

The Public's Ocean and the Price of Stewardship

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This submission addresses the core policy issues raised in the Fisheries New Zealand discussion paper (No: 2025/28) regarding the proposed partial cost recovery for the on-board camera programme.

The ocean (moana) is a public resource, held in trust for all New Zealanders and future generations. The commercial right to harvest from this natural capital must be fully accountable for all environmental services required to ensure its sustainability.

STET Limited supports the recommendations and analysis provided in the Environmental Law Initiative (ELI) submission on this Discussion Paper¹, particularly regarding the mandatory nature of cost attribution to risk exacerbators and the legal deficiencies of partial cost recovery.

1. The Rights of Nature and the Commons

The proposal to partially recover costs fails to respect the inherent value of the ocean and places the burden of environmental protection onto the general public, effectively subsidising commercial risk.

- **The Crown's Duty to Protect (The Commons):** Cost recovery levies replaced historical "resource rentals." This mechanism is the industry's only payment for exclusive access to a public resource. The full recovery of costs is therefore not optional but a fundamental duty owed by the Crown to the public interest.
- **No Taxpayer Subsidies for Industry Risk:** The services needed (camera monitoring, analysis, and compliance) are directly required because of the risks and adverse effects generated by commercial fishing activities. It is inherently unfair (Equity Principle) for the general taxpayer—the public—to fund \$3.76 million annually to monitor the commercial use of a public good.
- **The Price of Quality Environmental Care:** Funding for fisheries and conservation services must be set at a level that enables the effective achievement of sustainability, as required by the Fisheries Act. Basing the new cost recovery on historically inadequate observer budgets undermines the quality of protection the environment demands.

¹ <https://www.eli.org.nz/updates/submission-cost-recovery>

2. Public Expectation and Social Accountability

For the fishing industry to maintain public acceptance for its operations, it must demonstrate transparent and full acceptance of its environmental footprint and monitoring costs.

- **Transparency and Trust:** Public trust is built when accountability is clear. Subsidies erode public acceptance by creating the perception that the industry is externalising its costs onto the public purse.
- **Responsibility for the Footprint:** The costs of compliance, including cameras, footage review, and enforcement, are the necessary operating expenses associated with exercising a commercial right over a public resource. These costs are the industry's responsibility to bear entirely.
- **Funding Effectiveness Over Industry Palatability:** The amount recovered should be determined by the actual cost of providing effective services—sufficient to fill known data and compliance gaps—not by working backwards from a levy level deemed "acceptable" to the industry. Taxpayer money should not be used to smooth the way for industry acceptance.

The proposed under-recovery is neither lawful (as cost attribution to risk exacerbators is mandatory) nor fair (as it shifts a necessary operational expense onto the taxpayer, eroding public accountability).

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