

**From:** [Emma Hill](#)  
**To:** ["Abby Bradford"](#); ["Terry Lynch"](#); ["Jacob Hore"](#); ["Kathryn Lister"](#)  
**Subject:** RE: Hauraki Gulf Bill - potential changes from Cabinet for your review  
**Date:** Friday, 5 July 2024 10:31:00 am  
**Attachments:** [image001.png](#)  
[Briefing - Hauraki Gulf post report back briefing.docx](#)

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Kia ora koutou,

I have drafted a briefing now to go along with the advice I outlined below (attached).

Please note that we have strict instruction that briefing should only be 4-5 pages so you may notice a real absence of detail (it is still 1-2 pages too long). If there is some really critical detail missing please let me know (chances are I wrote it and it got culled in my cutting down of the paper).

If I could have your feedback by midday Monday that would be most useful – but if you need more time please let me know.

Happy to discuss any of the content.

Ngā mihi,

Emma

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**From:** Emma Hill  
**Sent:** Wednesday, July 3, 2024 9:12 AM  
**To:** Abby Bradford <Abby.Bradford@mpi.govt.nz>; Terry Lynch <Terry.Lynch@mpi.govt.nz>; Jacob Hore <jacob.hore@mpi.govt.nz>; Kathryn Lister <Kathryn.Lister@mpi.govt.nz>  
**Subject:** Hauraki Gulf Bill - potential changes from Cabinet for your review

Heya team,

Hope you are all well, I wanted to give you an update and a heads up on some advice I am drafting for the Minister of Conservation re. the Hauraki Bill.

On Thursday last week there was a Cabinet meeting to approve the Hauraki Bill remaining on the legislative programme – this was a bit of a box ticking exercise and was carried out for a number of Bills carried over from the last Government.

Following the Cabinet session, we received some feedback from MOC and MfOF on what changes the parties would like to see to this Bill. These matters include the Te Tiriti clause and the interaction of customary fishing with the protection areas – including some chat about rights under the Takutai Moana Act. I will send you a briefing for your review when complete but for now here is generally how the advice is looking to shape up for any early comments from you:

## Te Tiriti Clause

I am still working through the Te Tiriti clause stuff, and awaiting feedback from the Treaty Provisions Oversight Group – I will send this to you when I have more clarity on our advice.

### Interaction of customary fishing with the protection areas

The briefing will be laid out along the lines of:

- Customary fishing can occur in HPAs subject to the conditions in the Bill (i.e., that they comply with regulations and don't use bottom trawling, dredging or Danish seining fishing methods)
- You (MOC) have asked for advice on how the Bill can continue to provide for customary fishing without the additional conditions imposed by the Bill
- In the absence of these 'conditions', there is a risk that customary fishing may impact on biodiversity outcomes e.g, through the use of high-impact fishing methods or the cumulative impact of customary fishing activities
- The use of these high-impact fishing activities for customary fishing is unlikely but possible
- The regulations provide for the Crown to work collaboratively with mana whenua to ensure that activities, including customary fishing, do not impact on the outcomes of biodiversity objectives + allow for MOC to create regulations if necessary
- The risk to biodiversity is minimised as customary fishing is regulated under the Fisheries Act, and only authorised persons can issue an authorisation to customary fish. However, if the power to make regulations that can apply to customary fishing were removed, there would be no mechanism under this Bill to address any impacts of customary fishing on biodiversity outcomes. On-going communication with authorised persons (Tangata Kaitiaki) could further minimise this risk.
- We seek your (MOC's) decision to either (note – I am not sure we would put a recommended approach here):
  - Keep customary fishing provisions in the Bill as is
  - Remove the 'conditions' that the Bill puts on customary fishing
  - Remove the provisions that can create regulations that apply to customary fishing and retain prohibition on high-impact fishing methods

### Takutai Moana Act interaction

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The briefing will be laid out along the lines of:

- The intent of RtG was that marine protection would not derogate from rights under the Takutai Moana Act
- The purpose of the Bill includes the acknowledgment of customary practices – removing the below clauses would mean that the Bill is not meeting its purpose
- The Bill provides for rights under the Takutai Moana Act through:
  - Not impacting on applications for rights under the Takutai Moana Act
    - It is unknown what impact the marine protection may have on an applicant group to

- obtain rights – the policy intent is that the Bill does not impact on these rights
- We recommend retaining the clause that ensures that applications are not impacted by this Bill
- Exemption of rights under the Takutai Moana Act from prohibitions in the Bill
  - The removal of this clause is unlikely to have a significant impact on rights under the Takutai Moana Act as few rights would interact with prohibitions under the Bill – e.g., PCR cannot be recognised for activities regulated under the Fisheries Act
  - Conversely, the retention of this clause would ensure that any rights could continue to be exercised. The potential impact of this is very low. This aligns with how these rights are provided for under the Resource Management Act
  - We recommend retaining the clause that exempts these activities
- Exercise of rights related to the granting of permits
  - The Bill provides that before granting a permit, the Director-General of Conservation must be satisfied that rights under the Takutai Moana Act associated with rights holders granting approval/permission for activities to occur have been exercised
  - This clause does not in practice change whether a person could carry out an activity, however it provides a clear avenue for the Director-General of Conservation to be satisfied that existing rights under the Takutai Moana Act have been given effect to.
  - (still working on what our recommendation is for this one)

#### **Additional matter related to the development of biodiversity objectives**

We have been working through the fact that the Bill says biodiversity objectives and associated regulations **MUST** be developed collaboratively and **MUST** be done in two years. There is a clear conflict here in ensuring that the process is truly collaborative with a timeframe.

We think it is important that the biodiversity objectives are developed in two years as they inform permitting decisions, monitoring and regulations. Therefore, we are considering changing the language of 'collaborate' to either 'collaborate to the extent reasonably possible' (PCO will advise on wording of this) or 'consult with particular regard' (again this wording is subject to drafting changes).

Any early thoughts on any of these matters would be really useful – otherwise I will endeavour to send you the briefing in the next couple days for your review.

Ngā mihi,

Emma

**Emma Hill** (she/her)

Senior Policy Advisor – Marine | Kaitohutohu Kaupapa Mahere  
Whare Kaupapa Atawhai – Conservation house  
18 – 32 Manners Street | Wellington | 6011

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**From:** [Emma Hill](#)  
**To:** [Kathryn Lister](#)  
**Subject:** RE: 24-B-0348 - Memo - Request - Tikapa Moana Marine Protection Bill - background on issues relating to clause 9A of the Bill  
**Date:** Wednesday, 17 July 2024 2:46:00 pm  
**Attachments:** [No compensation memo - FNZ.docx](#)  
[image001.jpg](#)  
[image002.jpg](#)  
[image003.png](#)  
[Letter to Ministers Potaka Jones Seymour Hauraki Gulf 2024-07-04.pdf](#)

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Hey Kathryn,

Thank you for agreeing to have a look at the response to the Seafood NZ letter. Do you think you could look by middayish tomorrow?

Let me know if/how you want to do sign-outs on your end? I have my Director looking at it 3pm tomorrow and my DDG 8.30 Friday.

I hope I have given you enough time to consider it.

Please note we are also expecting to be commissioned a response letter shortly which will likely also need your guys review.

Happy to discuss.

Cheers,

Emma

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**From:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Sent:** Monday, July 15, 2024 3:35 PM  
**To:** Emma Hill <[ehill@doc.govt.nz](mailto:ehill@doc.govt.nz)>  
**Subject:** RE: 24-B-0348 - Memo - Request - Tikapa Moana Marine Protection Bill - background on issues relating to clause 9A of the Bill

Hey,

Yep no problem – Jake mentioned something about this earlier – send through when you are ready

Ngā mihi,  
Kathryn

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**From:** Emma Hill <[ehill@doc.govt.nz](mailto:ehill@doc.govt.nz)>  
**Sent:** Monday, July 15, 2024 12:56 PM  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Subject:** FW: 24-B-0348 - Memo - Request - Tikapa Moana Marine Protection Bill - background on issues relating to clause 9A of the Bill

Hey Kathryn,

We are drafting a memo to the MOC to be shared with MfOF on the attached letter (opposition to the 'no compensation' clause in the Hauraki Gulf Bill).

Are you able to review in the next couple days and line up review from Jake later this week (preferably by Thursday)? It will be a relatively short briefing and we don't need sign-out just to have corresponded with you guys on this.

Ngā mihi,

Emma

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**From:** Lisa Futschek <[lisa.futschek@seafood.org.nz](mailto:lisa.futschek@seafood.org.nz)>  
**Sent:** Monday, July 8, 2024 5:07 PM  
**To:** Tama Potaka <[Tama.Potaka@parliament.govt.nz](mailto:Tama.Potaka@parliament.govt.nz)>  
**Cc:** Melanie Quintela <[Melanie.Quintela@parliament.govt.nz](mailto:Melanie.Quintela@parliament.govt.nz)>  
**Subject:** Tikapa Moana Marine Protection Bill

Tēnā koe Minister Potaka.

Please find attached a letter regarding the “no compensation” clause within the Tikapa Moana Marine Protection Bill.

I would welcome the opportunity to discuss the matter further with you.

Ngā mihi nui,

Lisa Futschek  
Chief Executive  
A Level 12, 7 Waterloo Quay, Pipitea, Wellington 6011  
T s 9(2)(a)  
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signature\_203064922

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NEW ZEALAND

8 July 2024

Hon Tama Potaka  
Minister of Conservation

Hon Shane Jones  
Minister for Oceans and Fisheries

Hon David Seymour  
Minister for Regulation

Tēnā koutou katoa

### **Hauraki Gulf / Tīkapa Moana Marine Protection Bill “no compensation” clause**

The Hauraki Gulf / Tīkapa Moana Marine Protection Bill is currently awaiting its Second Reading. The Bill establishes a series of marine protected areas in which fishing and other specified activities are prohibited. While there are many aspects of the Bill that the fishing industry takes issue with, I wish to draw your attention to clause 9A ‘no entitlement to compensation’, which explicitly rules out the payment of compensation by the Crown to affected fisheries rights holders. Clause 9A was inserted into the Bill on the recommendation of the Environment Committee.

Seafood New Zealand seeks the removal of clause 9A from the Bill. Our reasons for requesting the removal of the clause are addressed in more detail in the attachment to this letter and include:

- Clause 9A removes and overrides the existing common law right for affected rights owners to seek compensation when legislation has the effect of taking property. Its impact is exacerbated by the use of special legislation, which also removes all other opportunities for legal appeals by affected parties;
- Clause 9A is unprecedented and inconsistent with existing New Zealand law including the Fisheries Act and Marine Reserves Act. It is also inconsistent with New Zealand’s Legislation Design Guidance, particularly in relation to the absence of ‘*cogent policy justification*’ and a ‘*rigorously fair process*’ to rule out the payment of compensation; and
- Clause 9A was inserted without any consultation and without the ability for affected rights holders to make submissions on the matter. The clause interferes with the integrity of the Fisheries Settlement by introducing a significant change to the nature of quota rights (the ‘currency’ of the commercial fisheries settlement) without consultation with Māori.



The impact of clause 9A on existing property rights, including rights allocated under the Fisheries Settlement, is inconsistent with the values promoted by the Coalition Government such as respect for property rights, principles of good law-making and economic efficiency. We can only assume that the Environment Committee did not have access to comprehensive advice on the consequences of recommending that the clause be added to the Bill.

We believe the appropriate remedy is to delete clause 9A. The removal of clause 9A would not mean that compensation is automatically payable by the Crown – it would simply restore the *status quo* in that affected quota owners would be free to make a common law claim to the courts in relation to compensation for adverse effects on their property rights, should they choose to do so.

I would be happy to meet with you to provide more detail on the matters raised in this letter and to discuss appropriate solutions.

Nāku, nā

s 9(2)(a)



Lisa Futschek  
Chief Executive  
Seafood New Zealand

[lisa.futschek@seafood.org.nz](mailto:lisa.futschek@seafood.org.nz)

s 9(2)(a)

## Attachment: Rationale for removal of clause 9A

Hauraki Gulf / Tīkapa Moana Marine Protection Bill clause 9A provides that:

### ***(9A) No entitlement to compensation***

*(1) The Crown is not liable to pay compensation to any person for any loss of, or any adverse effect on, a right or an interest in individual transferable quota or a right to undertake fishing arising from the enactment or operation of this Act.*

*(2) If there is any inconsistency between this section and any other legislation or rule of law, this section prevails over that legislation or rule of law.*

The fishing industry recommends that clause 9A should be deleted for the reasons outlined below.

### **1. Inconsistent with existing legislation**

The Environment Committee was advised by the Department of Conservation that the inclusion of a ‘no compensation’ clause in the Bill *aligns with the current approaches under the Marine Reserves Act and Fisheries Act, upholding the Crown approach of not compensating for conservation or sustainability initiatives.*<sup>1</sup>

It is well-established in New Zealand and similar Commonwealth jurisdictions that if legislation has the effect of taking property, a statute will be interpreted as providing for compensation, unless it explicitly precludes compensation. It follows that both the Marine Reserves Act 1971 and the Fisheries Act 1996 should be interpreted as providing for compensation since neither statute explicitly precludes the payment of compensation. In particular:

- The Marine Reserves Act provides that a marine reserve cannot lawfully be established if it interferes unduly with commercial fishing.<sup>2</sup> This affords a threshold level of protection to commercial fishing rights and renders the question of compensation redundant if the threshold is triggered. In situations where the statutory test is not triggered, the Marine Reserves Act is silent on the question of compensation; and
- The Fisheries Act provides that the Crown is not liable to pay compensation or damages to any person in relation to *measures to ensure sustainability*.<sup>3</sup> The Crown may therefore be liable to pay compensation for decisions made for other purposes. The marine protected areas in the Bill are not being established for the purposes of ensuring sustainability under the Fisheries Act, but for purposes beyond Fisheries Act requirements. This is apparent in the purpose of the Bill, which includes contributing to the restoration of the health and mauri of the

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<sup>1</sup> Department of Conservation, Departmental Report.

<sup>2</sup> Marine Reserves Act section 5(6).

<sup>3</sup> Fisheries Act section 308(2)(a).

Hauraki Gulf / Tikapa Moana and acknowledging customary rights (matters clearly beyond the scope of ‘ensuring sustainability’ under the Fisheries Act).

Clause 9A is therefore not aligned with the approach taken under the Fisheries Act, the Marine Reserves Act or any other existing statute with respect to liability for compensation.<sup>4</sup> By explicitly exempting the Crown from liability for compensation, clause 9A takes away an existing right to seek compensation when property rights are affected.

## 2. Inconsistent with legislative design guidance

The Legislation Design and Advisory Committee (LDAC) is responsible for the LDAC Legislation Design Guidelines which have been adopted by Cabinet. Under heading 4.4, *Respect for property*, the LDAC Guidelines state that:<sup>5</sup>

***New legislation should respect property rights. People are entitled to the peaceful enjoyment of their property (which includes intellectual property and other intangible property). ...The Government should not take a person's property without good justification. A rigorously fair procedure is required and compensation should generally be paid. If compensation is not paid, there must be cogent policy justification (such as where the proceeds of crime or illegal goods are confiscated).***

The Environment Committee addresses clause 9A in a single paragraph of their report that does not provide any rationale for the insertion of the clause. The Departmental Report provides no valid justification for the inclusion of clause 9A and no advice on the consequences of the clause, including consequences for the Fisheries Settlement. The Committee was therefore not able to properly consider whether compensation should be precluded. The absence of proper consideration, by the Environment Committee or elsewhere, is inconsistent with the LDAC guidance that:

- The Government should not take a person's property without good justification; and
- If compensation is not paid, there must be cogent policy justification.

Furthermore, the LDAC Guidelines require that a *rigorously fair procedure* has been followed to rule out compensation. The introduction of a ‘no compensation’ clause in a reported-back Bill, with no opportunity for affected parties whose common law rights to

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<sup>4</sup> The Kermadec Ocean Sanctuary Bill, which has now been withdrawn, contained a highly contested “no compensation” clause.

<sup>5</sup> LDAC Legislation Design Guidelines, September 2021.

compensation would be removed by the clause to make submissions, is an unfair procedure.<sup>6</sup>

### **3. Bypassing the checks and balances of existing legislation**

The lack of ‘cogent policy justification’ for the removal of compensation is exacerbated by the fact that the Hauraki Gulf marine protected areas are implemented by special legislation. Had these areas been implemented under existing legislation such as the Marine Reserves Act:

- A threshold level of protection for existing fishing rights would have been provided by the statutory test of ‘undue interference with commercial fishing’ in the Marine Reserves Act; and
- Affected parties would have an opportunity to seek other remedies for impacts on their property rights through the courts, such as by judicial review.

### **4. Interference with the Fisheries Settlement**

Iwi have consistently stated that the ongoing exercise of Māori fishing rights under the Settlement cannot be reduced to monetary compensation and that compensation is therefore not an outcome that iwi actively seek. However, the removal of the existing common law right to apply for compensation detracts from the integrity of the Settlement.

If the clause is enacted, the extinguishment of the right to seek compensation would have been achieved without consultation with iwi. This is inconsistent with the Crown’s general obligation under the Fisheries Settlement to reflect the special relationship between the Crown and Māori and provide Māori with the ability to directly engage on any matters of major concern. General principles of the Treaty of Waitangi also oblige the Government to uphold the integrity of existing settlements, including the Fisheries Settlement.

### **5. Negative effect on quota value and fisheries management outcomes**

The success of the Quota Management System as a fisheries management regime is predicated upon the security of commercial fishing rights. The security of rights, including certainty about the circumstances in which the rights may be attenuated, is therefore a vital prerequisite for the sustainability of New Zealand’s fisheries resources. Quota owners are currently confident that if – for reasons unrelated to ensuring sustainability – their quota rights are taken away, or if their ability to exercise those

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<sup>6</sup> In its submission to the Kermadec Ocean Sanctuary Bill in 2016, the LDAC recommended that: *The Committee ought to satisfy itself that the Bill’s policy objectives amount to “cogent policy justification” and that “a rigorously fair procedure” has been followed to rule out compensation completely.*

rights is substantively interfered with, compensation for any adverse effects on their property rights is potentially available.

The inclusion of clause 9A in the Bill upends these current understandings and therefore weakens the security of quota rights. Any weakening of the security of quota rights will increase future uncertainty for all quota owners and this, in turn, may lead to reductions in quota value and increased risk of unsustainable fisheries outcomes.

**From:** [Ruth Isaac](#)  
**To:** [Emma Taylor](#); [Kathryn Lister](#); [Emma Hill](#); [Siân Roguski](#)  
**Cc:** [Jacob Hore](#)  
**Subject:** RE: Seeking changes to the ring-netting amendment proposed for the Hauraki Gulf Cab paper  
**Date:** Friday, 27 September 2024 3:31:40 pm

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Great! That's so helpful. Let's definitely stay tight!

Ngā mihi  
Ruth

Ruth Isaac  
DDG Policy and Regulatory Services  
Department of Conservation  
Mobile s 9(2)(a)

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**From:** Emma Taylor <Emma.Taylor@mpi.govt.nz>  
**Sent:** Friday, 27 September 2024 2:45 pm  
**To:** Ruth Isaac <risaac@doc.govt.nz>; Kathryn Lister <Kathryn.Lister@mpi.govt.nz>; Emma Hill <ehill@doc.govt.nz>; Siân Roguski <sroguski@doc.govt.nz>  
**Cc:** Jacob Hore <jacob.hore@mpi.govt.nz>  
**Subject:** RE: Seeking changes to the ring-netting amendment proposed for the Hauraki Gulf Cab paper

Kia ora Ruth,

Sian and I have discussed this, and yes, I confirm that we agree that it is a viable option for the two Ministers to make these changes after Cabinet rather than amending the rec (though I think it would be cleaner to amend the rec).

Happy to keep working closely with your team

Nga mihi  
Emma

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**From:** Ruth Isaac <[risaac@doc.govt.nz](mailto:risaac@doc.govt.nz)>  
**Sent:** Friday, September 27, 2024 2:40 PM  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>; Emma Hill <[ehill@doc.govt.nz](mailto:ehill@doc.govt.nz)>; Siân Roguski <[sroguski@doc.govt.nz](mailto:sroguski@doc.govt.nz)>  
**Cc:** Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>; Jacob Hore <[Jacob.Hore@mpi.govt.nz](mailto:Jacob.Hore@mpi.govt.nz)>  
**Subject:** RE: Seeking changes to the ring-netting amendment proposed for the Hauraki Gulf Cab paper

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Thanks Kathryn

The current draft says that the conditions will be confirmed by the two Ministers to ensure

workability. We would see these very helpful changes as fitting within the authorisation for the two Ministers. Would you accept that these changes can be made by the two Ministers after Cabinet if it is too late to change the paper again before Cabinet?

Ngā mihi  
Ruth

Ruth Isaac  
DDG Policy and Regulatory Services  
Department of Conservation  
Mobile s 9(2)(a)

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**From:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Sent:** Friday, 27 September 2024 2:35 pm  
**To:** Emma Hill <[ehill@doc.govt.nz](mailto:ehill@doc.govt.nz)>; Siân Roguski <[sroguski@doc.govt.nz](mailto:sroguski@doc.govt.nz)>; Ruth Isaac <[risaac@doc.govt.nz](mailto:risaac@doc.govt.nz)>  
**Cc:** Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>; Jacob Hore <[jacob.hore@mpi.govt.nz](mailto:jacob.hore@mpi.govt.nz)>  
**Subject:** Seeking changes to the ring-netting amendment proposed for the Hauraki Gulf Cab paper  
**Importance:** High

Kia ora Emma,  
Good to chat and thank you for keeping us informed about these important fisheries-related amendments to the Bill that are due to be considered by Cabinet next week. As discussed, we have a strong view that the following changes are needed to the amendments proposed as we do not believe they are currently workable. We understand the caveats in there are intended to allow for further advice to be worked up on the exact nature of the conditions, but we consider it would be preferable that the conditions stated in the paper are as tightly drafted and workable as possible for the Cabinet meeting. Ideally the Cabinet paper could be revised (acknowledging this has been lodged in CabNet already and you will need to work with the Minister's office to make this happen today).

We will be advising our Minister by close of business today that we believe these changes are necessary due to concerns about their practicality and enforceability, both under the Bill and the Fisheries Act.

Revisions sought:

- 52 I recommend that there are conditions placed on the ring-net fishing provision to manage the potential impact to biodiversity and that these conditions are worked through in consultation with the Minister for Oceans and Fisheries. Conditions may include:
- 52.1 ring-net fishing can only occur between ~~the months of~~ 1 March and 31 August;
  - 52.2 ring-net fishing can only be carried out by ~~operators~~ commercial permit holders who ~~currently use the area~~ have fished in these areas in one or more

of the past three fishing years; and

52.3 ring-net fishing is limited to the ~~targeting~~ take of kahawai, grey mullet and trevally; and

~~52.4 quantities of take do not exceed what is currently taken by ring-net fishers in these areas.~~ We don't see 52.1 as being practical or enforceable.

Happy to discuss!

Ngā mihi,  
Kathryn

Kathryn Lister, PhD | Project Lead: Revitalising the Gulf, Inshore Fisheries North  
Fisheries Management | Fisheries New Zealand – Tini a Tangaroa  
Ministry for Primary Industries - Manatū Ahu Matua | 32 Herekino Street | Private Bag 9013 | Whangārei 0140 | New Zealand  
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**From:** [Jacob Hore](#)  
**To:** [Siân Roguski](#); [Angela Bell](#); [Emma Hill](#); [Debbie Freeman](#)  
**Cc:** [Emma Taylor](#); [Kathryn Lister](#)  
**Subject:** Seafood New Zealand Hauraki Gulf Paper - Proposed Amendments to Trawl Corridors and HG Marine Protection Bill.  
**Date:** Wednesday, 28 August 2024 5:37:59 pm  
**Attachments:** [Seafood NZ Hauraki Gulf Document.msg](#)

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Hi Sian,

Hope all is well with you and the team.

I'm guessing this will make its way to you but sending it through just in case you haven't received it yet.

Seafood New Zealand have put forward to Minister Jones proposals for changes to both our Trawl Corridor options and the Hauraki Gulf Marine Protection Bill (see email attached).

We have been asked to provide some advice/feedback and we will be meeting with Minister Jones on the 10<sup>th</sup> of September to talk it through.

We'd be keen to get feedback from the DoC team, in particular we'd like your input with respect to the proposal on the interface between the trawl corridors and the seafloor protection areas in the Bill, and the proposals around amendments to protection areas for certain fishing methods (cray potting and ring netting).

Kathryn as discussed hoping you can touch base with Emma Hill to set up a meeting across the two teams sometime late this week or early next.

Also happy to chat it through directly with any of you if you have questions ahead of catching up.

Thanks

Jake

Jacob Hore | Manager Inshore Fisheries – North  
Fisheries Management Directorate  
Fisheries New Zealand | 17 Maurice Wilson Avenue, Mangere, Auckland 2022  
PO Box 53030, Auckland Airport, Auckland 2150  
Telephone: [s 9\(2\)\(a\)](#) | Mobile: [s 9\(2\)\(a\)](#) | Web: [www.mpi.govt.nz](http://www.mpi.govt.nz)



**From:** [Tiff Bock](#)  
**To:** [George Clark](#)  
**Cc:** [Lisa Futschek](#); [Fiona Macmillan](#); [Laws Lawson](#)  
**Subject:** Seafood NZ Hauraki Gulf Document  
**Date:** Monday, 26 August 2024 10:13:44 am  
**Attachments:** [image001.png](#)  
[Seafood New Zealand proposals regarding Hauraki Gulf legislative changes - August 2024.docx](#)  
[HG Amendment Paper.docx](#)

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Mōrena George

Please find attached a tidy version of the documents we shared on Friday morning.

The first is a summary of broader changes, particularly the overlap of the Seafloor Protection Areas with Fisheries Act measures and proposing an integrated solution.

The second is a draft amendment paper proposing changes to the Tīkapa Moana / Hauraki Gulf Marine Protection Bill to enable limited operation of some fishing in the areas to support the productivity of the industry.

I will also provide to Dan and Emma.

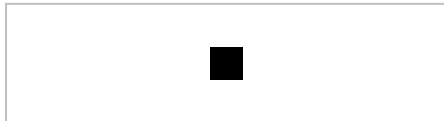
Tiff Bock

General Manager Inshore

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T s 9(2)(a)

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Please note I work Monday – Thursday.

31 October 2024

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Wellington 6140  
NEW ZEALAND

## **Seafood New Zealand Proposal: Integrated decisions needed for the Hauraki Gulf**

There are two major regulatory measures being proposed by government for the Hauraki Gulf Marine Park (HGMP) that have the potential to significantly affect access by commercial fishers to fishing grounds, as well as jobs, exports, and New Zealander's ability to source fresh fish. The measures to date have been developed largely in isolation from one another.

These measures are:

- The **Tikapa Moana/Hauraki Gulf Marine Protection Bill** and
- The **proposed Bottom Fishing Access Zones** promoted through the Hauraki Gulf Fisheries Plan process.

The two processes both restrict access to fishing grounds in the Hauraki Gulf. But they do it through separate bits of legislation which is duplicative and inefficient. Also no consideration has been given in either process to the cumulative effects of the proposals on the economy (or the environment).

This sets a dangerous precedent for potential future spatial restrictions around the country.

We propose that decisions relating to the HGMP should be made in an integrated fashion, and appropriate existing legislation be used to enact provisions wherever possible.

The current approach to implementing measures in the HGMP is:

- **Inefficient** – as it duplicates regulatory systems and processes already available adding additional costs
- **Unprincipled** - as it creates mechanisms that circumvent existing legislative standards
- **Biased** – because the proposed closures are not a best match with biodiversity outcomes

To address these concerns, we propose the following amendments and changes:

#### Tikapa Moana/Hauraki Gulf Marine Protection Bill

- **Remove Seafloor Protection Areas** – noting that this purpose can be achieved through the Bottom Fishing Access Zones proposed through the Hauraki Gulf Fish Plan process (see below).
- **Amend some High Protection Areas (HPAs)** to enable small scale fishing for local food supply and export:
  - Kawau Bay, Motukawao, Rotoroa, Rangitoto and Motutapu, and Otata HPAs
  - Te Hauturu-o-Toi, Cape Colville and Mokohinau HPAs to enable rock lobster fishers to access critical fishing grounds

#### Bottom Fishing Access Zones

The four options provided during the consultation on Bottom Fishing Access Zones were estimated to protect between 95-99% of benthic biodiversity in the Hauraki Gulf. This came at a cost of the closure of grounds responsible for between 35-60% of catch in the Gulf in the last five years.

We have provided an integrated option for Bottom Fishing Access Zones based on the best available information on biodiversity distribution. Our integrated option delivers biodiversity protection while better providing for continued generation of economic value and community support from fishing.

**Please see page four of this document for a map supporting the detail in this document,** outlining our suggestions for areas which could be closed to bottom contact fishing methods.

#### **The SNZ Proposed Integrated Option benefits:**

- Our integrated option **provides an average of at least 80% benthic biodiversity protection** (using the approach taken in the FNZ consultation on Bottom Fishing Access Zones), which is better than the requirements generally considered to represent global best practice (as defined by the Marine Stewardship Council).
- This option **restricts access to grounds responsible for around 7-10% of historical catch**. These levels are not ideal for commercial fishers but the impacts on them are less harmful.
- It avoids duplicative regulation. For clarity and efficiency, all regulation concerning commercial fishing should be delivered by the Fisheries Act.
- Reduces cost on government. The current proposal sees DOC being responsible for monitoring and enforcing closures, with total cost estimated at \$1.6-3.2

million annually. Instead, these measures would become part of normal MPI Fisheries compliance operations.

- Achieves increased protection of benthic biodiversity based on best available information
- Enables continued productivity of local industry and the provision of affordable, healthy protein to Auckland communities.

### **Other issues**

With respect to the proposed prohibitions on mining and petroleum exploration, those activities would require consent under the Resource Management Act and Auckland Regional Plan. In essence, this means these activities are not allowed without a specific approval, which enables those activities to be declined. Additional legislation is not required to prevent those activities occurring.

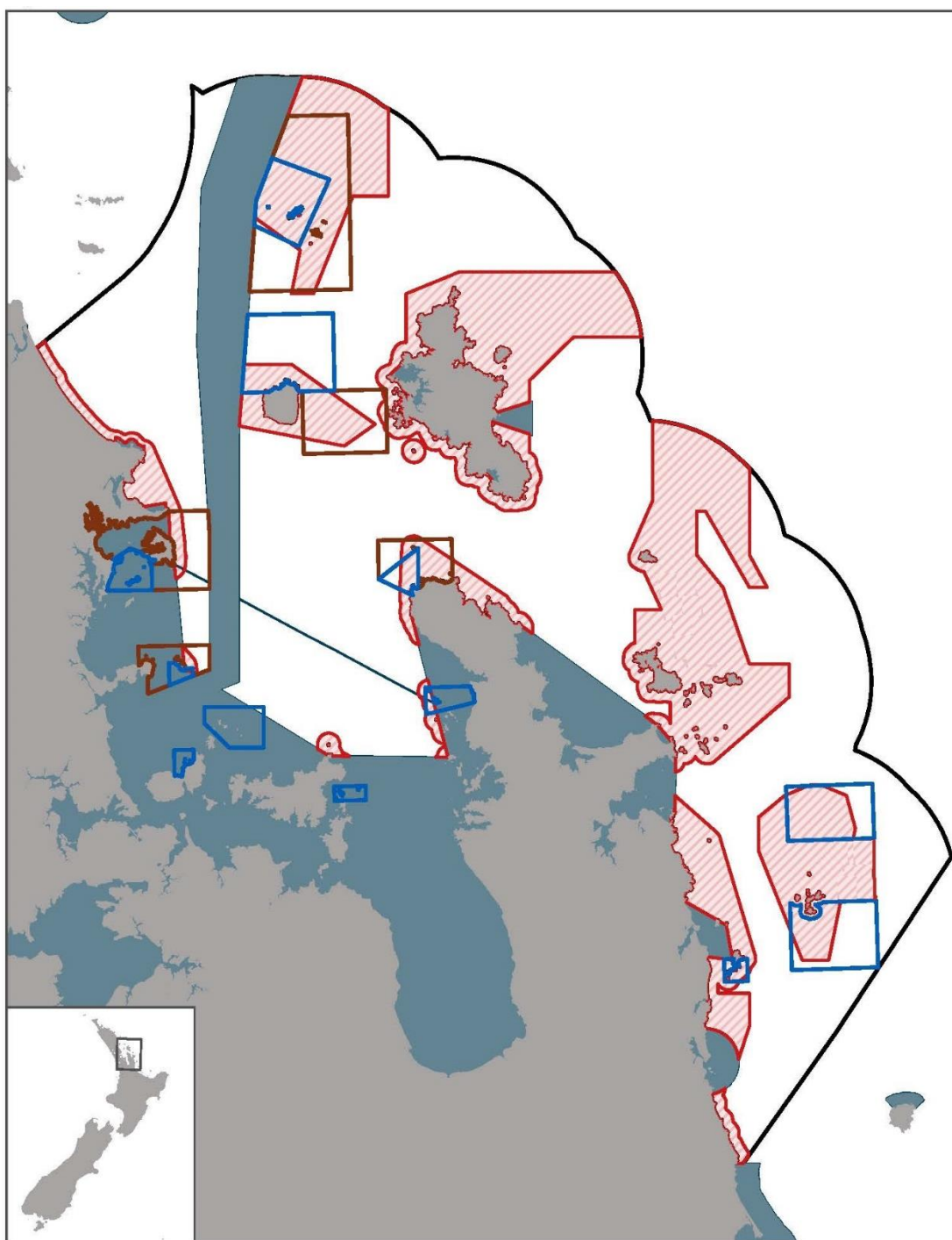


Figure 1: SNZ proposed bottom contact fishing closures in the Hauraki Gulf Marine Park.

Key: proposed closures (draft closures are SNZ proposals as outlined in this document):

  Draft Closures

  HPA

  SPA

Existing boundaries

  Hauraki Gulf Marine Park

  Danish seine and trawl closure

This Amendment Paper amends the Tikapa Moana / Hauraki Gulf Marine Protection Bill.

The Bill establishes 19 marine protected areas in the Hauraki Gulf with a purpose to contribute to the restoration of the health and mauri of the Hauraki Gulf / Tikapa Moana.

The Amendment Paper includes three amendments to better provide for the economic prosperity and wellbeing of local fishing businesses while not compromising the recovery of the health and mauri of the Gulf. (In fact, the amendments will enhance the mauri of the Gulf by supporting local communities to access affordable, healthy seafood.)

#### Amendment 1:

Allow fishing to be undertaken using the method of ring-netting (defined in Fisheries (Commercial Fishing) Regulations 2001) from a vessel less than 6 metres in length within the following High Protection Areas between March and August:

- Kawau
- Otata – Noises
- Motutapu
- Rotoroa
- Motukawao

This amendment will provide for the continued operation of several local businesses that provide fresh fish to Auckland markets, particularly to Māori and Pasifika communities. Without this amendment, their businesses are likely to become uneconomic as they do not have other areas that they can fish over the winter months.

This reflects a maximum operation of five vessels who currently remove an annual total of 18 tonnes of kahawai, grey mullet, parore and trevally from these areas.

Ring netting as a method has very little impact on the environment beyond the target species removed. It operates from a small vessel with the operator throwing a net out over an identified aggregation of target species and hauling it in by hand.

#### Amendment 2:

Amend boundaries of 3 HPAs (Mokohinau, Little Barrier Island, Cape Colville) as per Appendix I to allow for rock lobster potting.

These amendments would allow for the continued operation of three vessels and provide up to **s (2)(b)(ii)** in yearly export value, while maintaining a high degree of biodiversity protection by habitat type. These minor adjustments will significantly reduce the adverse effects on these family businesses who are heavily reliant (up to 75%) on these sites for

their livelihoods. These amendments will also minimise the displacement of commercial and recreational fishing for rock lobster in these areas to other parts of the Hauraki Gulf, which would intensify fishing pressure and increase the risk of local depletion that a number of stakeholders have raised concerns about in recent years. This is particularly relevant for rock lobster, as it is a sessile species limited to suitable rocky reef habitat, so closure of these areas reduces the available yield that the TAC and TACC are based on.

This amendment will also allow for some continued set netting and ring netting in the Cape Colville area which further supports the objective of Amendment 1 above.

Amendment 3:

Amend proposed extension of existing marine reserve at Whangau A Hei (Cathedral Cove) to allow for rock lobster potting as per Appendix II.

This amendment would allow for the continued operation of 1 current vessel reliant on this area and provide an estimated **s (2)(b)(ii)** in export value.

**IF SPAs remain in the Bill:**

Amendment 4:

Amend the scope of prohibited activities in Mokohinau SPA to allow commercial rock lobster potting and bottom longlining.

This amendment would allow for the continued operation of 2 vessels and provide an estimated **s (2)(b)(ii)** in export value.



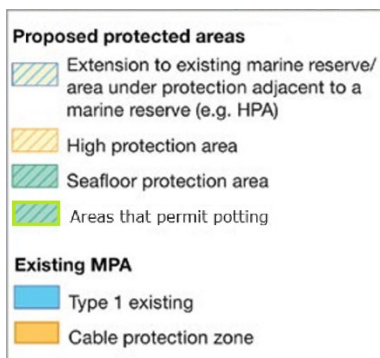
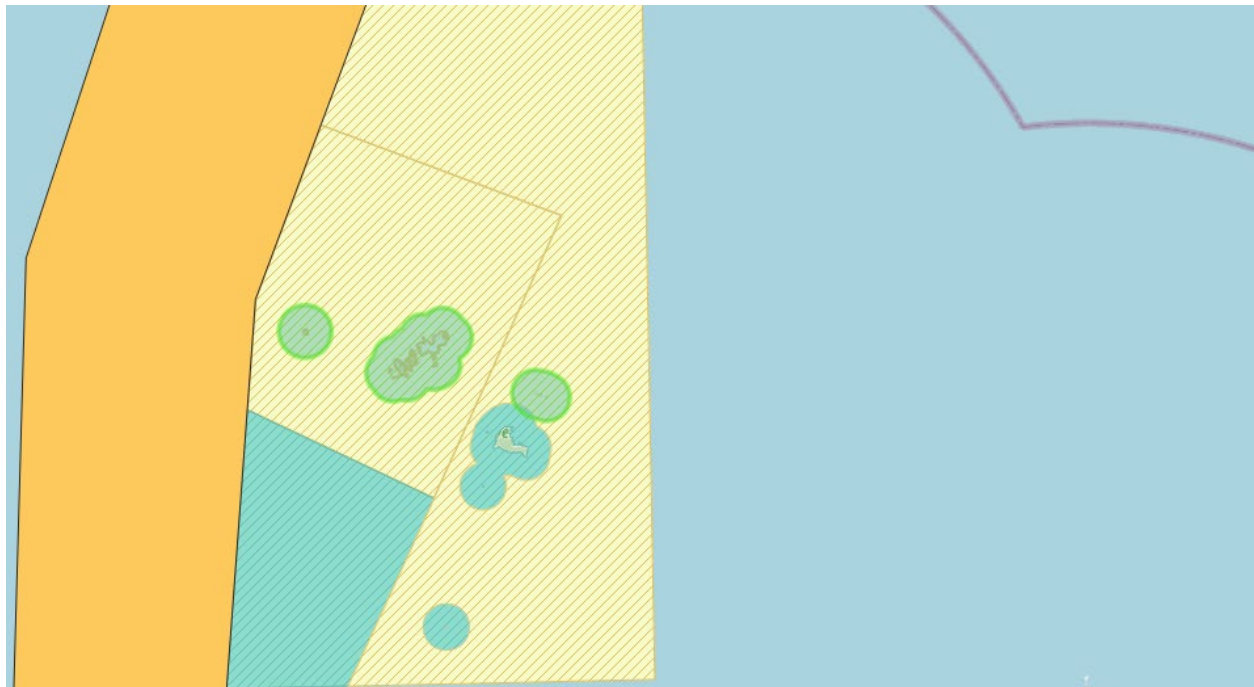
## Appendix I: Amendment 2

### Mokohīnau Islands

Amend the area around the coastline at:

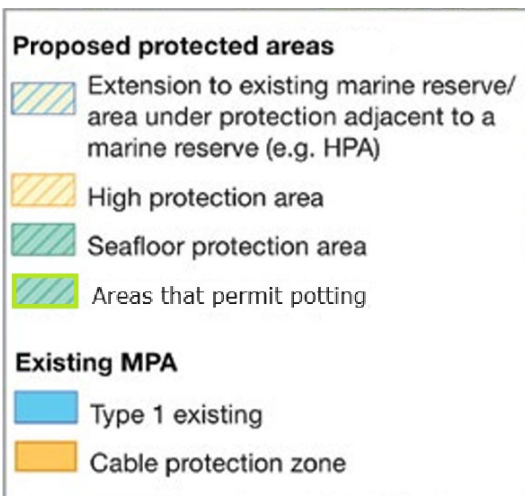
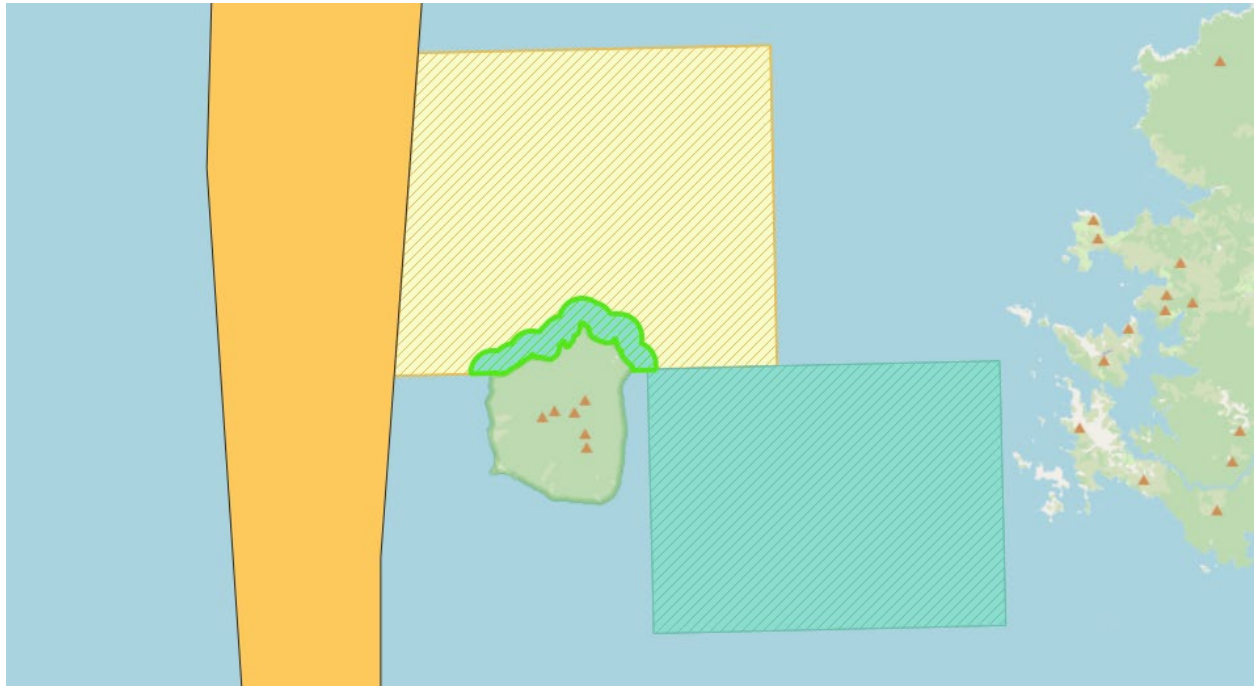
- Tatapihi (Grouper) Island; and
- Pokohinu (Burgess) Island; and
- Hokoromea (Flax) Island; and
- Atihau Island; and
- Maori Rocks

out to 0.5 nautical miles to permit potting (outlined in green below). This will retain the overall level of protection consulted on, while aligning with the amendments at the areas around Motukino (Fanal) Island and Simpson Rock to permit potting.



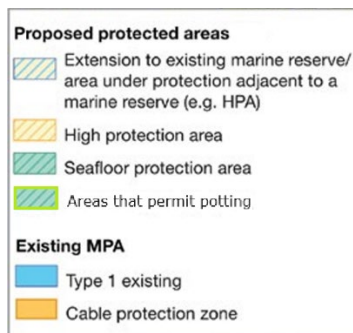
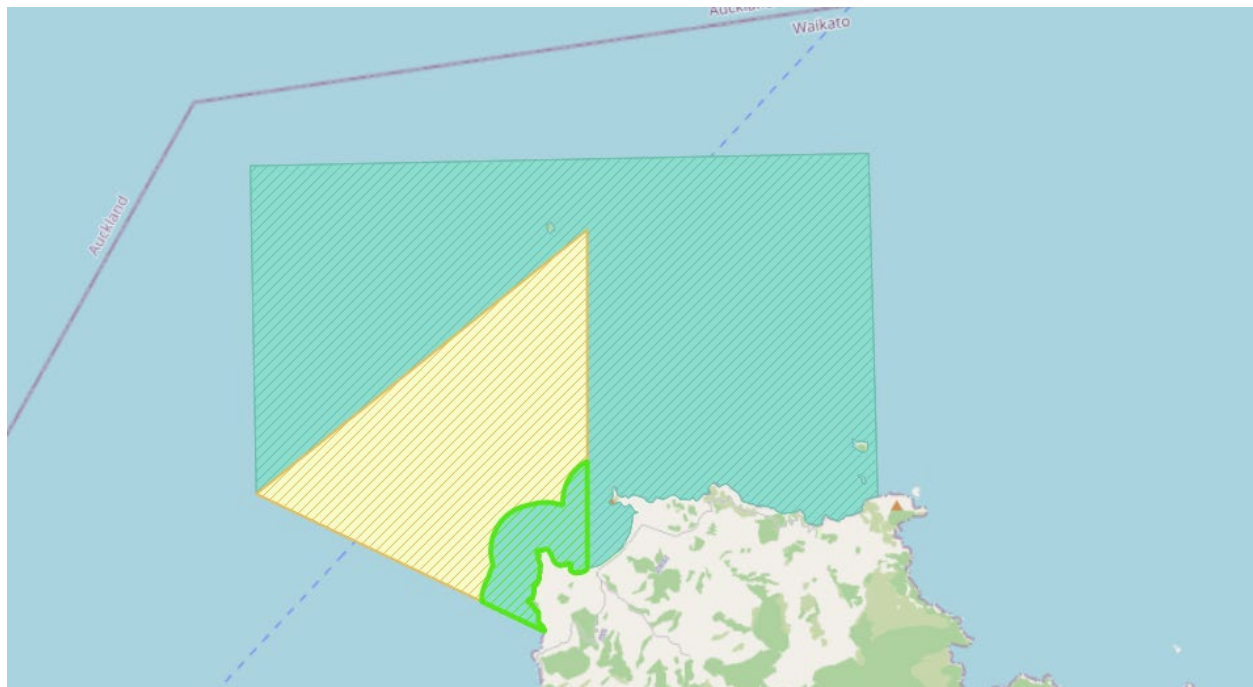
## Te Hauturu-o-Toi / Little Barrier Island

Amend the area around the northern coastline of Little Barrier out to 0.5 nautical miles to permit potting (outlined in green below).



## Cape Colville

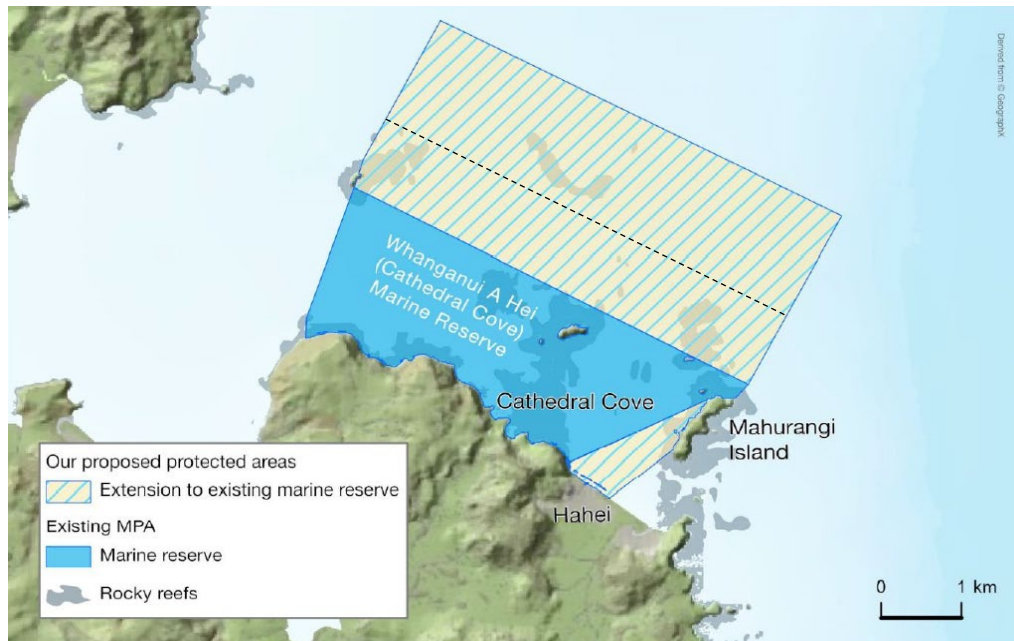
Amend the area around the northern coastline at Kaiiti Point out to 0.5 nautical miles to permit potting (shown in green below).



## Appendix II: Amendment 3

### Whanganui-a-Hei (Cathedral Cove) marine reserve extension

Shorten the extension of the outer boundary of the proposed marine reserve extension. The sketch below is indicative of the proposed adjustment (dotted line).



**From:** [Debbie Freeman](#)  
**To:** [Kathryn Lister](#); [Angela Bell](#); [Sarah Meadows](#)  
**Cc:** [Olivia Eaton](#)  
**Subject:** [for further manager review] Hauraki - ring net briefing  
**Date:** Wednesday, 16 October 2024 12:24:00 pm  
**Attachments:** [image002.png](#)

---

Kia ora,

Here is the link to the latest version of this briefing, for your review please.

I'm conscious it's too long, and welcome suggestions on where we could cut back on the detail or provide the advice in a different way.

This version incorporates the outcomes of the FNZ discussion earlier this week on [s 9\(2\)\(f\)\(iv\), s 9\(2\)\(g\)\(i\)](#)

[\[redacted\]](#). This version is also going to PCO for review now.

If you're able to come back to me with comments by say mid morning tomorrow, I'll aim to update it ready for Director review tomorrow afternoon.

Thanks a lot,  
Debbie

[\[redacted\]](#) [s 9\(2\)\(f\)\(iv\), s 9\(2\)\(g\)\(i\)](#)

**Debbie Freeman, PhD**

Kaitohutohu kaupapa here moana | Senior Policy Advisor | Marine Policy Team

Department of Conservation | Te Papa Atawhai

T: [s 9\(2\)\(a\)](#)

**Whare Kaupapa Atawhai | Conservation House Wellington**

18 Manners St | PO Box 10 420, Wellington 6143

T: [s 9\(2\)\(a\)](#)

[www.doc.govt.nz](http://www.doc.govt.nz)

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Department of  
Conservation  
*Te Papa Atawhai*

**From:** [Kathryn Lister](#)  
**To:** [Debbie Freeman](#)  
**Subject:** FW: Emma's comments on Hauraki ring-net briefing  
**Date:** Friday, 18 October 2024 2:05:16 pm  
**Attachments:** [image001.png](#)  
[SR comment 24-B-0501 - briefing - Hauraki Gulf Tīkapa Moana Marine Protection Bill - Advice on ring-net fishing provision - for agency review 16 October.docx](#)

---

Ngā mihi,  
Kathryn

---

**From:** Emma Taylor <Emma.Taylor@mpi.govt.nz>  
**Sent:** Friday, October 18, 2024 1:30 PM  
**To:** Kathryn Lister <Kathryn.Lister@mpi.govt.nz>  
**Cc:** Jacob Hore <Jacob.Hore@mpi.govt.nz>  
**Subject:** Emma's comments on Hauraki ring-net briefing

Hi,

I have reviewed the briefing and think it is in really good shape. Have added a couple of minor comments to the attached – highlighted in blue for ease of finding them.

s 9(2)(g)(i), s 9(2)(f)(iv)

Please explore

Thanks heaps

Emma

---

**From:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Sent:** Friday, October 18, 2024 11:09 AM  
**To:** Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>  
**Cc:** Jacob Hore <[Jacob.Hore@mpi.govt.nz](mailto:Jacob.Hore@mpi.govt.nz)>  
**Subject:** FW: fyi - Sian's comments on Hauraki ring-net briefing

Morning Emma,

Not sure if you've had a chance to look at the briefing or not but Sian's comments are attached here FYI. Legal are also discussing the level of detail that should be in the briefing versus in the drafting instructions. Given the timing and circumstances I'm just keeping you in the loop so you can review at whatever point you think makes sense for you to do so – acknowledging there are still some moving parts.

Let me know if you would like to discuss anything further.

Ngā mihi,  
Kathryn

---

**From:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>

**Sent:** Friday, October 18, 2024 10:59 AM

**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>; Jacob Hore <[Jacob.Hore@mpi.govt.nz](mailto:Jacob.Hore@mpi.govt.nz)>

**Subject:** fyi - Sian's comments on Hauraki ring-net briefing

Hi – Sian’s comments attached fyi. Let me know if there’s anything you don’t agree with. It’s mostly just shuffling around and pruning back content.

I’ve saved it here (you both have access) and I’ll start working through her comments now,

Cheers,

Debbie



Final released elsewhere as part of the package

Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.

**From:** [Kathryn Lister](#)  
**To:** [Debbie Freeman](#)  
**Subject:** FW: FOR REVIEW: Ring-net briefing  
**Date:** Friday, 18 October 2024 9:48:54 am  
**Attachments:** [FCIN-001 - REFERRALS TO OTHER AGENCIES - 20231208.pdf](#)  
[Referral Template - FNZ Fisheries Compliance - DOC - 20231004 \(FCIN-001\).docx](#)

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Sharing in confidence - im not sure how much of the information in this email is MPI sensitive.  
Also not sure how helpful it is sorry!

Ngā mihi,  
Kathryn

---

**From:** Andre Espinoza <Andre.Espinoza@mpi.govt.nz>  
**Sent:** Thursday, October 17, 2024 1:00 PM  
**To:** David O'Dea <David.O'Dea@mpi.govt.nz>; Kathryn Lister <Kathryn.Lister@mpi.govt.nz>  
**Cc:** Jacob Hore <Jacob.Hore@mpi.govt.nz>; Niamh Murphy <Niamh.Murphy@mpi.govt.nz>;  
Andrew Bennett <andrew.bennett@mpi.govt.nz>; Chris Hearfield  
<Chris.Hearfield@mpi.govt.nz>  
**Subject:** RE: FOR REVIEW: Ring-net briefing

Kia ora David and Kathryn,

Playing catchup but a couple of things for FYI.

Out of scope

[Redacted]

[Redacted]

[Redacted]

s 9(2)(a)

[Redacted]



s 9(2)(a)

Thanks  
Andre

---

**From:** David O'Dea <David.O'Dea@mpi.govt.nz>  
**Sent:** Thursday, October 17, 2024 12:17 PM  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Cc:** Andre Espinoza <[Andre.Espinoza@mpi.govt.nz](mailto:Andre.Espinoza@mpi.govt.nz)>; Jacob Hore <[Jacob.Hore@mpi.govt.nz](mailto:Jacob.Hore@mpi.govt.nz)>  
**Subject:** RE: FOR REVIEW: Ring-net briefing

Thanks for that

On point 2 regards info to Doc that is a matter I'll refer to Simon Lawrence – however Jacob should also contact Emma.

Thanks

David

---

**From:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Sent:** Thursday, October 17, 2024 12:14 PM  
**To:** David O'Dea <David.O'Dea@mpi.govt.nz>  
**Cc:** Andre Espinoza <[Andre.Espinoza@mpi.govt.nz](mailto:Andre.Espinoza@mpi.govt.nz)>; Jacob Hore <[Jacob.Hore@mpi.govt.nz](mailto:Jacob.Hore@mpi.govt.nz)>  
**Subject:** RE: FOR REVIEW: Ring-net briefing

Thanks David,  
Appreciate all this and for taking a look at the briefing as well.

s 9(2)(g)(i)

Do you know if it's likely to be simple to provide DOC with our reporting data for these areas – Andre, I have suggested they set up an update session with your guys on implementation / CME. Be good to cover off how data sharing with DOC will work – or do we have an existing MOU that will cover this?

Ngā mihi,  
Kathryn

---

**From:** David O'Dea <David.O'Dea@mpi.govt.nz>  
**Sent:** Thursday, October 17, 2024 10:52 AM  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Cc:** Andre Espinoza <[Andre.Espinoza@mpi.govt.nz](mailto:Andre.Espinoza@mpi.govt.nz)>; Jacob Hore <[Jacob.Hore@mpi.govt.nz](mailto:Jacob.Hore@mpi.govt.nz)>  
**Subject:** RE: FOR REVIEW: Ring-net briefing

Just a quick point – Anyone using Waka Haurapa [compliance and fish management] could monitor the restricted areas very simply by using a series of alerts in Waka Haurapa that report / notify when any fisher enters the area. This is generated from the GPR as well as the ER reports.

---

**From:** David O'Dea  
**Sent:** Thursday, October 17, 2024 10:40 AM  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Cc:** Andre Espinoza <[Andre.Espinoza@mpi.govt.nz](mailto:Andre.Espinoza@mpi.govt.nz)>  
**Subject:** RE: FOR REVIEW: Ring-net briefing

Good morning Kathryn, I've include Andre as he is likely to have comments on what I've provided .

s 9(2)(a)

Question is how many of these permit holders are actually supplying an LFR who happens to be directly related to the permit holder?

s 9(2)(a)

Thanks

David

---

**From:** David O'Dea  
**Sent:** Wednesday, October 16, 2024 3:53 PM  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Subject:** RE: FOR REVIEW: Ring-net briefing

See my comments in [PURPLE below](#)

-  
s 9(2)(a), s 9(2)(g)(i)

s 9(2)(a)

[check with Andre](#)

-

[Happy to assist](#)

-

[Thanks](#)

-

[David](#)

---

**From:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>

**Sent:** Wednesday, October 16, 2024 2:02 PM

**To:** David O'Dea <[David.O'Dea@mpi.govt.nz](mailto:David.O'Dea@mpi.govt.nz)>

**Subject:** FW: FOR REVIEW: Ring-net briefing

Ngā mihi,  
Kathryn

---

**From:** Andre Espinoza <[Andre.Espinoza@mpi.govt.nz](mailto:Andre.Espinoza@mpi.govt.nz)>

**Sent:** Monday, October 14, 2024 2:45 PM

**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>

**Subject:** RE: FOR REVIEW: Ring-net briefing

---

**Further detail in red below.**

**From:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>

**Sent:** Thursday, October 10, 2024 10:07 AM

**To:** Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>; Wendy Tully <[Wendy.Tully@mpi.govt.nz](mailto:Wendy.Tully@mpi.govt.nz)>

**Cc:** Phil Ross <[Phil.Ross@mpi.govt.nz](mailto:Phil.Ross@mpi.govt.nz)>; Lauren Woon <[Lauren.Woon@mpi.govt.nz](mailto:Lauren.Woon@mpi.govt.nz)>; Andre Espinoza <[Andre.Espinoza@mpi.govt.nz](mailto:Andre.Espinoza@mpi.govt.nz)>

**Subject:** RE: FOR REVIEW: Ring-net briefing

Thanks Emma,

Yes, they are named in the Tauranga Harbour example **s 9(2)(g)(i), s 9(2)(f)(iv)**

**Looping you in here Andre for access to the link (In the email below) to the briefing for your awareness.**

I've also suggested to DOC that an update hui for you guys on implementation/compliance etc is in order. FYI the permit holder numbers (and below them where they have sourced their ACE over the past two years) are:

**s 9(2)(a), s 9(2)(b)(ii)**

[Redacted content]

s 9(2)(a), s 9(2)(b)(ii)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[Electronic Reporting system shows that all permits are currently being used](#)

s 9(2)(a), s 9(2)(b)(ii)

-  
Ngā mihi,  
Kathryn

---

**From:** Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>  
**Sent:** Thursday, October 10, 2024 9:22 AM  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>; Wendy Tully <[Wendy.Tully@mpi.govt.nz](mailto:Wendy.Tully@mpi.govt.nz)>  
**Cc:** Phil Ross <[Phil.Ross@mpi.govt.nz](mailto:Phil.Ross@mpi.govt.nz)>; Lauren Woon <[Lauren.Woon@mpi.govt.nz](mailto:Lauren.Woon@mpi.govt.nz)>  
**Subject:** RE: FOR REVIEW: Ring-net briefing

Hi Kathryn

I'll review this later today.

s 9(2)(g)(i), s 9(2)(f)(iv)

s 9(2)(f)(iv), s 9(2)(g)(i) How does the Tauranga harbour drag net fisher grandparent provision work – are they named?

Please discuss this with Andre/compliance if you haven't already.

Thanks  
Emma

---

**From:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Sent:** Thursday, October 10, 2024 9:16 AM  
**To:** Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>; Wendy Tully <[Wendy.Tully@mpi.govt.nz](mailto:Wendy.Tully@mpi.govt.nz)>  
**Cc:** Phil Ross <[Phil.Ross@mpi.govt.nz](mailto:Phil.Ross@mpi.govt.nz)>; Lauren Woon <[Lauren.Woon@mpi.govt.nz](mailto:Lauren.Woon@mpi.govt.nz)>  
**Subject:** FOR REVIEW: Ring-net briefing

Morning Emma,  
I have loaded a copy of DOCs ring-net briefing into Piritahi in case you wanted to review online:

<https://piritahi.cohesion.net.nz/Sites/FISHM/INS/SeaChangeHaurakiGulfMarineSpatialPlanGovtResponse/General%20Planning%2C%20Coordination%20and%20Communications/24-B-0501%20-%20briefing%20-%20Hauraki%20Gulf%20T%C3%AEkapa%20Moana%20Marine%20Protection%20Bill%20-%20Advice%20on%20ring-net%20fishing%20provision%20-%20FNZ%20review.docx?d=wd3672af6f5e947dba70bb10348aec7f3>

Just a heads up that DOC have asked for an extension and are waiting to hear back from the MO and the briefing may also change quite a bit when they get PCO's advice, so this may well need a second review early next week s 9(2)(h)

I'm sending it across now because there is uncertainty in the timeframes and keen to have your eyes across it if you have time. Ill let you know when I hear more about deadlines.

Thanks heaps.

Ngā mihi,  
Kathryn

**From:** [Kathryn Lister](#)  
**To:** [Debbie Freeman](#)  
**Subject:** FW: FOR REVIEW: Ring-net briefing  
**Date:** Friday, 18 October 2024 9:42:57 am

---

Its not much really – s 9(2)(g)(i), s 9(2)(b)(ii)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ngā mihi,  
Kathryn

---

**From:** Phil Ross <Phil.Ross@mpi.govt.nz>  
**Sent:** Thursday, October 10, 2024 12:08 PM  
**To:** Emma Taylor <Emma.Taylor@mpi.govt.nz>; Andre Espinoza <Andre.Espinoza@mpi.govt.nz>; Kathryn Lister <Kathryn.Lister@mpi.govt.nz>  
**Cc:** Lauren Woon <Lauren.Woon@mpi.govt.nz>  
**Subject:** RE: FOR REVIEW: Ring-net briefing

Hi Emma,

s 9(2)(g)(i), s 9(2)(b)(ii)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

---

**From:** Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>  
**Sent:** Thursday, October 10, 2024 11:50 AM  
**To:** Andre Espinoza <[Andre.Espinoza@mpi.govt.nz](mailto:Andre.Espinoza@mpi.govt.nz)>; Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Cc:** Phil Ross <[Phil.Ross@mpi.govt.nz](mailto:Phil.Ross@mpi.govt.nz)>; Lauren Woon <[Lauren.Woon@mpi.govt.nz](mailto:Lauren.Woon@mpi.govt.nz)>  
**Subject:** RE: FOR REVIEW: Ring-net briefing

Great thanks. s 9(2)(g)(i), s 9(2)(b)(ii)

[REDACTED]

---

**From:** Andre Espinoza <[Andre.Espinoza@mpi.govt.nz](mailto:Andre.Espinoza@mpi.govt.nz)>  
**Sent:** Thursday, October 10, 2024 10:39 AM

**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>; Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>; Wendy Tully <[Wendy.Tully@mpi.govt.nz](mailto:Wendy.Tully@mpi.govt.nz)>  
**Cc:** Phil Ross <[Phil.Ross@mpi.govt.nz](mailto:Phil.Ross@mpi.govt.nz)>; Lauren Woon <[Lauren.Woon@mpi.govt.nz](mailto:Lauren.Woon@mpi.govt.nz)>  
**Subject:** RE: FOR REVIEW: Ring-net briefing

Thanks Kathryn, Appreciate the heads up.

I have added the commercial fisher names in red s 9(2)(g)(i), s 9(2)(b)(ii), s 9(2)(a)

Thanks again  
Andre

---

**From:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Sent:** Thursday, October 10, 2024 10:07 AM  
**To:** Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>; Wendy Tully <[Wendy.Tully@mpi.govt.nz](mailto:Wendy.Tully@mpi.govt.nz)>  
**Cc:** Phil Ross <[Phil.Ross@mpi.govt.nz](mailto:Phil.Ross@mpi.govt.nz)>; Lauren Woon <[Lauren.Woon@mpi.govt.nz](mailto:Lauren.Woon@mpi.govt.nz)>; Andre Espinoza <[Andre.Espinoza@mpi.govt.nz](mailto:Andre.Espinoza@mpi.govt.nz)>  
**Subject:** RE: FOR REVIEW: Ring-net briefing

Thanks Emma,  
Yes, they are named in the Tauranga Harbour example s 9(2)(g)(i). Looping you in here Andre for access to the link (In the email below) to the briefing for your awareness.

I've also suggested to DOC that an update hui for you guys on implementation/compliance etc is in order. FYI the permit holder numbers (and below them where they have sourced their ACE over the past two years) are:

s 9(2)(a), s 9(2)(b)(ii)

s 9(2)(a), s 9(2)(b)(ii)

Ngā mihi,  
Kathryn

---

**From:** Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>  
**Sent:** Thursday, October 10, 2024 9:22 AM  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>; Wendy Tully <[Wendy.Tully@mpi.govt.nz](mailto:Wendy.Tully@mpi.govt.nz)>  
**Cc:** Phil Ross <[Phil.Ross@mpi.govt.nz](mailto:Phil.Ross@mpi.govt.nz)>; Lauren Woon <[Lauren.Woon@mpi.govt.nz](mailto:Lauren.Woon@mpi.govt.nz)>  
**Subject:** RE: FOR REVIEW: Ring-net briefing

Hi Kathryn

I'll review this later today.

s 9(2)(g)(i), s 9(2)(f)(iv)

How does the Tauranga harbour drag net fisher grandparent provision work – are they named?

Please discuss this with Andre/compliance if you haven't already.

Thanks  
Emma

---

**From:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Sent:** Thursday, October 10, 2024 9:16 AM  
**To:** Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>; Wendy Tully <[Wendy.Tully@mpi.govt.nz](mailto:Wendy.Tully@mpi.govt.nz)>  
**Cc:** Phil Ross <[Phil.Ross@mpi.govt.nz](mailto:Phil.Ross@mpi.govt.nz)>; Lauren Woon <[Lauren.Woon@mpi.govt.nz](mailto:Lauren.Woon@mpi.govt.nz)>  
**Subject:** FOR REVIEW: Ring-net briefing

Morning Emma,  
I have loaded a copy of DOCs ring-net briefing into Piritahi in case you wanted to review online:

<https://piritahi.cohesion.net.nz/Sites/FISHM/INS/SeaChangeHaurakiGulfMarineSpatialPlanGovtResponse/General%20Planning%2C%20Coordination%20and%20Communications/24-B-0501%20-%20briefing%20-%20Hauraki%20Gulf%20T%C3%AEkapa%20Moana%20Marine%20Protection%20Bill%20-%20Advice%20on%20ring-net%20fishing%20provision%20-%20FNZ%20review.docx?d=wd3672af6f5e947dba70bb10348aec7f3>

Just a heads up that DOC have asked for an extension and are waiting to hear back from the MO and the briefing may also change quite a bit when they get PCO's advice, so this may well need a second review early next week. s 9(2)(h)



s 9(2)(h)

I'm sending it across now because there is uncertainty in the timeframes and keen to have your eyes across it if you have time. Ill let you know when I hear more about deadlines.

Thanks heaps.

Ngā mihi,  
Kathryn

**From:** [Emma Taylor](#)  
**To:** [Siân Roguski](#); [Debbie Freeman](#)  
**Subject:** FW: Talking points on the ring-net fishing amendment proposed for the Hauraki Gulf / Tikapa Moana Marine Protection Bill (the Bill)  
**Date:** Tuesday, 15 October 2024 11:38:43 am

---

fyi

---

**From:** Kathryn Lister <Kathryn.Lister@mpi.govt.nz>  
**Sent:** Tuesday, October 15, 2024 11:35 AM  
**To:** Elizabeth Malama <Elizabeth.Malama@parliament.govt.nz>  
**Cc:** Emma Taylor <Emma.Taylor@mpi.govt.nz>; Jacob Hore <Jacob.Hore@mpi.govt.nz>  
**Subject:** Talking points on the ring-net fishing amendment proposed for the Hauraki Gulf / Tikapa Moana Marine Protection Bill (the Bill)

Kia ora Elizabeth,

Please find below talking points for the Undersecretary. Let me know if you have any further questions.

- On 30 September, Cabinet made a range of policy decisions to be progressed through an Amendment Paper at the Committee of the Whole House stage.
- This included a provision to allow limited commercial ring-net fishing, on a seasonal basis, within 2 of the 19 marine protection areas proposed under the Bill: Kawau Bay High Protection Area (HPA) and Rangitoto and Motutapu HPA.
- Ring-net fishing is to occur only between 1 March and 31 August each year and will be limited to targeting of kahawai, grey mullet and trevally by commercial permit holders who have fished in these two HPAs in one or more of the last three fishing years.
- This provision is subject to a review at 3 years.
- DOC is currently preparing advice for the Minister of Conservation to support him to make any further detailed policy decisions necessary for the Bill, including conditions related to the ring-net fishing exemption, in agreement with the Minister for Oceans and Fisheries, as appropriate.
- This advice has not yet been finalised or provided to the MOC, and PCO has not yet completed drafting of the Amendment Paper for the Bill.
- FNZ has determined that there are a small number (five or less) commercial fishing permit holders who meet the criteria for this provision. All other commercial fishing will be prohibited from the HPAs.
- These fishers operate small vessels (less than 6 m) and have taken approximately 18 tonnes of fish from these areas annually.
- The industry advises that this fish is sold domestically, predominately supplying low-cost markets in South Auckland.
- Ring-netting as a method has little impact on the environment beyond the target species removed. Ring-netting operates from small vessels and involves deploying a net to target an identified aggregation of a known target species.

Ngā mihi,  
Kathryn

Kathryn Lister, PhD | Project Lead: Revitalising the Gulf, Inshore Fisheries North  
Fisheries Management | Fisheries New Zealand – Tini a Tangaroa  
Ministry for Primary Industries - Manatū Ahu Matua | 32 Herekino Street | Private Bag 9013 | Whangārei 0140 | New Zealand  
Telephone: s 9(2)(a) | Web: [www.mpi.govt.nz](http://www.mpi.govt.nz)

**From:** [Kathryn Lister](#)  
**To:** [Debbie Freeman](#)  
**Subject:** FW: Urgent clarification required: Tama Potaka - Significant protection for Hauraki Gulf/Tikapa Moana  
**Date:** Friday, 18 October 2024 9:48:20 am

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Finally, a media response we released yesterday in response to direct questions about evidence for where the fish is sold so you can see MPIs position on level of detail needed.

Ngā mihi,  
Kathryn

---

**From:** Nicky Elliott <Nicky.Elliott@mpi.govt.nz>  
**Sent:** Thursday, October 17, 2024 4:41 PM  
**To:** Emma Taylor <Emma.Taylor@mpi.govt.nz>; Sid Pickering (Sid) <Sid.Pickering@mpi.govt.nz>; Jacob Hore <Jacob.Hore@mpi.govt.nz>  
**Cc:** Kathryn Lister <Kathryn.Lister@mpi.govt.nz>  
**Subject:** RE: Urgent clarification required: Tama Potaka - Significant protection for Hauraki Gulf/Tikapa Moana

Her's the final:

Ministers carefully weighed the available information and evidence when the considering whether to allow limited ring net fishing in 2 of the high protection areas proposed in the Hauraki Gulf/Tikapa Moana Marine Protection Bill.

The proposals affect several local businesses that provide fresh and affordable fish to Auckland markets, particularly to Māori and Pasifika communities in South Auckland.

The wider Auckland community receives fish from a range of sources. However, there is a particular supply of certain species (including kahawai and grey mullet) that comes from small scale local ring-net fishers. These fishers have supplied these markets and communities for many years, and have historically fished in two of the HPAs. By allowing an exemption for these very limited operators to continue their fishing activity, and continue supplying these markets, we are supporting small scale commercial fishers as well as the community.

Equally, the concession to this fishery is very limited and does not have any effect on the broader sustainability objectives being sought by the Bill. Ministers consider the amendment supports those fishers and their customers with minor impact on the environment.

The fishing activity is already occurring in these areas, and we do not anticipate expansion of fishing in the High Protection Areas (HPAs). The proposals include a three-year review period which will allow fishing activity in the HPAs to be assessed.

There are a small number of ring-net fishers in the Hauraki Gulf. The proposal would be limited to these operators and would not allow for new entrants in the HPAs.

The proposal would allow fishing to be undertaken using ring-netting from a vessel less

than 6 metres in length within the two High Protection Areas between March and August.

ENDS

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**From:** Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>  
**Sent:** Thursday, October 17, 2024 4:40 PM  
**To:** Nicky Elliott <[Nicky.Elliott@mpi.govt.nz](mailto:Nicky.Elliott@mpi.govt.nz)>; Sid Pickering (Sid) <[Sid.Pickering@mpi.govt.nz](mailto:Sid.Pickering@mpi.govt.nz)>; Jacob Hore <[Jacob.Hore@mpi.govt.nz](mailto:Jacob.Hore@mpi.govt.nz)>  
**Cc:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Subject:** Re: Urgent clarification required: Tama Potaka - Significant protection for Hauraki Gulf/Tikapa Moana

Hi sorry I can't see the highlighted line on my phone. s 9(2)(g)(i)

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---

**From:** Nicky Elliott <[Nicky.Elliott@mpi.govt.nz](mailto:Nicky.Elliott@mpi.govt.nz)>  
**Sent:** Thursday, October 17, 2024 4:34:01 PM  
**To:** Sid Pickering (Sid) <[Sid.Pickering@mpi.govt.nz](mailto:Sid.Pickering@mpi.govt.nz)>; Jacob Hore <[Jacob.Hore@mpi.govt.nz](mailto:Jacob.Hore@mpi.govt.nz)>; Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>  
**Cc:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Subject:** RE: Urgent clarification required: Tama Potaka - Significant protection for Hauraki Gulf/Tikapa Moana

Oops, got it.  
Thanks everyone

---

**From:** Sid Pickering (Sid) <[Sid.Pickering@mpi.govt.nz](mailto:Sid.Pickering@mpi.govt.nz)>  
**Sent:** Thursday, October 17, 2024 4:29 PM  
**To:** Nicky Elliott <[Nicky.Elliott@mpi.govt.nz](mailto:Nicky.Elliott@mpi.govt.nz)>; Jacob Hore <[Jacob.Hore@mpi.govt.nz](mailto:Jacob.Hore@mpi.govt.nz)>; Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>  
**Cc:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Subject:** RE: Urgent clarification required: Tama Potaka - Significant protection for Hauraki Gulf/Tikapa Moana

Thanks, good stuff. Please remove the highlighted line.

---

**From:** Nicky Elliott <[Nicky.Elliott@mpi.govt.nz](mailto:Nicky.Elliott@mpi.govt.nz)>  
**Sent:** Thursday, October 17, 2024 4:27 PM  
**To:** Jacob Hore <[Jacob.Hore@mpi.govt.nz](mailto:Jacob.Hore@mpi.govt.nz)>; Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>  
**Cc:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>; Sid Pickering (Sid) <[Sid.Pickering@mpi.govt.nz](mailto:Sid.Pickering@mpi.govt.nz)>  
**Subject:** RE: Urgent clarification required: Tama Potaka - Significant protection for Hauraki Gulf/Tikapa Moana

Thanks. I think this covers all the changes:

s 9(2)(g)(i) [REDACTED]  
[REDACTED]  
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[REDACTED]  
[REDACTED]  
[REDACTED]

ENDS

---

**From:** Jacob Hore <[Jacob.Hore@mpi.govt.nz](mailto:Jacob.Hore@mpi.govt.nz)>  
**Sent:** Thursday, October 17, 2024 4:23 PM  
**To:** Nicky Elliott <[Nicky.Elliott@mpi.govt.nz](mailto:Nicky.Elliott@mpi.govt.nz)>; Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>  
**Cc:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>; Sid Pickering (Sid) <[Sid.Pickering@mpi.govt.nz](mailto:Sid.Pickering@mpi.govt.nz)>

[illegible]

s 9(2)(g)(i)

ENDS

---

**From:** Nicky Elliott

**Sent:** Thursday, October 17, 2024 3:30 PM

**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>; Jacob Hore <[Jacob.Hore@mpi.govt.nz](mailto:Jacob.Hore@mpi.govt.nz)>

**Cc:** Emma Taylor <[Emma.Taylor@mpi.govt.nz](mailto:Emma.Taylor@mpi.govt.nz)>

**Subject:** FW: Urgent clarification required: Tama Potaka - Significant protection for Hauraki Gulf/Tikapa Moana

**Importance:** High

Kia ora,

We've just received an urgent request for information from the MO (for a media query) about ring net fishing. It follows this article: [Using the poor to justify commercial fishers in the Hauraki Gulf HPAs is 'weak', says iwi leader. - NZ Herald](#)

Here's the questions:

**Can you please provide the data sets and evidence from the Ministries whether from Conservation & Ocean and Fisheries on :**

1. where commercial operators are most efficient than other types of operators to catch fish to the South Auckland community.
2. who are the current commercial operators providing fish to the South Auckland community.
3. operators currently take a total of around 18 tonnes of kahawai, grey mullet, parore, and trevally from these areas annually, what are the projections for the take of these 5 commercial operators, and how much of that will go to the South Auckland community.
4. how many fish is currently being caught to serve the South Auckland community and how will this bill amendment to fish in the two areas make this better (what are the projections?).
5. what are the current reasons why South Auckland community haven't got access to fishery and how will this bill amendment to fish in the two areas make this better (what are the projections?).
6. how will these commercial operators help with providing affordable fish. what are the projections for this. what will the estimate cost each/or per kg for every fish for the South Auckland community.

Can you please help with this?

Thanks

Nicky

---

**From:** Sid Pickering (Sid) <[Sid.Pickering@mpi.govt.nz](mailto:Sid.Pickering@mpi.govt.nz)>  
**Sent:** Thursday, October 17, 2024 3:20 PM  
**To:** Lucy Bennett (Parliament) <[Lucy.bennett@parliament.govt.nz](mailto:Lucy.bennett@parliament.govt.nz)>; George Clark <[George.Clark@parliament.govt.nz](mailto:George.Clark@parliament.govt.nz)>; Nicky Elliott <[Nicky.Elliott@mpi.govt.nz](mailto:Nicky.Elliott@mpi.govt.nz)>  
**Subject:** RE: Urgent clarification required: Tama Potaka - Significant protection for Hauraki Gulf/Tikapa Moana

We'll see what we can do.

---

**From:** Lucy Bennett <[Lucy.Bennett@parliament.govt.nz](mailto:Lucy.Bennett@parliament.govt.nz)>  
**Sent:** Thursday, October 17, 2024 3:09 PM  
**To:** George Clark <[George.Clark@parliament.govt.nz](mailto:George.Clark@parliament.govt.nz)>; Sid Pickering (Sid) <[Sid.Pickering@mpi.govt.nz](mailto:Sid.Pickering@mpi.govt.nz)>  
**Subject:** FW: Urgent clarification required: Tama Potaka - Significant protection for Hauraki Gulf/Tikapa Moana

Hi, not sure if MPI is able to help with this. Can you please let me know.  
Thanks

---

**From:** Jared Nicoll <[Jared.Nicoll@parliament.govt.nz](mailto:Jared.Nicoll@parliament.govt.nz)>  
**Sent:** Thursday, 17 October 2024 2:53 PM  
**To:** Te Rina Kowhai s 9(2)(a)  
**Cc:** Lucy Bennett <[Lucy.Bennett@parliament.govt.nz](mailto:Lucy.Bennett@parliament.govt.nz)>  
**Subject:** Urgent clarification required: Tama Potaka - Significant protection for Hauraki Gulf/Tikapa Moana

Kia ora Te Rina

The best place for this query is Min Jones' office. I have cc'ed his press secretary, Lucy, onto this email for her consideration.

Ngā mihi

Jared

---

**From:** Jared Nicoll  
**Sent:** Thursday, 17 October 2024 2:38 PM  
**To:** Te Rina Kowhai s 9(2)(a)  
**Cc:** Tumamao Harawira s 9(2)(a)  
**Subject:** RE: Urgent clarification required: Tama Potaka - Significant protection for Hauraki Gulf/Tikapa Moana

Kia ora Te Rina

I'll find out about this and get back to you.

Ngā mihi

Jared

---



**From:** Te Rina Kowhai s 9(2)(a)  
**Sent:** Thursday, 17 October 2024 1:37 PM  
**To:** Jared Nicoll <[Jared.Nicoll@parliament.govt.nz](mailto:Jared.Nicoll@parliament.govt.nz)>  
**Cc:** Tumamao Harawira s 9(2)(a)  
**Subject:** FW: Urgent clarification required: Tama Potaka - Significant protection for Hauraki Gulf/Tikapa Moana

Kia ora Jared,

**Can you please provide the data sets and evidence from the Ministries whether from Conservation & Ocean and Fisheries on :**

1. where commercial operators are most efficient than other types of operators to catch fish to the South Auckland community.
2. who are the current commercial operators providing fish to the South Auckland community.
3. operators currently take a total of around 18 tonnes of kahawai, grey mullet, parore, and trevally from these areas annually, what are the projections for the take of these 5 commercial operators, and how much of that will go to the South Auckland community.
4. how many fish is currently being caught to serve the South Auckland community and how will this bill amendment to fish in the two areas make this better (what are the projections?).
5. what are the current reasons why South Auckland community haven't got access to fishery and how will this bill amendment to fish in the two areas make this better (what are the projections?).
6. how will these commercial operators help with providing affordable fish. what are the projections for this. what will the estimate cost each/or per kg for every fish for the South Auckland community.

If we can have this as soon as possible.

Ngā manaakitanga,  
Te Rina

---

**From:** Te Rina Kowhai s 9(2)(a)  
**Sent:** Wednesday, 16 October 2024 10:42 am  
**To:** Jared Nicoll <[Jared.Nicoll@parliament.govt.nz](mailto:Jared.Nicoll@parliament.govt.nz)>; Blake Ihimaera s 9(2)(a) Tumamao Harawira s 9(2)(a)  
**Subject:** Re: Urgent clarification required: Tama Potaka - Significant protection for Hauraki Gulf/Tikapa Moana

Mōrena e Jared,

Yes I'm looking to address those key points today for a story for our bulletin. Because the information came in late afternoon, I wasn't able to update for the linear.

Due to it being new /additional valuable information its editorially best to get another track and reaction response up today.

Thus, confirming this information will be updated either way through linear and across the current two articles, as well by the end of today.

Ngā manaakitanga,

T

**Te Rina Kowhai**

*Kaikawepūrongo Rongorau*

Multimedia Journalist

Phone s 9(2)(a)

**From:** [Kathryn Lister](#)  
**To:** [Debbie Freeman](#)  
**Subject:** Re: [for initial review] Hauraki - ring net fishing advice  
**Date:** Thursday, 10 October 2024 3:43:33 pm  
**Attachments:** [image001.png](#)  
[image001.png](#)

---

Great thanks Debbie,  
I've copied down a version for her review. I'll either send you back a hard copy or make her changes myself in the live version, depending on how extensive the feedback is.  
Cheers,  
K.

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---

**From:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>  
**Sent:** Thursday, October 10, 2024 12:34:33 PM  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Subject:** RE: [for initial review] Hauraki - ring net fishing advice

Hi Kathryn,  
I've made a few changes to the briefing. It's a little messy with the tracked changes, so feel free to accept them before passing to Emma unless there's anything you don't agree with!  
Thanks,  
Debbie

---

**From:** Debbie Freeman  
**Sent:** Thursday, 10 October 2024 10:07 am  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Subject:** RE: [for initial review] Hauraki - ring net fishing advice

Thanks Kathryn. **Out of scope**

[REDACTED]

We've just had some direction from our DDG on her preference for approach to the provision, in particular the review. Turns out the briefing is mostly in line with her thinking (whew) – I'll just make a few tweaks this morning, but should be good to go for Emma to take a look this afternoon. We are likely to still push out the timeframes (by a week), as we need PCO advice and they're probably not going to come back to us until Monday.  
Cheers,  
Debbie

---

**From:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Sent:** Thursday, 10 October 2024 10:01 am  
**To:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>  
**Subject:** RE: [for initial review] Hauraki - ring net fishing advice

Morning,

s 9(2)(g)(i), s 9(2)(f)(iv)

[REDACTED]

. **Out of scope**

[REDACTED]

Emma is going to review this afternoon but also happy to look again next week if there are major changes. Let me know how you get on with timeframes

Ngā mihi,  
Kathryn

---

**From:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>  
**Sent:** Wednesday, October 9, 2024 5:06 PM  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Subject:** RE: [for initial review] Hauraki - ring net fishing advice

Hi Kathryn,  
We're still waiting to hear back from the Minister's office re the extension, but I think let's delay Emma reviewing this (although of course you're welcome to share with her to let her know where the thinking is at). It may change quite a bit when we get PCO's advice, so would probably need a second review by Emma early next week anyway I think. I'll let you

know soon as we hear for sure re timeframes,

Cheers,

Debbie

---

**From:** Debbie Freeman

**Sent:** Wednesday, 9 October 2024 3:24 pm

**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>

**Subject:** RE: [for initial review] Hauraki - ring net fishing advice

Thanks a lot Kathryn – really helpful s 9(2)(h)

Any thoughts?

We may be pushing out the timeframes for developing this advice, as PCO may not be able to get back to us with their further advice until Monday. I'll let you know soon as I know for sure (possibly later today) if Directors reviews can be pushed out a bit.

Thanks again for all your help,

Debbie

---

**From:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>

**Sent:** Wednesday, 9 October 2024 2:28 pm

**To:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>

**Subject:** RE: [for initial review] Hauraki - ring net fishing advice

Hi Debbie,

Have made a few more minor changes and suggestions. Our analysts are also looking into bycatch – this wont be at the HPA scale yet (could be but takes a lot of time so not for this briefing) but it will still provide a general sense of what is caught alongside mullet and kahawai.

I will save down a version first thing tomorrow morning to send to Emma taylor for director review – hope that works in ok with your timings!

Ngā mihi,

Kathryn

---

**From:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>

**Sent:** Tuesday, October 8, 2024 5:05 PM

**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>

**Subject:** RE: [for initial review] Hauraki - ring net fishing advice

Thanks so much Kathryn – yes, will keep that as the live document, and update as need be from our end too,

Thanks again,

Debbie

---

**From:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>

**Sent:** Tuesday, 8 October 2024 5:00 pm

**To:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>

**Subject:** RE: [for initial review] Hauraki - ring net fishing advice

Hi Debbie,

It looks good overall to me – nice job. Conscious it will need input from others here though as I lack quite a bit of the technical experience needed... I have done my best to get the right people looking over certain aspects and will try get back to you COB tomorrow. Keep me in the loop with any other updates – assume the doc will stay live though so should be ok to work from that? I will do my best to get Emma T to review Thursday.

Ngā mihi,

Kathryn

---

**From:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>

**Sent:** Tuesday, October 8, 2024 2:06 PM

**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>

**Cc:** Jacob Hore <[Jacob.Hore@mpi.govt.nz](mailto:Jacob.Hore@mpi.govt.nz)>

**Subject:** [for initial review] Hauraki - ring net fishing advice

Hi Kathryn,

Thanks again for the discussions so far on this topic!

Below is the link to the draft advice on how the provision for ring-net fishing (and its review) could be given effect to. Note there are some key outstanding issues that we're waiting for direction on from our DDG, and also from PCO (so there's a fair bit of placeholder text). In particular:

- s 9(2)(g)(i), s 9(2)(f)(iv)


- 

The briefing will need adjusting pending what is decided on the above, but I wanted to get this early draft to you so you can at least look at some of the technical details and also provide your views on what is proposed so far.

It would be great to get your thoughts by end of tomorrow – hopefully we'll also have a steer on the above issues by then, and I can then send around an updated version for further review after that, aiming to get a version to Directors on Friday. More than happy to catch up to talk through anything, and just yell if you have any queries at this stage,

Thanks a lot,

Debbie

 s 9(2)(f)(iv), s 9(2)(g)(i)

**Debbie Freeman, PhD**

Kaitohutohu kaupapa here moana | Senior Policy Advisor | Marine Policy Team  
Department of Conservation | Te Papa Atawhai

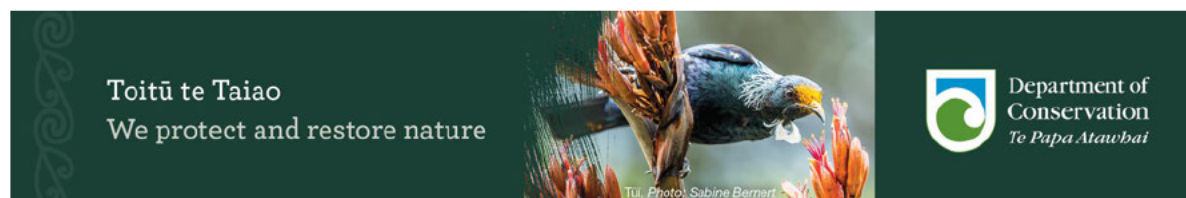
T: s 9(2)(a)

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T: s 9(2)(a)

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**From:** [Kathryn Lister](#)  
**To:** [Debbie Freeman](#)  
**Subject:** RE: Hauraki - provision for ring-net fishing  
**Date:** Thursday, 3 October 2024 2:52:40 pm  
**Attachments:** [image001.png](#)

---

Hi Debbie,

Have made some very rough high level comments in the table. Keen to chat about it though and the questions posed about the review process. Are you free tomorrow or Monday?

Some times that could work for us are before 10.30 or after 12 tomorrow or after 2 pm Monday.

Ngā mihi,  
Kathryn

---

**From:** Debbie Freeman <dfreeman@doc.govt.nz>  
**Sent:** Thursday, October 3, 2024 12:29 PM  
**To:** Kathryn Lister <Kathryn.Lister@mpi.govt.nz>  
**Subject:** Hauraki - provision for ring-net fishing


Hi Kathryn,

I hope all is well with you!

I'm just getting in touch re the advice on how to implement Cabinet's agreement to provide for ring-net fishing in a couple of the proposed Hauraki HPAs.

Most of the issues are relatively straightforward, but there are a few technical issues that would be great to get your steer on before I go too far down the track of drafting the briefing. The document below has a table of all the issues I think we need to cover in the briefing, and also a table of issues that you might be able to help with.

Could you please take a look and come back to me with your thoughts? Also happy to set up a chat to talk through if easier – it would be good to get your feedback by say end Monday, so I can incorporate it into the briefing. Let me know if any issues accessing the document.

 [s 9\(2\)\(g\)\(i\), s 9\(2\)\(f\)\(iv\)](#)

I'll start drafting up the briefing, and get that to you soon as I can (probably early next week). At this stage we're planning to get it to Ministers on 16 October, so probably looking at reviews by directors etc late next week.

Thanks in advance for your help,  
Cheers,  
Debbie.

**Debbie Freeman, PhD**  
Kaitohutohu kaupapa here moana | Senior Policy Advisor | Marine Policy Team  
Department of Conservation | Te Papa Atawhai  
T: [s 9\(2\)\(a\)](#)

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T: [s 9\(2\)\(a\)](#)

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**From:** [Debbie Freeman](#)  
**To:** [Kathryn Lister](#)  
**Subject:** RE: Hauraki - ring-net provision  
**Date:** Thursday, 17 October 2024 10:55:00 am

---

s 9(2)(g)(i)

[Redacted]

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**From:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Sent:** Thursday, 17 October 2024 10:49 am  
**To:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>  
**Subject:** RE: Hauraki - ring-net provision

Sounds good, yes lets test with legal this afternoon and ill aim to get emma's review tonight / tomorrow morning.

s 9(2)(h)

[Redacted]

Out of scope

[Redacted]

s 9(2)(g)(i), s 9(2)(f)(iv)

[Redacted]

Just top of mind thoughts – not sure this is helpful sorry !

Ill jump into briefing now

Ngā mihi,  
Kathryn

---

**From:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>  
**Sent:** Thursday, October 17, 2024 10:19 AM  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Subject:** Hauraki - ring-net provision

Hi Kathryn

Thanks for your comments on the briefing – all looks good to me.

s 9(2)(g)(i), s 9(2)(f)(iv)

[Redacted]

[Redacted] I'm going to update the briefing (same link you have) so you can see, but I've pushed out Sian's review until first thing tomorrow morning (not sure if that will suit Emma T as well?) so we could also test the approach with your legal team this afternoon?

s 9(2)(h)

[Redacted]

[Redacted]

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[Redacted]



s 9(2)(h)

s 9(2)(g)(i), s 9(2)(f)(iv)

Thanks,  
Debbie

**Debbie Freeman, PhD**

Kaitohutohu kaupapa here moana | Senior Policy Advisor | Marine Policy Team  
Department of Conservation | Te Papa Atawhai

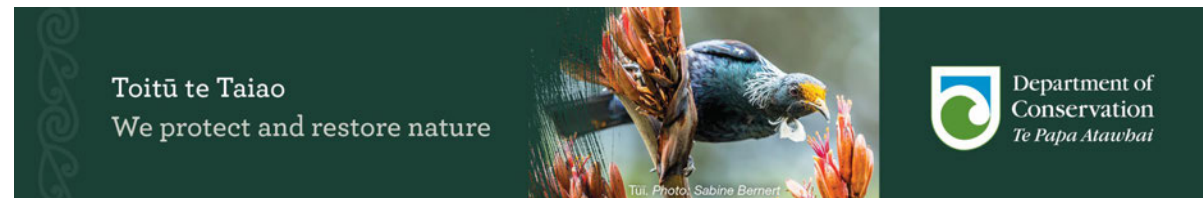
T: s 9(2)(a)

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**From:** [Kathryn Lister](#)  
**To:** [Debbie Freeman](#)  
**Subject:** RE: Hauraki - ring-net provision  
**Date:** Tuesday, 15 October 2024 9:23:37 am

---

Out of scope

Ngā mihi,  
Kathryn

---

**From:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>  
**Sent:** Tuesday, October 15, 2024 8:30 AM  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Subject:** RE: Hauraki - ring-net provision

Hi Kathryn,

§ 9(2)(h)

Still aiming to have a version for Director review for Thursday afternoon!  
Thanks again for all your help,

Debbie

---

**From:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Sent:** Monday, 14 October 2024 8:00 pm  
**To:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>  
**Subject:** RE: Hauraki - ring-net provision

§ 9(2)(f)(iv), § 9(2)(g)(i)

Ngā mihi,  
Kathryn

---

**From:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>  
**Sent:** Monday, October 14, 2024 3:38 PM  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Subject:** RE: Hauraki - ring-net provision

§ 9(2)(f)(iv), § 9(2)(g)(i)

We've just had a media enquiry on who the 5-6 fishers are (and also 'what is ring-net fishing'), which we passed on to our Minister's office, just noting that we're 'working through the details' at this point and they're pending Ministerial decision. We're also expecting oral questions in the House this week, so will likely be in touch re messaging there!

---

**From:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Sent:** Monday, 14 October 2024 3:30 pm  
**To:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>  
**Subject:** RE: Hauraki - ring-net provision

Hey,  
No worries – should have probably organised sooner – all moving quite fast in amongst so many other things though!

s 9(2)(f)(iv), s 9(2)(g)(i)

Is DOC releasing any proactive comms about it to provide clarity – I guess a holding response saying ‘the criteria are under active consideration and if you are impacted you will hear from us in due course’ kind of thing? Don’t know the best approach, just musing out loud...

Ngā mihi,  
Kathryn

---

**From:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>  
**Sent:** Monday, October 14, 2024 3:11 PM  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Subject:** Hauraki - ring-net provision

Hi Kathryn,  
Thanks for organising the discussion just now – really helpful.

s 9(2)(f)(iv), s 9(2)(g)(i)

Cheers,  
Debbie

**Debbie Freeman, PhD**  
Kaitohutohu kaupapa here moana | Senior Policy Advisor | Marine Policy Team  
Department of Conservation | Te Papa Atawhai  
T s 9(2)(a)

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**From:** [Veronica Hall \(Veronica Hall\)](#)  
**To:** [Olivia Eaton](#); [Madeline McDonald](#)  
**Cc:** [Debbie Freeman](#); [Kathryn Lister](#)  
**Subject:** RE: Hauraki Gulf / Tikapa Moana Marine Protection Bill limited exemption for ring net fishing  
**Date:** Wednesday, 23 October 2024 11:45:39 am

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**From:** [Kathryn Lister](#)  
**To:** [Debbie Freeman](#)  
**Subject:** RE: Hauraki ring net briefing  
**Date:** Monday, 21 October 2024 1:41:14 pm

---

Sounds good – getting there!

Ngā mihi,  
Kathryn

---

**From:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>  
**Sent:** Monday, October 21, 2024 1:25 PM  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Subject:** RE: Hauraki ring net briefing

Thanks a lot Kathryn. s 9(2)(g)(i)

Thanks again for all your help!  
Debbie

---

**From:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Sent:** Monday, 21 October 2024 1:13 pm  
**To:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>  
**Subject:** RE: Hauraki ring net briefing

Hi Debbie,

s 9(2)(g)(i)

Happy to chat further.

Ngā mihi,  
Kathryn

---

**From:** Debbie Freeman <[dfreeman@doc.govt.nz](mailto:dfreeman@doc.govt.nz)>  
**Sent:** Monday, October 21, 2024 12:37 PM  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Subject:** RE: Hauraki ring net briefing

Hi Kathryn – thanks for the chat on this earlier. s 9(2)(g)(i), s 9(2)(f)(iv)

Thanks,  
Debbie

1.	s 9(2)(f)(iv)	Yes / No
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2.	s 9(2)(f)(iv)	Yes / No
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**From:** Debbie Freeman  
**Sent:** Monday, 21 October 2024 10:02 am  
**To:** Kathryn Lister <[Kathryn.Lister@mpi.govt.nz](mailto:Kathryn.Lister@mpi.govt.nz)>  
**Subject:** Hauraki ring net briefing

Hi Kathryn,  
Hope you had a good weekend!  
I just wanted to check one more potential rec with you for the ring-net briefing.

s 9(2)(g)(i)

Thanks a lot,  
Debbie

**Debbie Freeman, PhD**  
Kaitohutohu kaupapa here moana | Senior Policy Advisor | Marine Policy Team  
Department of Conservation | Te Papa Atawhai  
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**From:** [Kathryn Lister](#)  
**To:** [Debbie Freeman](#)  
**Subject:** ring-net provision  
**Date:** Monday, 7 October 2024 3:08:35 pm

---

Hi Debbie,

Good to catch up. The guy who could provide the exact fishers is away until wed but I can pop the names in once we have them. In terms of the grandfather clause:

[Schedule 2](#) of the [Fisheries \(Auckland and Kermadec Areas Commercial Fishing\) Regulations 1986](#) lists the grandfathered fishers. [Regulation 12](#) applies.

Happy to discuss!

Ngā mihi,  
Kathryn

Kathryn Lister, PhD | Project Lead: Revitalising the Gulf, Inshore Fisheries North  
Fisheries Management | Fisheries New Zealand – Tini a Tangaroa  
Ministry for Primary Industries - Manatū Ahu Matua | 32 Herekino Street | Private Bag 9013 | Whangārei 0140 | New Zealand  
Telephone [s 9\(2\)\(a\)](#) | Web: [www.mpi.govt.nz](http://www.mpi.govt.nz)

Out of scope

Kathryn Lister (Guest) 17/10 10:17 am

Hey Debbie I need to make some adjustments in the briefing - is it ok if I linkw with it until - 11, just in a meeting at the mo.

s 9(2)(g)(i), s 9(2)(f)(iv)

17/10 10:18 am

Sounds good! Am just about to flick you an email - we've had some guidance from PCD that I need to include too, so will be pushing out Sian's review until tomorrow morning, so we have more time

👍 1

Kathryn Lister (Guest) 17/10 10:18 am

👍 1

sweet - I haven't got it to Emma T yet either so this is perfect

Kathryn Lister (Guest) 17/10 2:35 pm

s 9(2)(g)(i), s 9(2)(f)(iv)

in the paper until later but just a heads up. Are you ok with this change?

17/10 2:36 pm

Ok - no problem; I'll put in a placeholder for now and feel free to edit when you can.

Friday, 18 October

18/10 8:27 am

Hi Kathryn - you mentioned I think that you'd done some analysis of where the catch from the '5-6 fishers' goes (i.e. domestic / export market). We were wondering if you'd be able to share that? Our DDG has asked - thanks in advance!

Type a message

🔍 🗨️ 📎 + ➡️

Friday, 18 October

18/10 8:27 am

Hi Kathryn - you mentioned I think that you'd done some analysis of where the catch from the '5-6 fishers' goes (i.e. domestic / export market). We were wondering if you'd be able to share that? Our DDG has asked - thanks in advance!

Kathryn Lister (Guest) 18/10 9:34 am

👍 1 🗨️ 1

I'll forward an email with what we have - there is more we could do but my director said not to at this stage (as its quite a bit more work).

18/10 9:34 am

awesome - thanks Kathryn. Any word from Emma T on the briefing?

Kathryn Lister (Guest) 18/10 9:35 am

👍 1 🗨️ 1

not yet sorry - her EA is on leave at the moment which isn't helping!

Friday 10:52 am

Hi there - I have Sian's comments back on the briefing - there's a lot of shuffling around and rewording. Was thinking I'd set up a new shared document so we don't lose the previous content - you ok with that? I'll flick you her comments now so you can see, then send a new shared link!

Kathryn Lister (Guest) Friday 10:54 am

👍 1

sounds great, thanks Debbie

Friday 12:15 pm

Hi - I think I'm done with Sian's comments. She stills wants a page or two pruned out, but I'll get to that this afternoon!

Tuesday

s 9(2)(g)(i), s 9(2)(f)(iv)

Out of scope

Type a message

🔍 🗨️ 📎 + ➡️

Kathryn Lister (Guest) 26/07 1:36 pm

KL

Kia ora Kathryn . I've had a look at Te Ohu letter to the Minister on the Hauraki Protection Bill. In respect of cl 65-67 of the Bill. I agree with Te Ohu. The Bill seeks to regulate customary fishing directly under this Act and makes no mention that customary fishing would continue to be regulated under regs made under s 186 of the FA 96. In accordance with s 10 of the Treaty of Waitangi (Fisheries Claims) Settlement Act and the 1992 Fisheries Deed of Settlement this is the only time customary fishing provides a defence from prosecution. cl 65 -67 particularly cl 66 are different to what I proposed to address customary fishing in HPA which was to make regs to limit access to the area for customary fishing e.g the HPA is there to protect macroalgae communities. Customary fishers can enter the area to fish under the Kaimoana regs as long as fishing doesn't impact macroalgae. The current drafting overrides the fisheries settlement

26/07 1:49 pm

Questions for Terry:

- Clause 19 of the Hauraki Bill details that customary fishing would be regulated under Fisheries Regulations. Does this satisfy the first part of your feedback? Or do you think the Bill needs to do more to make it clear?
- Is the issue with clause 66 and 67 that they don't specify regulation of ACCESS for customary fishing (as opposed to just regulating customary fishing). Would your concern be resolved by changing the text in clause 66(1)(b) from "(including the regulation of customary fishing)" to "(including the regulation of access for customary fishing)"?



Monday, 28 July

Kathryn Lister (Guest) 29/07 10:56 am

KL

heya, i did chat to terry and we ended up posing these to our legal team but i doubt answers will come in before your meeting with MOC today. Terry did agree that Clause 19 covers it but his opinion was it could be clearer (didn't say how). he also thought that yes adding 'of access for' would resolve the concern but again he wanted to check with legal. Sorry - bit wishy washy as a response but wanted to check in with you before your meeting

29/07 11:05 am

no that is great - thank you. I think the whole 'access' thing is something to deal with in the regulations but can change the wording in the Bill to be clearer

20/08 9:26 am

Hey hey - just giving you a bell to let you know that we are going to suggest that the collaborative development of BDOs is actually kept (as the MOC will use them in the 'back-stop' power for regulating customary fishing). We are noting that some mana whenua will be less interested in being engaged potentially but that we will continue to codevelop to the extent reasonably necessary. Hopefully that makes sense

Kathryn Lister (Guest) 12/09 1:41 pm

KL

Heya, so the meeting went better than I expected really. General vibe from him was he appreciates all the work done over many years to get to this point and largely doesn't want to mess with that.... BUT, wants us to work with you to draft some points for an amendment paper to allow for the ring net fishers (perhaps just in the two HPAs that make up 80% of their catch) and try to find any small concession at all for lobster fishers somewhere/somehow. He wasn't supportive of any commercial fishing in a marine reserve but i wasn't clear if that extended to sympathy for changing the reserve extension. Will check with Jake tomorrow. He was not keen to remove SPAs from the Bill. He doesn't want trawl corridors but there was no clear resolution to that so i think we are just back in the 'under consideration' territory until he decides he is ready to make some kind of decision. I think from here, Emma was going to reach out to Sian (and maybe Sam) to discuss the meeting and we will need to work together next week to come up with a short memo describing possible amendments. He was going to tell your minister that he has directed his officials to work with DOC officials to come up with some options everyone can live with. Think that pretty much sums it up. Anyway, have a nice long weekend and catch you next week 😊

Kathryn Lister (Guest) 17/09 9:18 am

KL

Heya, ill check in with him and let you know. He is in welly for the next couple of days so he may want to catch up with you in person before the meeting? Im checking the ring net stuff now. Also Phil Ross made a good point about allowing ring netters, in that an unintended negative consequence could be that if the fish populations increase as a result of the protection, they might switch to catching snapper etc using their ring nets which would be grossly unfair to other types of commercial and rec fishers who are all shut out plus would then lead to much more significant impacts on the environment - both depletion of predators but also seafloor impacts. If they stick to the transient species, not such a big impact. I guess we could mitigate by a more explicit definition of the exact nature of the ring netting that might be allowed?

17/09 9:20 am

oh that is a great point - I wonder if it is worth trying to set up a hui today with technical peeps just to chat about some of these things before the hui - what do you think?

what species do ring net fishers target now?

Kathryn Lister (Guest) 17/09 9:24 am

KL

kahawai / grey mullet / trevally i think

