Hauraki Gulf Forum
Tīkapa Moana
Te Moananui-ā-Toi

SUBMISSION

Fisheries Amendment Bill

1 May 2026

Hauraki Gulf Forum submission to the Primary Production Committee

Contact: Beth Rose
Executive Officer
Hauraki Gulf Forum
EO@haurakigulfforum.org.nz

Website: www.haurakigulfforum.org.nz

Introduction

1. We thank the Primary Production Committee for the opportunity to submit on the Fisheries Amendment Bill 2026.

2. This submission is made in the context of Parliament's longstanding recognition that the Hauraki Gulf / Tīkapa Moana / Te Moananui-ā-Toi is a nationally significant marine environment that warrants a distinct and integrated management framework due to its ecological vulnerability, cultural importance, and cumulative pressures.

3. Parliament gave effect to this recognition through the *Hauraki Gulf Marine Park Act 2000* (HGMPA), which was established to recognise and provide for the historic, traditional, cultural, and spiritual relationship of tangata whenua with the Hauraki Gulf Marine Park, including its islands, shorelines, and marine ecosystems. The HGMPA explicitly acknowledges the Hauraki Gulf's national significance and sets out, in sections 7 and 8, environmental and cultural values that must be recognised and provided for.

4. These provisions emphasise the need for coordinated, ecosystem-based management across land and sea, reflecting both the complexity of the Hauraki Gulf system and the interconnected nature of the pressures acting upon it.

5. The Hauraki Gulf Forum is the statutory co-governance body established under the HGMPA to promote the integrated management and long-term protection of the Hauraki Gulf, its islands, and its catchments. The Forum brings together tangata whenua, local government, and central government representatives, providing a collaborative governance structure for an area where management responsibilities, legislative frameworks, and environmental impacts span multiple jurisdictions.

6. This governance context is particularly relevant to consideration of the Fisheries Amendment Bill. The *Hauraki Gulf / Tīkapa Moana Marine Protection Act 2025* represents recent and decisive legislative action by Parliament to respond to the ongoing decline of the Hauraki Gulf's ecosystems. That Act establishes a new network of marine protections, including marine reserves, high protection areas, and seafloor protection areas. The enactment of this dedicated protection regime reflects broad recognition that existing management settings have not been sufficient to halt degradation and that coordinated, place-based intervention is required to enable ecological recovery.

7. Together, these legislative frameworks demonstrate that Parliament has already determined that the Hauraki Gulf requires integrated, precautionary, and

ecosystem-focused management, and that environmental protection must be a central consideration in decision-making affecting the Gulf. The Hauraki Gulf Forum plays a key role in guiding, monitoring, and advocating for this transition, including ensuring alignment across sectoral regimes such as fisheries, biosecurity, land use, and marine protection.

8. Furthermore, the Bill appears to ignore the direction provided by the High Court in *Environmental Law Initiative v Minister for Oceans and Fisheries [2025]*. The Court confirmed that the Minister has a legal obligation to consider the cumulative effects of fishing on the wider marine ecosystem, and limits the ability of the Minister to manage fish stocks in isolation. By prioritising 'industry certainty' and 'tiered information' for specific species, this Bill risks a return to the siloed management approach that the High Court has already deemed insufficient to meet the sustainability requirements of the *Fisheries Act 1996*.

9. We support reforms that improve environmental outcomes alongside decision-making efficiency. In this submission, we outline concerns that aspects of the Fisheries Amendment Bill risk reducing transparency and re-weighting regulatory settings in ways that prioritise industry flexibility over ecosystem protection, particularly in highly stressed marine environments such as the Hauraki Gulf / Tīkapa Moana / Te Moananui-ā-Toi.

10. We raise clause-specific concerns to the Committee and urge the Committee to reject the Fisheries Amendment Bill in favour of a future, more considered, review of the *Fisheries Act 1996* that is consistent with an ecosystem-based approach. One that priorities sustainability outcomes and upholds Parliament's established recognition of the Hauraki Gulf's national significance, ecological vulnerability, and the need for integrated, ecosystem-based management that supports long-term ocean health and resilient fish stocks.

Why a review of the Fisheries Act 1996 is needed

11. We support a comprehensive review of the *Fisheries Act 1996*. Since the Act was introduced, fishing methods, technology, and monitoring capability have changed significantly. At the same time, fish stocks and marine ecosystems have experienced growing pressures from overfishing and wider human-induced impacts, including climate change, marine heatwaves, pollution, and sedimentation.

12. Recent fisheries closures (tipa | scallops and kōura | rocklobster) and severe management interventions demonstrate that current tools are often reactive rather than precautionary. Any review or amendment of the Act should consider

the overall health of the ocean, recognising that long-term fish stocks are inseparable from ecosystem health. The Hauraki Gulf provides a clear example of cumulative environmental decline and the need for integrated, ecosystem-based management.

Why the Fisheries Amendment Bill 2026 falls short

Clauses 4–7: Purpose, Principles, and Interpretation

13. Clauses 4–7 place strong emphasis on efficiency, responsiveness, and certainty in fisheries decision-making, but do so without correspondingly strengthening the statutory role of transparency, ecosystem health, or ecological recovery. This is a material omission given the Bill enables greater managerial and operational discretion elsewhere.

14. The purpose of the *Fisheries Act 1996* explicitly requires maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations. While this Bill does not explicitly propose changing that purpose, it seeks to carve out operational exceptions that allow the environmental and sustainability principles underpinning the Act to be sidelined. We are concerned that these 'efficiency' measures effectively bypass the statutory requirement to manage fisheries within a wider sustainability framework.

15. In the absence of an explicit statutory signal, there is a real risk that sustainability continues to be interpreted narrowly, focused on short-term stock management within acceptable limits, rather than as a requirement to maintain and restore healthy, functioning marine ecosystems. This is particularly problematic in regions such as the Hauraki Gulf, where cumulative impacts and ecosystem degradation are already well documented and where Parliament has already acknowledged the need for integrated, ecosystem-based management.

Clauses Relating to On-board Camera Footage

16. The Bill proposes to exempt on-board camera footage from the *Official Information Act 1982* and limits disclosure to prescribed circumstances. While the protection of personal privacy and genuinely sensitive commercial information is legitimate, these provisions fundamentally reframe the role of cameras from a transparency and accountability mechanism to a predominantly internal compliance tool.

17. Cameras were introduced to improve trust, verify behaviour, and strengthen confidence in fisheries management decisions; however, establishing a default position of non-disclosure risks undermining those objectives. In practice, this creates an asymmetry: greater reliance on electronic monitoring to justify regulatory flexibility, while simultaneously constraining independent scrutiny of how that monitoring is used. This risks weakening public confidence at precisely the point the system is asking for greater trust in discretionary decision-making.

Clauses Relating to Landing and Return of Catch

18. The Bill allows certain catch that would otherwise be required to be landed to be returned to the sea when monitoring is in place. This represents a significant shift away from long-standing deterrent settings that have underpinned fisheries compliance. While monitoring may verify that returns occur, it does not address the ecological impacts of capture and handling, nor the cumulative effects of normalising return practices across depleted fisheries.

19. This change weakens the incentive structure that encourages selective fishing and avoidance of constrained species. In already stressed ecosystems, such as the Hauraki Gulf, these provisions risk entrenching behaviour that exacerbates ecological imbalance, rather than supporting recovery.

Deemed Values and Deterrence

20. The Bill introduces greater flexibility in deemed value settings, compounding the effects of expanded discard and return provisions. Deemed values are a critical behavioural lever within the Quota Management System, designed to deter over-catch and signal the true ecological cost of fishing decisions. Increasing

flexibility without strengthening ecological safeguards risks eroding their deterrent effect. Taken together, these proposals shift the balance of the system toward accommodating operational preference, rather than reinforcing precautionary, ecosystem-protective outcomes. This creates a real risk that regulatory settings lag behind environmental reality, increasing the likelihood of stock collapse, emergency closures, and costly remedial intervention.

Impacts on Benthic Habitats and Cultural Values

21. If this Bill passes, we hold grave concerns that a move toward 'operational flexibility' will facilitate an increase in destructive fishing practices—such as dredging, bottom trawling, and seine fishing. These methods, which degrade benthic seafloors and destroy the complex ecosystems required for fish recruitment, directly impact the rights of tangata whenua guaranteed through Article Two of Te Tiriti o Waitangi.

22. In Te Moananui-ā-Toi (the Hauraki Gulf), which is already at a breaking point, these changes risk further eroding the mauri (life force) of an already exhausted moana. We cannot support a Bill that makes it easier to continue practices that are fundamentally at odds with the ecological recovery of the Gulf.

Conclusion

23. Transparency, deterrence, and ecosystem health are foundational to effective fisheries governance. We urge the Committee to reject this Bill so that a more considered review of the *Fisheries Act 1996* can happen that may contribute to long-term ocean health, resilient fish stocks, and public confidence in the management of a shared natural resource.

24. While we support the need for review and amendment of the *Fisheries Act 1996*, we consider that this *Fisheries Amendment Bill 2026* does not address the most pressing issues facing fisheries management, nor does it advance the system toward a sustainable future or contribute to restoring balance in degraded marine ecosystems.

25. The Bill largely focuses on operational flexibility and industry efficiency, rather than confronting the structural drivers of ecological decline that have resulted in depleted fish stocks, habitat loss, and the need for increasingly interventionist management responses, including recent fisheries closures.

26. In the absence of reforms aligned with ecosystem-based approaches, such as those articulated in the Hauraki Gulf Fisheries Plan, which seeks to rebuild abundance and support healthy, functioning ecosystems, the financial and environmental costs of inaction are shifted elsewhere.

27. The cost of this approach is already apparent, as philanthropic and community sectors are investing significant resources to repair ecosystem damage that has arisen, in large part, from historical management settings. This includes substantial private and charitable investment in efforts to address kina barrens and restore kelp forests in the Hauraki Gulf Tīkapa Moana | Te Moananui-ā-Toi.

28. Proceeding with amendments that do not meaningfully improve sustainability outcomes risks compounding these costs, by embedding settings that fail to prevent further degradation that require future legislation and costly remediation.

29. In this context, the Bill presents not only an environmental risk, but a financial one for the public, who ultimately bear the consequences of getting fisheries management wrong and having to revisit, undo, or compensate for ineffective legislative choices.

30. For all these reasons, the Hauraki Gulf Forum does not support the Fisheries Amendment Bill 2026.

31. We ask that the Committee take care in reviewing this Bill, and we would welcome the opportunity to present oral evidence to supplement this written submission, given our unique standing as the statutory co-governance body established under the HGMPA to promote the integrated management and long-term protection of the Hauraki Gulf, its islands, and its catchments.

About the Hauraki Gulf Forum

32. The Hauraki Gulf Forum is a statutory governance board established under the *Hauraki Gulf Marine Park Act 2000* to promote the conservation and management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments, for the benefit and enjoyment of the people and communities of the Hauraki Gulf and New Zealand.

33. The Forum consists of representatives from tangata whenua of the Hauraki Gulf and its islands; the Ministers of Conservation, Oceans and Fisheries and Māori Development; and elected members appointed by the Auckland Council, Hauraki District Council, Matamata-Piako District Council, Thames-Coromandel District Council, Waikato District Council and Waikato Regional Council.

34. The Forum is required to present triennial reports regarding the state of the environment of the Hauraki Gulf Marine Park. More information on the Forum and the Marine Park is available at www.haurakigulfforum.org.nz

The Hauraki Gulf Marine Park

35. The Hauraki Gulf Marine Park is New Zealand's first marine park, established by the *Hauraki Gulf Marine Park Act* in February 2000. At 1.2 million hectares (20 times the size of Lake Taupō) it stretches from Te Arai in the north to Waihi in the south and includes the Waitematā Harbour, Gulf Islands, Firth of Thames and the east coast of the Coromandel Peninsula. The Park is the seabird capital of the world, and a whale superhighway, but as successive State of the Hauraki Gulf reports have shown, it is a shadow of its former self.

ENDS