



Support for Temporary Fisheries Closures at Waiheke Island, Umupuia Beach, Te Mātā, and Waipatukahu.

Stet Limited, 24 April 2024

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 a diver and citizen scientist who works on active and passive restoration initiatives in the Gulf. He is also a trustee of the Mussel Reef Restoration Trust involved in the Revive Our Gulf project.

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, Te Moananui-ā-Toi, 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.

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.



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



Kūtai (green-lipped mussels) recently recruited on to rocks off Waiheke Island, February 2024. Photo by Shaun Lee.

Passionate protection of a critical habitat near Waiheke Island

Our commitment extends particularly to the preservation of a small, soft-sediment kūtai (green-lipped mussel) bed near Waiheke Island, a habitat that has unfortunately become extinct elsewhere in the Gulf. 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 in closure proposals and original application requests

However, while we support the closures, we must express my disappointment over two crucial aspects of how these requests have been addressed.

1. Firstly, as per current legislation, the duration of the proposed closures is limited to two years. In their application iwi have recommended a more robust six-year closure and we fully support this. The additional four years are essential for achieving meaningful ecological recovery and resilience. The lifecycle of many marine species, coupled with the need to restore degraded habitats, demands a longer timeframe to observe significant improvements. Please amend the 27 year old Fisheries Act 1996, to allow Fisheries New Zealand to issue Section 186A closures which exceed two years.
2. Secondly, we are concerned about the exclusion of Ngāti Hei's request for an overlapping closure with existing controls. Overlapping closures are a strategic approach to marine conservation, offering multiple layers of protection that can significantly enhance the effectiveness of recovery efforts. Such overlaps affirm the use of indigenous tools, are more democratic (in that a 186a closure is not subservant to other parts of the Fisheries Act) and increase protection. Overlaps frequently occur in environmental management, where local regulations often differ from those at the regional or national level. We don't see any reason why we can't have two closures under different sections of the Fisheries Act. If not, then we need a better tool for local management.

In light of these points, we strongly urge Fisheries New Zealand to:

1. Support the application in full
2. Reconsider the duration of the proposed temporary closures or change the Fisheries Act
3. Reassess the potential benefits of including overlapping closure areas or change the Fisheries Act

Adopting these measures would not only safeguard our marine resources but also reinforce our commitment to indigenous leadership in conservation efforts. More importantly, such actions align directly with "Management Action 3.2" of the Hauraki Gulf fisheries management plan, which aims to support input and participation of tangata whenua in fisheries management decision making and have regard to tangata whenua-led kaitiakitanga, tīkanga and mātauranga Māori. This action supports iwi in their use of customary and other management tools, including mātaihai, taiāpure, and Rāhui (Section 186A closures).

Implementing these closures would therefore support a strategic, culturally integrated approach to fisheries management in Tīkapa Moana and Te Moananui-ā-Toi, promoting not only the recovery of fished stocks and the ecological health of the Gulf but also the preservation and recognition of kaitiakitanga over these waters. This integrative approach is essential for fostering a resilient, sustainable marine environment that benefits both the



biodiversity of the Gulf and the communities that rely on its health and productivity for their well-being and cultural practices.

By embracing these proposals, Fisheries New Zealand would demonstrate a proactive and holistic approach to environmental stewardship, ensuring that our actions today contribute positively to the long-term sustainability and vitality of Tīkapa Moana and Te Moananui-ā-Toi.

Additional recommendations

Furthermore, while the current proposals for temporary closures mark a significant step forward, we implore the iwi and Fisheries New Zealand to ambitiously consider expanding these measures to include a broader range of species and larger marine areas. Tīkapa Moana, Te Moananui-ā-Toi Gulf is home to a diverse array of marine life, each species playing a crucial role in the ecological balance of our marine ecosystems. Management Action 3.2.3 of the Hauraki Gulf Fisheries Management Plan will develop systems where mātauranga Māori informs and supports fisheries management decision making, including through the identification of fisheries and/or fishing grounds of particular importance to Māori.

We also 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 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'.

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.

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