

12 February 2025

[REDACTED]

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Tēnā koe [REDACTED]

Thank you for your request, transferred by the Ministry for Primary Industries to the Department of Conservation on 9 January 2025, in which you asked:

“My understanding around these new laws being passed regarding commercial fishing in restricted areas is very vague and I would like to have a full understanding as to how it will work, i.e who will be fishing these “restricted areas” or whatever you are calling them and where they are exactly. Any honest full response will be greatly appreciated as I assume there are no details that need to be hidden or not shared to the recreational fishing community.”

We have considered your request under the Official Information Act 1982 (OIA).

The reference in your request to “*new laws being passed*” has been taken to mean that your interest lies in the Hauraki Gulf | Tīkapa Moana Marine Protection Bill (Bill). This Bill has recently passed its Second Reading in Parliament. Once enacted, the resulting legislation will create new marine protected areas that will regulate a range of activities including fishing, the management of discharges and dumping, impact of structures, and damage to the seabed.

As with proposals of this nature, there is the need to balance protection and management with maintaining the region’s economic interests. Marine protection can help reverse the decline in health and mauri of the Hauraki Gulf | Tīkapa Moana (Hauraki Gulf). It is also a proven tool for biodiversity management. All types of fishing would be prohibited in marine reserves, including those to be established under the Bill.

The government recently proposed an amendment to the Bill to allow for ring-net fishing activity in two of the proposed High Protection Areas. Such an allowance is intended to be subject both to conditions and to a review after three years. Ring-net fishing is a commercial fishing method that uses large nets to target schools of fish. Fishers using this method typically target kahawai, grey mullet and trevally. Work is underway on preparing an Amendment paper and then progressing this and other changes at the Committee of the Whole stage of the Bill.

For the purposes of clarity, I have broken your request into parts:

1. *Who will be fishing these “restricted areas”?*

As noted above, the Bill is still progressing through Parliament. This means that who will be able to undertake the proposed ring-net fishing activity is yet to be confirmed. Limited context is set out in the publicly available [Cabinet paper ‘Report back on the Hauraki Gulf / Tīkapa Moana Marine Protection Bill’](#).

Consequently, I am not able to provide you with the specific information you seek for this part of your request. Advice being considered, connected to work on the Bill, is also withheld under sections 9(2)(f)(iv) of the OIA – to maintain the constitutional conventions protecting the confidentiality of advice tendered by Ministers and officials.

In making my decision, I have taken account of the public interest considerations in section 9(1) of the OIA and determined there are no public interests that outweigh the grounds for withholding.

You are entitled to seek an investigation and review of my decision by writing to an Ombudsman as provided by section 28(3) of the OIA.

2. *Where are these “restricted areas” exactly?*

The areas proposed for ring-net fishing are Kawau Bay High Protection Area and Rangitoto and Motutapu High Protection Area.

Further information about revitalising the Hauraki Gulf and the Bill is available on the Department’s website here: <https://www.doc.govt.nz/our-work/revitalising-the-gulf/new-marine-protections-in-the-hauraki-gulf/>

3. *How it will work*

The Department is working with Fisheries New Zealand to explore options for data sharing of effort and catch of target fish species within the two High Protection Areas where ring-net fishing will be allowed. The provision to allow for ring-net fishing will be reviewed at three years, following enactment of the Bill.

Please note that this letter (with your personal details removed) may be published on the Department’s website.

Nāku noa, nā



Siân Roguski
Director Policy (Biodiversity, International and Funding)
Department of Conservation | *Te Papa Atawhai*