercially harvested area of PAU 2, using the following actions:</p> <ul style="list-style-type: none"> <li>North-south ACE split: Require an agreed proportion of ACE to be harvested in the north of the fishery.</li> <li>Catch caps: Set and implement catch caps to spread effort at a smaller spatial scale.</li> <li>Area closures: Close an area when the catch cap is reached, where necessary.</li> <li>Dashboard: Use the PAU 2 Dashboard website to:               <ol style="list-style-type: none"> <li>monitor sub-area catch on a timely basis; and</li> <li>make aggregated catch and location information available to participating harvesters to assist in the implementation of catch spreading.</li> </ol> </li> <li>Annual review: Review all effort spreading arrangements on an annual basis and specify details in the Annual Operating Plan.</li> </ul>	✓	  	
Build abundance and protect spawning opportunity (1.3)	<p>Build and maintain a buffer of abundance by implementing the following actions:</p> <ul style="list-style-type: none"> <li>Gradually increase the Minimum Harvest Size (MHS) in areas of the fishery that can support the harvesting of larger pāua, with details specified in the Annual Operating Plan and reviewed annually.</li> <li>Contribute to industry research programmes on pāua length at maturity and growth rates.</li> <li>Ensure that well-utilised areas of the fishery are rested between fishing seasons.</li> </ul>	✓		
Timely adjustments to catch levels (1.4)	<p>If a decline in biomass is indicated, proactively manage commercial catch levels by implementing the following actions:</p>			

	<ul style="list-style-type: none"> <li>Use ACE shelving to protect the fishery from the risk of significant decline, and specify the required level of shelving (if any) in the Annual Operating Plan.</li> <li>Support the development and adoption of a harvest control rule (HCR) for PAU 2, and use the HCR to inform future adjustments to commercial harvest levels.</li> </ul>	✓	● ↻ 👓	
Fishery enhancement (1.5)	<p>Explore the potential to enhance the spatial extent of harvestable pāua populations in PAU 2 by translocating pāua from 'stunted' populations to faster growing areas by implementing the following actions:</p> <ul style="list-style-type: none"> <li>Conduct research to identify suitable donor and recipient sites for pāua translocation.</li> <li>Undertake translocation activity only in areas agreed under the Pāua Industry Council's special permit for investigative research or in areas defined in a Translocation Plan developed in discussion and agreement with mana whenua hapū.</li> </ul>	✓	● ↻ 👓	
Identify and protect habitat of particular significance (HPSFM) (2.1)	Identify areas that are particularly important for pāua larval settlement and nursery habitat, and map the HPSFM in the Annual Operating Plan, reviewing and amending as new information becomes available.	✓	● ↻ 👓	
Habitat protection (2.2)	<p>Work with iwi and other interested parties to ensure that important pāua habitat is protected from adverse effects of fishing and non-fishing activities, including activities managed under the Resource Management Act 1991 (RMA) or equivalent legislation, by implementing the following actions:</p> <ul style="list-style-type: none"> <li>Build relationships with relevant local and regional authorities.</li> <li>Promote the adoption of appropriate provisions to protect pāua habitat in planning documents prepared under the RMA and in resource consent conditions for activities that may have an adverse effect on pāua habitat.</li> <li>Encourage Fisheries New Zealand to support the identification and protection of HPSFM under the Fisheries Act and other relevant legislation.</li> </ul>	✓	● ↻ 👓	⚠
Industry organisation (3.1)	<p>Make sure that PauaMAC2 is able to effectively support the implementation of the PAU 2 Fisheries Plan by implementing the following actions.</p> <ul style="list-style-type: none"> <li>Ensure the PauaMAC2 governance arrangements are fit for purpose and effectively represent the full range of interests of PAU 2 quota owners and harvesters.</li> <li>Support the establishment and regular operation of a Divers' Forum for harvesters to share information and to develop and propose appropriate management responses for consideration by the wider PAU 2 industry.</li> </ul>	✓	👓	

<p>Professional and responsible harvest crews (3.2)</p>	<p>Improve the performance of harvest crews by the following actions:</p> <ul style="list-style-type: none"> <li>• Require all harvesters to comply with PauaMAC2's general operating procedures and best practice rules, including procedures related to:                             <ul style="list-style-type: none"> <li>a) harvesting, returning to the sea, handling, and landing of pāua;</li> <li>b) Biosecurity</li> <li>c) protecting the fishery from theft; and</li> <li>d) recreational take by commercial operators.</li> </ul> </li> <li>• Implement and maintain a regular harvester training programme covering matters such as best pāua handling practice, and compliance with industry and government rules.</li> </ul>	<p>✓</p>	<p></p>	
<p>Quota owner responsibility (3.3)</p>	<p>Foster quota owner responsibility for harvest crew performance by implementing the following actions:</p> <ul style="list-style-type: none"> <li>• Obtain agreement from PAU 2 quota owners to:                             <ul style="list-style-type: none"> <li>a) place conditions on ACE requiring harvesters to comply with all industry rules in the Annual Operating Plan; and</li> <li>b) enforce ACE conditions by withholding ACE from harvesters who fail to comply with the industry rules.</li> </ul> </li> </ul>	<p>✓</p>	<p></p>	
<p>Shared fishery responsibility (3.4)</p>	<p>Engage with iwi, other fishing sectors, and Fisheries New Zealand to promote the shared interests of iwi and all stakeholders in the responsible management of the PAU 2 fishery, including by the following actions.</p> <ul style="list-style-type: none"> <li>• Establish mechanisms for regular engagement between PauaMAC2 and iwi representatives to address common management issues for the pāua fishery and to discuss PauaMAC2's Annual Operating Plan.</li> <li>• Encourage the participation of mandated representatives of the recreational fishing sector in the management of PAU 2 by building relationships at local community level (e.g., at Ngawi, Tora, Riversdale).</li> <li>• Support the future subdivision of the PAU 2 quota management area, provided that boundaries are agreed by relevant iwi and the subdivision has the support of iwi and all fisheries stakeholders.</li> <li>• Maintain voluntary closures for community purposes at Ngawi and any other locations specified in the Annual Operating Plan.</li> <li>• Promote to government fisheries managers the following measures for effective management of the PAU 2 fishery:                             <ul style="list-style-type: none"> <li>a) given the observed increase in recreational fishing pressure in PAU 2:                                     <ul style="list-style-type: none"> <li>i. accurate and timely information is required on recreational harvest;</li> <li>ii. more effective constraint of recreational harvesting is necessary to reflect shared responsibilities and to protect the pāua fishery for future generations;</li> </ul> </li> <li>b) if a TAC is set for PAU 2, incentives and equity among sectors should be maintained by retaining the current proportionality between the TACC and a reasonable level of recreational catch; and</li> <li>c) if additional areas of PAU 2 are closed to commercial or recreational pāua harvesting for any purpose, appropriate steps should be taken to avoid the adverse effects of displaced effort and catch.</li> </ul> </li> </ul>	<p>✓</p>	<p> </p>	

**Appendix Four: Decision letters**

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# Hon Shane Jones

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Minister for Oceans and Fisheries  
Minister for Regional Development  
Minister for Resources  
Associate Minister of Finance  
Associate Minister for Energy



B24-0457

Haami Te Whaiti  
Chairperson  
Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust  
Level 4, Departmental Building, 35-37 Chapel Street  
PO Box 756, Masterton, 5840  
admin@kkwtmr.org.nz

Tēnā koe Haami,

## Approval of a Fisheries Plan for the Wairarapa pāua fishery

I am writing to notify you of my approval of the Fishery Plan for the PAU 2 (Wairarapa) commercial pāua fishery submitted to me by the PāuaMAC 2 Incorporated in accordance with section 11A of the Fisheries Act 1996.

I support this effort to develop an effective commercial management plan for these important shared fisheries. It is my view that the Plan will be beneficial in providing more responsive management of the resource, increased stakeholder commitment to management decisions, and a more transparent operating environment.

I note that, whilst you are supportive of many of the strategies and objectives detailed in the Plan, you do not support the inclusion of pāua translocation. I am satisfied that any translocation activity outside Pāua Industry Council's existing special permit for investigative research will only take place in areas as specified in an approved Translocation Plan following consultation with mana whenua.

I would like to thank you for providing input on the Plan and engaging with Fisheries New Zealand through the consultation process. Your support in safeguarding this important resource for future generations is appreciated.

Nāku noa, nā,

Hon Shane Jones  
**Minister for Oceans and Fisheries**

# Hon Shane Jones

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Minister for Oceans and Fisheries  
Minister for Regional Development  
Minister for Resources  
Associate Minister of Finance  
Associate Minister for Energy



B24-0457

Ian Steele  
President, NZ Sport Fishing Council  
secretary@nzsportfishing.org.nz

Tēnā koe Ian,

## Approval of a Fisheries Plan for the Wairarapa pāua fishery

I am writing to notify you of my approval of the Fishery Plan for the PAU 2 (Wairarapa) commercial pāua fishery submitted to me by the PāuaMAC 2 Incorporated in accordance with section 11A of the Fisheries Act 1996.

Thank you for your submission during consultation on the Plan (jointly with LegaSea). I acknowledge that you did not support the Plan on the basis of concerns regarding ACE shelving, authorised management and proportional allocation.

I have carefully considered your concerns and have received advice on the matters raised in your submission. In approving the Plan, I note that voluntary catch shelving arrangements do not replace my requirement to set a sustainable Total Allowable Commercial Catch for this fishery.

Authorised management is not possible under the current legislation, therefore my approval of the Plan under s11A does not constitute an agreement or commitment to do this, despite its inclusion in the Plan. Similarly, the Plan's inclusion of proportional allocation does not constitute a commitment to advocate for this in future sustainability reviews. Any review of the statutory settings for these fisheries would continue to require consultation as part of Fisheries New Zealand's sustainability process, with any decisions made by the Minister for Oceans and Fisheries.

Thank you again for providing input on the Plan and engaging with Fisheries New Zealand throughout the consultation process.

Nāku noa, nā,

Hon Shane Jones  
**Minister for Oceans and Fisheries**

# Hon Shane Jones

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Minister for Oceans and Fisheries  
Minister for Regional Development  
Minister for Resources  
Associate Minister of Finance  
Associate Minister for Energy



B24-0457

Sue Taylor  
Secretary  
Ngāi Tūmapūhia-ā-Rangi ki Mōtūwairaka Inc  
sue@ttcl.co.nz

Tēnā koe Sue,

## Approval of a Fisheries Plan for the Wairarapa pāua fishery

I am writing to notify you of my approval of the Fishery Plan for the PAU 2 (Wairarapa) commercial pāua fishery submitted to me by the PāuaMAC 2 Incorporated in accordance with section 11A of the Fisheries Act 1996.

I support this effort to develop an effective commercial management plan for these important shared fisheries. It is my view that the Plan will be beneficial in providing more responsive management of the resource, increased stakeholder commitment to management decisions, and a more transparent operating environment.

I understand that you initially raised concerns about the inclusion of pāua translocation in the Plan and that these concerns have been addressed through further engagement with industry representatives. I am satisfied that any translocation activity outside Pāua Industry Council's existing special permit for investigative research will only take place in areas as specified in an approved Translocation Plan following consultation with mana whenua.

I would like to thank you for providing input on the Plan and engaging with Fisheries New Zealand through the consultation process. Your support in safeguarding this important resource for future generations is appreciated.

Nāku noa, nā,

Hon Shane Jones  
Minister for Oceans and Fisheries

# Hon Shane Jones

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Minister for Oceans and Fisheries  
Minister for Regional Development  
Minister for Resources  
Associate Minister of Finance  
Associate Minister for Energy



B24-0457

Toa Pomare  
Chair, PāuaMAC 2 Incorporated  
c/o Seafood NZ Ltd  
Level 12, 7WQ  
7 Waterloo Quay  
Pipitea - Wellington 6011  
toapom@xtra.co.nz

Tēnā koe Toa,

## Approval of a Fisheries Plan for the Wairarapa pāua fishery

I am writing to notify you of my approval of the Fishery Plan for the PAU 2 (Wairarapa) commercial pāua fishery submitted to me by the PāuaMAC 2 Incorporated in accordance with section 11A of the Fisheries Act 1996.

I support your efforts to develop an effective commercial management plan for this important shared fishery. It is my view that the Plan will be beneficial in providing more responsive management of the resource, increased stakeholder commitment to management decisions, and a more transparent operating environment.

In approving the Plan, I note that voluntary catch shelving arrangements do not replace my requirement to set a sustainable Total Allowable Commercial Catch for this fishery. I also note your aspirations around the concept of 'authorised management', and the desire to use statutory tools to support this. This concept was also advocated in the existing approved pāua plans. Authorised management is not possible under the current legislation, therefore my approval of the Plan under s11A does not constitute an agreement or commitment to do this, despite its inclusion in the Plan.

My officials will contact you in preparation for the roll-out of the feedback and monitoring systems within the Plan.

Thank you for your efforts to safeguard this important resource for future generations. I wish you well in delivering the objectives contained in your Fisheries Plan.

Nāku noa, nā,

Hon Shane Jones  
**Minister for Oceans and Fisheries**