



Support for application for extension of Section 186A temporary closures (Tīkapa Moana / Hauraki Gulf).

Stet Limited, 03 June 2026

About STET

STET is a social enterprise that supports restoration and conservation projects in New Zealand. Much of our paid, discounted and volunteer work is focused on improving the health of the Gulf. Clients for this work include the Department of Conservation, Auckland Council, the Hauraki Gulf Forum, and many community groups. We worked on the last four State of the Gulf reports.

Shaun Lee is one of the company directors, he is diver and citizen scientist who works on active and passive restoration initiatives in the Gulf. He is also a trustee of the Revive Our Gulf Trust.

Supporting the application

We are writing to you today to advocate for the conservation of our precious marine life, to express my strong support for the proposed temporary fisheries closures at Waiheke Island, Umupuia Beach, Te Mātā, and Waipatukahu in Tīkapa Moana the Hauraki Gulf. These closures have been thoughtfully requested by Ngāti Pāoa, Ngāi Tai ki Tāmaki, and Ngāti Tamaterā under Section 186A of the Fisheries Act 1996, as part of their commendable project 'Pou rāhui, pou tikanga, pou oranga: reigniting the mauri of Tīkapa Moana and Te Moananui-ā-Toi'.

This initiative reflects a critical and timely intervention needed to address the ecological stresses facing our marine ecosystems. The areas in question have historically been rich in marine life, forming the backbone of local economies and sustaining cultural practices that date back generations. However, recent years have seen a stark decline in biodiversity due to overfishing, pollution, and habitat destruction, calling for immediate action to restore balance and ensure the long-term viability of these marine habitats.



Intertidal kūtai (green-lipped mussels) off Waiheke Island December 2025. Photo by Shaun Lee.

Comparison with the review of shore-based shellfish harvesting in the Auckland Coromandel area

Both the Ngāti Tamaterā (Te Mātā/Waipatukahu) and Ngāti Pāoa (Waiheke) rāhui explicitly request a protection zone extending 1 nautical mile offshore. Fisheries New Zealand's (FNZ's) proposals blanketly truncate this boundary to just 200 meters, leaving critical shallow subtidal habitats between 200m and 1 nautical mile entirely unprotected from recreational pressures. This means the most restrictive option (Option 3) will not supersede these requests.

FNZ notes that existing Section 186A closures will technically be retained. However, by introducing a separate, overlapping regional framework with its own set of "exceptions", FNZ creates a confusing double-standard for compliance and enforcement. Fisheries New Zealand should have used the 1 nautical mile spatial measure rather than the much smaller 200 meter area which leaves some intertidal and much subtidal (and very accessible) shellfish habitat vulnerable to over harvesting.

The iwi rāhui are rooted in a holistic restoration of *mauri*. However, FNZ explicitly states that *"The proposed options will not affect commercial fishing in the Auckland Coromandel area"*. This creates an equity and sustainability issue where commercial fishers may exploit species like packhorse lobster within the exact same intertidal and subtidal zones where recreational take is restricted or banned.

Early signs of positive change and the need for extended recovery periods

We are beginning to observe encouraging signs of change in the areas targeted for temporary closures, suggesting that the measures implemented may indeed be effective. However, it is crucial to recognise that while initial improvements offer hope, the full recovery of these marine populations will require a significantly longer period than currently proposed. The populations of several species have been allowed to decline to critically low levels due to prolonged periods of overfishing and inadequate regulatory interventions by Fisheries New Zealand. As a result, the ecosystems need extended time to regenerate fully and sustainably. Extending the duration of these closures is essential to ensure that the recovery is not only temporary but enduring, allowing the marine life to replenish and the habitats to restore their natural functions and resilience.

Poaching has been observed in some of the protected areas. We hope Fisheries New Zealand's response to the review of shore-based shellfish harvesting in the Auckland Coromandel area results in clearer rules and better enforcement of the prohibitions.



*Juvenile kōura (spiny rock lobster) sheltering in a sponge off Waiheke Island, February 2024.
Photo by Shaun Lee.*

Passionate protection of a critical habitat near Waiheke Island

Our support extends particularly to the preservation of a small, soft-sediment kūtai (green-lipped mussel) bed near Waiheke Island, a habitat that has become extinct elsewhere in the Gulf due to historical mismanagement of the fishery. This area serves as a vital reference site for the Revive Our Gulf project, which aims to restore the marine ecosystems that are critical to the Gulf's overall health and sustainability. Protecting this specific habitat is not only about conserving a species but is also crucial in maintaining biodiversity, enhancing water quality, and providing a benchmark for ecological restoration efforts across the Gulf. The presence of this bed offers invaluable insights and a living laboratory for scientists and conservationists working to replicate successful recovery in other depleted areas. It is imperative that this habitat receives the focused protection it desperately needs to ensure its survival and effectiveness as a cornerstone of broader restoration initiatives.



A soft sediment kūtai (green-lipped mussel) bed covered in white-striped anemones off Waiheke Island, February 2024. Photo by Shaun Lee.

Empathy for the situations at Umupuia, Te Mātā and Waipatukahu

We have sat on the beach at Umupuia with mokopuna and kaumātua from Ngāi Tai ki Tāmaki and discussed changes in shellfish populations in the area. It is excellent to have tuangi (New Zealand cockle) numbers come up to levels seen at the turn of the century, however we hope we can be more aspirational than the year 2000 baseline. We have talked to locals who also support this 16 year (since 2008) rolling Rāhui. We have no doubt that reopening the area to harvest would see immediate and drastic declines in tuangi size and abundance. We would like to see community monitoring of these populations funded by MPI (funding was cut in 2015).



Tuangi filtering the water in Mangawhai Estuary. Photo Shuan Lee.

We don't know the Te Mātā and Waipatukahu area very well, but it is important habitat for Threatened species which feed on fish which live or have juvenile life stages that are associated with shellfish beds including kawau tikitiki (spotted shag) and taranui (Caspian tern). We have a lot of empathy for kaitiaki who have to confront visitors who have little regard for beach rules. We do this regularly and would like to see more education or licenses for harvesting introduced. The ongoing declines in pipi despite the closure suggest more enforcement is needed. We have a research interest in the relationship between pipi and kūtai beds. Soft sediment subtidal kūtai recruitment has happened in pipi beds at Mair Bank, Ohiwa Harbour and Okiwi Estuary. It is great to see iwi protecting both species here.

Discrepancies Between Ecological Realities and Legislative Tools

While we stand in absolute support of this collective application, we must express our frustration with the legislative framework that forces these requests to be handled in such a short-term, fragmented manner.

As dictated by the current, outdated legislation, these proposed extensions are capped at a maximum duration of two years per term. The May 2026 application highlights a deeply concerning trend: iwi are being forced into an exhausting, multi-decade bureaucratic loop just to protect basic food baskets—with Ngāi Tai ki Tāmaki defending Umupuia for 12+ years, Ngāti Tamaterā for 6 years, and Ngāti Pāoa for 4 years in two-year increments. The lifecycle of these marine habitats demands far more than a 24-month horizon to establish true ecosystem resilience. While a two-year extension is an absolute baseline necessity to complete the critical Pou Rāhui research programme, it highlights the desperate need to amend the 30-year-old Fisheries Act 1996. The Act must be modernised to allow Fisheries New Zealand to issue Section 186A customary closures that match the true biological timelines required for ecological restoration. The proposed amendments before the select committee do not address this short coming.

We remain deeply concerned by the Crown's historical aversion to overlapping customary closures with existing regional controls. Overlapping protections are a recognised strategy in global marine conservation, affirming the validity of indigenous tools and multiplying ecosystem defenses. Rather than subverting Section 186A closures to other commercial or recreational mechanisms within the Fisheries Act, FNZ should embrace multi-layered spatial protections. If the current statutory tools cannot handle dual-section closures or fail to respect the native boundaries put forward by tangata whenua, then the system itself requires urgent structural overhaul.

Additional recommendations

We note with concern the lack of deep iwi leadership in the review of measures for shore-based shellfish harvesting in the Auckland Coromandel area. We fully endorse holistic, multi-species, large-area, and long-term protection tools for marine restoration outcomes.

We implore the iwi groups to look at using the RMA protection tool which allows for temporary bans for 10 years via regional council Coastal Management Plans. Although the measure is not about managing kaimoana, it speaks to more wholistic perspective of the moana, we hear the need for that in korero from tangata whenua. The 10 year provision fits better with the six year timeframe requested in the 2024 application, the timeframes required to restore abundance from low levels (which seems to be the only way iwi use Rāhui for kaimoana in the Gulf) and fits international standards for 'high protection'.

FNZ's shellfish harvesting review has fallen short (see our full submission). By extending protections to more species and increasing the areas under management, we can significantly enhance the biological diversity and ecological resilience of the Gulf. This proactive expansion would not only aid in the recovery of currently depleted species but also serve as a preventive measure for others not yet at critical levels of decline. A



comprehensive approach, encompassing wider species diversity and larger geographical coverage, would align with the best practices in marine conservation globally, showcasing our commitment to environmental leadership and sustainable management of our natural resources.

Thank you for considering our recommendations.

Shaun Lee
Director
Stet Limited
shaun@stet.co.nz