



14 September 2022

Feedback on the National Plan of Action for Sharks 2022

1. This submission is provided jointly by the Deepwater Group Limited (DWG) and Fisheries Inshore New Zealand Limited (Fisheries Inshore). We thank you for the opportunity to provide feedback on the draft National Plan of Action – Sharks 2022 (hereafter referred to as the NPOA).

Who We Are

2. Fisheries Inshore represents 80% by value and volume of the inshore finfish, pelagic, and tuna fisheries of New Zealand. Our role is to deal with national issues on behalf of the sector and to work directly with and on behalf of its quota owners, fishers, committees. As part of that, we work collaboratively with other Sector Representative Entities particularly DWG, as well as Te Ohu Kaimoana, Fisheries New Zealand (FNZ) and the Department of Conservation (DOC).
3. Our key outputs are the development of, and agreement to appropriate policy frameworks, processes, and tools to assist the sector to more effectively manage inshore, pelagic, and tuna fish stocks, to minimise their interactions with the associated ecosystems and work positively with other fishers and users of marine space where we carry out our harvesting activities.
4. DWG represents shareholders which collectively own 92% of all deepwater quota shares in New Zealand. DWG is a non-profit organisation, working with Fisheries New Zealand and other agencies and interest groups, to ensure New Zealand's deepwater fisheries resources are managed to optimise their long-term sustainable yields.

Summary

5. DWG and Fisheries Inshore participated in the preparation of the draft NPOA (and several associated documents). We have demonstrated our commitment to the NPOA since its inception in 2008 and we continue to support and endorse the general tone, message and intent of the NPOA.
6. We generally support the review of and amendments to the NPOA in order to specify performance measures that will facilitate objective decision making in the future. However, we maintain some areas of disagreement and the following feedback is focused on those specific areas, including timelines, resourcing and terminology.

Timeline and resourcing

7. The timelines for some of the performance measures in the NPOA must be reconsidered to account for limited resourcing, funding and implementation timeframes. The objectives of the NPOA will require a significant amount of resourcing from science, management and industry as well as a significant amount of coordination between all parties.
8. While we agree with the balanced tone and the vision of the NPOA, the timelines appear aspirational and at times nonsensical given the limited availability of funds and personnel within both government and industry. Resources available for fisheries management and marine biodiversity conservation are limited and we should not expect that resources will be assigned to shark management or research ahead in priority to wider fisheries or marine biodiversity needs. The NPOA appears to be overly optimistic in its expectations and calls for resourcing.
9. The term aspirational is not used anywhere in the draft NPOA. Nor is the wider context in which the NPOA must operate discussed. We consider it would be appropriate for the NPOA to contain some conditionality and wider context setting to offset overly optimistic expectations being generated.
10. We have similarly seen the overly optimistic timelines with the NPOA Seabirds 2020 and the significant resources that the Plan requires to meet performance measures. We have seen strong criticism from some parties of the failure to achieve performance measures which were better characterised as aspirational. The NPOA Sharks contains performance measures for shark species similar to those set for seabirds but without acknowledging we know far less about sharks than we do about seabirds.
11. In this submission we highlight this concern on a number of occasions including Objective 1.1, 1.2, 1.3, 3.1 and 7.2.

Legislative reforms

12. There may be unintended consequences or limited vision of how the scope of the NPOA will interact with the legislative reforms. The Fisheries Amendment Bill currently before Parliament proposes substantive changes to the landings and discards regime and associated offences and penalties, especially with respect to species that are subject to the QMS (which include a number of species or sharks, rays and chimaeras). In particular, Schedule 6 provisions will be reconsidered on a species-specific basis, with new instruments to be introduced over the period to 2026. While the existing provisions will continue to apply until those new instruments are finalised, there is no certainty that the species provisions as set out in in Schedule 6 will continue to apply in the new instrument. Schedule 6 provisions currently apply in respect of blue shark, mako shark, porbeagle shark, rough and smooth skate, rig and school shark.
13. We are unsure as to how FNZ might wish to portray this uncertainty and the use of references to Schedule 6 in the NPOA.

Terminology

14. The NPOA adopts new or confuses terminology. Throughout the document there are several words that we consider require defining and/or removal for the purpose of consistency. For simplicity these words and associated objectives they are found in are outlined below.

Sharks' versus 'true sharks'

15. The NPOA draft uses the term 'sharks' generally to include all species in the class Chondrichthyes (sharks, rays, skates and chimaeras) and refers to 'true sharks' specifically as

species in the order Selachii. This is problematic on a number of levels. DWG and FINZ submit that this NPOA incorporates a clear definition up front that categorises sharks as *true sharks* (that is, conforming to the order *Selachii*).

16. DWG and FINZ have sought guidance from the NPOAs of other jurisdictions and found that they explicitly distinguish between the orders. For example, the Canadian NPOA Sharks¹ and the UAE NPOA Sharks² explicitly list chondrichthyan species under their correct taxonomic group. In the South African NPOA sharks³ they provide a detailed section on the classification of taxa. It is vital that New Zealand's NPOA Sharks 2022 does the same to clearly distinguish the separate taxonomic groups to recognise the inherent biological differences between them.
17. Both DWG and FINZ note that much of the context in this NPOA refers to sharks in the order *Selachii*, but fails to make this reference explicit. The absence of a clear definition of sharks within this New Zealand NPOA, not only has effects on the ability of New Zealand to harmonise with the international community and other signees of the IPOA sharks with respect to common measures, but even in terms of verifying New Zealand's performance against international 3rd party independent sustainability assessment processes (e.g., the Marine Stewardship Council Fisheries Standard, which is built on International normative instruments, including IPOA sharks and NPOAs from various jurisdictions, not only defines sharks as conforming to the order *Selachii*, it imposes strict measures with respect to this order, and expressly excludes chimaeras, skates and rays). Our broad interpretation of sharks will impede our ability to implement measures where most needed.
18. To these ends it is important that the definition of sharks in New Zealand's NPOA sharks is amended in coordination with other similar jurisdictions, conforms with the accepted definition of sharks as those animals of the order *Selachii*, noting that particular provisions within the NPOA can be broadened to include animals from other orders (e.g., *Chimaerae*, *Rajidae*, or other) from within the class *Chondrichthyes* (sharks, rays, skates and chimaeras) where required.

'Sensitive' - Objective 4.1: Significant and sensitive shark habitats within the Territorial Sea and EEZ are protected through statutory planning and consenting processes.

19. The word 'sensitive' is not used elsewhere in the document prior to this objective, and it is not clearly defined in the terminology of the NPOA. We suspect that it has risen from terminology within Regional Council planning and policy documents. We request that it is defined within the terminology section of the document to avoid confusion.

Endemic – Objective 7.2, Performance Measure 3: Habitats of protected, threatened, breeding and endemic sharks are identified as significant habitats of indigenous biodiversity and sensitive receiving environments in national and regional planning documents

20. We request that the sharks referred to in the NPOA are classified as Native rather than Endemic. Endemic implies that the species are only found in New Zealand, i.e. they are native and restricted to a certain place and that is not true for sharks in New Zealand waters.
21. Other than the potential exception for the great white shark population that is not currently known to mate with any other GWS populations globally, we do not agree with the use of the work endemic for any other shark species within the NPOA.

High-risk

¹ [National Plan of Action for the Conservation and Management of Sharks \(Canada\)](#)

² [2018 - npoa-sharks - uae - national plan of action for the conservation and management of sharks.pdf \(iucnssg.org\)](#)

³ [NPOA Sharks booklet.indd \(iucnssg.org\)](#)

22. We note the frequent reference to high-risk sharks throughout the NPOA but also note that the term is not defined in the NPOA or in any supporting documents. A level 1 qualitative risk assessment was prepared in 2014⁴ and updated in 2018⁵. The risk assessments were based on the Hobday methodology assessing the intensity of effort and the consequences of impacts which could be then multiplied together to give a combined score. That methodology would provide a maximum score of 36 being a high intensity of 6 (captures are locally to regionally high or continual and widespread) and a consequence of 6 (Widespread and permanent/irreversible damage or loss will occur (e.g. extinction)).
23. The distribution from page 15 of the 2018 risk assessment:⁶ was as follows

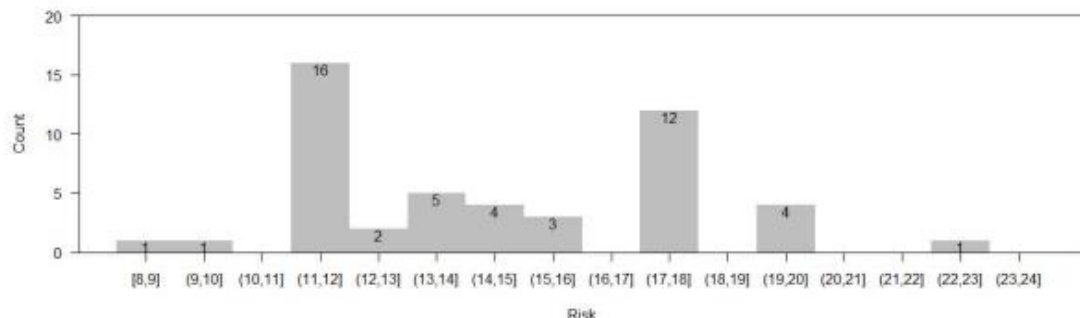


Figure 1 – Distribution of Total Risk Scores for sharks – 2018 Risk Assessment

24. The highest score was 22.5 for Plunket’s shark (a non-QMS species), four other non-QMS sharks had a combined score of 20 and no QMS shark was above 18. No sharks had a consequence score of greater than 4.5, with scores above that being considered to have serious unsustainable impacts now occurring.
25. The development of a SEFRA semi-quantitative risk assessment is in progress but there are as yet no results from that project to inform the NPOA.
26. We contend that, while the NPOA may refer to high risk sharks in respect of research or management activities, we contend there are in fact no sharks in that high-risk category at present that necessitate any management initiatives in respect of the level of fisheries impact. Notwithstanding that, we continue to support the aspirational objectives to reduce unwanted by-catch of all sharks, including higher risk sharks, as expressed in the NPOA.
27. We would prefer to see the term ‘high risk’ be amended to be “higher risk”, thus replacing the absolute definition with a relative term, at least until the SEFRA is able to inform the NPOA better than the current Level 1 Risk Assessment.

The Goals, Objectives and Performance Measures

28. We consider the goals as stated to be generally appropriate. They reflect the focus of the NPOA to ensure the conservation, management and sustainable utilisation of sharks caught by NZ vessels and in NZ waters. However, we have concerns about the potential for unintended consequences that may arise from the restricted and over ambitious timelines, and unspecified

⁴ Ford, R.B.; Galland, A.; Clark, M.R.; Crozier, P.; Duffy, C.A.J.; Dunn, M.R.; Francis, M.P., Wells, R. (2015). Qualitative (Level 1) Risk Assessment of the impact of commercial fishing on New Zealand Chondrichthyans. New Zealand Aquatic Environment and Biodiversity Report No. 157

⁵ Ford, R.B.; Francis, M.P.; Holland, L.; Clark, M.R.; Duffy, C.A.J.; Dunn, M.R.; Jones, E.; Wells, R. (2018). Qualitative (Level 1) risk assessment of the impact of commercial fishing on New Zealand chondrichthyans: an update for 2017. New Zealand Aquatic Environment and Biodiversity Report No. 201

⁶ *ibid*

terminology within the document. The following feedback is therefore focused on specific areas of disagreement within the scope of objectives and the practicality of successfully implementing performance measures.

Goal 1 – Biodiversity and ecological long-term viability of shark populations

Objective 1.1. *Further develop and implement a risk assessment framework to identify the nature and extent of risks to shark species and populations and their functional role within the ecosystem, and support prioritisation of research and management actions.*

29. We support the need to prioritise and focus research, monitoring and management for higher risk and protected shark species. With only limited funding and operational resources available, addressing those species with higher levels of fishing related risk is appropriate. Addressing the mitigation of risk to those species will also have the wider effect of reducing risk to all species facing risks of similar nature – as we see with seabirds.
30. We agree that the proposed performance measures under Objective 1.1 will adequately achieve that.

Objective 1.2 *Systematically review shark management categories, New Zealand threat classifications and protection status to ensure they are appropriate to the risks facing individual shark species whilst incorporating mātauranga Māori*

31. We disagree with the timeline outlined in Performance Measure 1 for Objective 1.2.
32. We know, based on the experience of seabird risk updates, that the process is resource demanding with significant administrative costs once the updates are approved. i.e. updating all the documentation on vessels, government resources, observer documentation etc. All of these factors will need to be considered into timeframes and availability of resources.
33. We disagree that biennial updates of review of shark management categories will be possible without guidance from appropriate risk frameworks and highlight that those are yet to be completely developed and implemented.
34. We suggest that this performance measure be initially assessed on an ad-hoc basis when needed and appropriate rather than over-committing already scarce resources to a maintain a biennial timeline, at least until the development of appropriate risk assessment frameworks outlined in Objective 1.1. have been completed.
35. We are also concerned that recommendations to change the category of a shark species will likely be based on poor data, especially for our protected shark species due to the scarcity of information. Therefore, prior to the implementation of Performance Measure 1, we request further discussion to define the information review process that will be used to guide the development of thresholds that trigger shifts in the management categories of shark species.

Objective 1.3 *Identify habitats of particular significance for maintaining the long-term viability and diversity of shark populations and identify threats/risks to these habitats.*

36. We are concerned about the ability to achieve Performance Measure 1 for Objective 1.3. Identifying habitats of particular significance for many fish stocks has been a convoluted and difficult process, even with good knowledge of those stocks. The task of determining habitats of particular significance for marine species (although not a new concept), is a data and resource intensive process if it is to go further than acknowledging all habitat is important and discern particular habitats that are critical for the ongoing sustainability of the species.
37. Based on our current lack of knowledge, limited planned research, and restricted resources we disagree that performance Measure 1 will be met by 2025 and request that the target is changed to “underway”.

38. While the overall objective of Goal 1 necessarily requires an increase in the amount of relevant data available, the baseline for data on many New Zealand shark species is poor. Hence, determining habitats of particular significance for high-risk shark species will also be extremely difficult, timely and costly.
39. We hold particular concerns for migratory and transient shark species, some of which are protected, including basking sharks, white pointer sharks, whale sharks, oceanic white tips, manta and spinetail devil rays, where data collection will be particularly difficult as their spatial distribution exceeds New Zealand's EEZ. Therefore, we highlight a caveat to Performance Measures 2 where potential management decisions may be made based on limited data and connected assumptions.

Objective 1.4 *Taking an ecosystem approach to fisheries management, catch limits for QMS stocks are set appropriately in relation to the maximum sustainable yield (MSY) or accepted management targets and reference points.*

40. We support this objective and agree the performance measures are appropriate, given the management is led by fisheries managers at FNZ and the industry, pursuant to the Fisheries Act 1996.

Objective 1.5 *Mortality of protected sharks from fishing is at or below a level that allows for their long-term viability.*

41. In principle, DWG and Fisheries Inshore support research investigating declining populations of shark species and understand the associated costs to industry for those that face a high-risk from fisheries interactions. However, we strongly disagree that the cost of research for declining shark species that hold low-risk status and are infrequently caught in New Zealand's commercial fisheries should be levied on quota owners. We expect that for those shark species the research will be driven through the CSP but that the Crown will meet all those costs rather than levying industry.
42. Some shark species listed in the draft NPOA inhabit New Zealand's EEZ only seasonally and local abundance is driven by wider oceanographic factors, These animals spend much of their life outside of New Zealand's waters, for example, the whale shark⁷. Fishing and other anthropogenic threats to the long-term viability of some of these species will come from other regions of the world. This needs to be acknowledged and integrated into any research plans and management framework.

Goal 2 – Ensure full utilisation of sharks

Objective 2.2 *Promote full utilisation of landed shark products, excluding shark fins, by promoting research into new products and markets.*

43. As previously stated, Fisheries Inshore and DWG request that the term 'shark' is defined to avoid conflation across legislative requirements, particularly within the scope of Goal 2 and shark finning.
44. We agree to the prohibition on shark finning introduced in 2014. However, it is inconsistent to promote full utilisation of sharks while excluding any potential for the utilisation of shark fins when they are landed in conformance with fins-naturally-attached (FNA) regulations.
45. Industry use fish by-catch to the extent they reasonably can at present. There have been attempts in recent years to utilise sharks to a greater extent e.g. oil extraction, cartilage powder or

⁷ Duffy, C., 2002. Distribution, seasonality, lengths, and feeding behaviour of whale sharks (*Rhincodon typus*) observed in New Zealand waters. *New Zealand Journal of Marine and Freshwater Research*, [online] 36(3), pp.565-570.

fish meal but they have largely been unsuccessful. Not only have there been technical issues in using the sharks, the volume of shark available appears too limited to support profitable operations. While some species of chondrichthyans are able to be, and are, processed, that cannot be said to be true for all species. The tough dermal scales of sharks precludes general processing of sharks in the same manner as other fish species.

46. Currently Schedule 6 of the Fisheries Act 1996 has provisions for a number of shark species to be returned to the sea dead or alive. As noted earlier, It is unclear whether those provisions will be maintained in the future under the new “landings and returns to the sea” policy determinations. Any change in requirement that requires landing of additional shark species for which there is no utilisation option may simply result in a high volume of those landed sharks being placed in landfills (if that remains possible).

Goal 3 – Avoiding protected and unwanted shark captures and maximising post release survival

Objective 3.1 *Promote behaviour to avoid catching protected and unwanted sharks in all New Zealand commercial fisheries.*

47. We support the intent of Goal 3 and will continue to promote behaviour to avoid catching protected and unwanted shark while maximising the likelihood of post release survival.
48. DWG and Fisheries Inshore have seen a significant improvement in protected species self-reporting across our fleets over the past decade. The current legal requirement (and continued encouragement) to accurately report protected species interactions emphasises the likelihood of this performance measure failing in the near future. Paired with the impending rollout of onboard cameras across the entire inshore fleet, the changes to landings and discards, including the potential “land-it-all” approach being proposed by the government, the level of protected shark species interactions is unlikely to decrease annually.
49. Further, with our current knowledge about protected shark species within New Zealand waters, including several protected species being sub-tropical and/or warmer-temperate water species, we expect that with the effects of climate change and warming sea temperature that our fleets are going to interact with those species more frequently in the future.
50. For example, in the summer of 2021, there were reports of increased sightings of white pointer sharks in the Bay of Plenty and other regions, likely due to the warmer La Nina water. This may have resulted in more frequent interactions between fishers and great white sharks. Associations between shark populations and ocean conditions are poorly understood at present but it is a key consideration when setting a performance measure that is aspirational.
51. DWG and Fisheries Inshore both agree with the philosophy of reducing captures of protected shark species. Commercial fishers do not desire to catch these species and the industry supports relevant and sensible investment into research and mitigation to reduce capture events. However, as mentioned throughout this submission, the current availability of effective mitigation is scarce nationally and globally. To promote behavior change (as objective 3.1 suggests), the performance measures should align closer with the performance measures of Objective 3.2, i.e. We must focus on increasing information available to commercial fishers to help them understand shark captures, the use of bycatch mitigation measures, and increase the distribution of shark-awareness material for commercial fishers.
52. The success of this objective is highly dependent on identification and/or development of new and effective mitigation. At present, we know of no effective or pragmatic option that can reduce the prospects of a shark capture. We simply cannot increase the use of available mitigation while there are no current technical mitigation options available in New Zealand.

53. We are concerned that Performance Measure 1 as worded is achievable, in particular on an annual basis. Due to the current lack of reliable and workable shark mitigation tools, we request that the target is changed to “increasing” i.e. delete “annually”, noting that an effective form of mitigation has yet to be developed.
54. We cannot support Performance Measure 2 as proposed. The expectation that fisher-reported and estimated captures of protected shark species will decrease annually is unlikely in the current fisheries landscape. The introduction of cameras is commonly perceived to have resulted in increased levels of reporting of protected species and fish by-catch. The time period for the implementation of cameras matches the duration of this NPOA. More importantly, the objective is focused on the promotion of behaviour to avoid captures, not the reduction in the number of protected shark species caught. We would have therefore expected the performance measure to focus on promotional activity, e.g. distribution of material on the higher risk periods or other factors that might contribute to the capture of protected species – as are presented in the performance measures for Objective 3.2.

Objective 3.2: *Promote behaviour to avoid catching protected and unwanted sharks in all New Zealand non-commercial fisheries.*

55. We agree with Objective 3.2 and its performance measures.

Objective 3.3: *Maximise live release and minimise harm to protected and unwanted shark species in all New Zealand commercial fisheries.*

56. In order for Goal 3 of the NPOA to be successfully implemented, the performance measures must be workable and achievable within realistic timeframes. Performance measures 1 and 2 under Objective 3.3 are aspirational goals that are largely unachievable. It is clear that notwithstanding the delays of the DRAFT publication of this document these targeted dates were not updated relevant to the document's release.
57. When considering the time and effort needed to achieve certain performance measures, we can use the NPOA Seabirds 2020 for guidance. For example, even with the Protected Species Liaison Programme predominantly focusing on seabird bycatch mitigation and incentivising positive behavioral change for fishers, the progress has been slow.
58. It is unlikely that the updated NPOA will be communicated to all relevant commercial fishers by 2023 and even more unlikely that they will be operationally implemented. Hence, we request that these dates are either extended or completely removed, and the targets are adjusted to be defined as “improving”.

Rationale for Objective 3.3: *“Under the proposed new landings and discards framework, conditions would be able to be imposed to improve the likelihood of survival, such as prescribing specific handling conditions.”*

59. DWG and Fisheries Inshore strongly disagree that operational guidance should be promoted and/or prescribed through policy documents.
60. Prescribed handling conditions of protected species from the government should only be provided as guidelines and recommendations. As an example, the Australian Government has developed guidelines for shark handling⁸, which the NPOA could look to for guidance. At an operational level, crew and vessel safety is paramount at all times and must be managed by the first in command onboard, whose responsibility it is to operate within legislative requirements.

⁸ [Shark-Handling-Guide-2016-Update.pdf \(afma.gov.au\)](https://www.afma.gov.au/shark-handling-guide-2016-update.pdf)

61. All deepwater vessels are provided with the Shark Operational Procedures which outline the best practice handling of sharks whereby industry ensures the safety of crew and vessel are put first. Incidental captures of large sharks (e.g. basking sharks and white pointer sharks) can be dangerous for crew. Any prescriptive regulatory measures to return sharks to the sea may conflict with the over-riding health and safety measures.
62. Additionally, through the Protected Species Liaison Programme the inshore fleets are provided with relevant handling and crew safety guidance information produced by DOC. Fisheries Inshore strongly disagree with these being made mandatory, particularly through a prescriptive measure within the landings and discards framework. We know from experience that tight specifications can create many difficulties given the classic “no one size fits all” scenario.
63. Fisheries Inshore supports DWG’s reasoning to maintain independent responsibility for safety of the crew and vessel at the operational level. Those safety requirements are guided by legislation under Maritime New Zealand and further tailored to be vessel-specific at the operational level by the Master of the vessel. We request that any further consultation regarding the rationale for Objective 3.3 includes relevant personnel from that agency and industry.

Goal 4 – Non-fishing threats

64. DWG and Fisheries Inshore recognise the need to manage non-fishing threats to shark populations and associated habitats. We agree that there is a need to integrate these threats into the framework of the NPOA, however we are concerned about the convoluted process of identifying the relevant organisations and personnel involved.
65. It is important to note that the NPOA arose from the suggestion within the IPOA-Sharks that encourages that states of the FAO that conduct fisheries either targeting sharks, or regularly taking sharks as incidental bycatch, to develop an NPOA. It is therefore considered a fisheries document and we strongly believe that the predominant focus and use of required resources and personnel involved should be focused on fisheries related issues for sharks.

Objective 4.1: *Significant and sensitive shark habitats within the Territorial Sea and EEZ are protected through statutory planning and consenting processes.*

66. We support this Objective however request that all relevant stakeholders are included from the inception of any planning regarding these processes, particularly the commercial fishing industry. As we have outlined previously, we are supportive of research regarding species known to be at high-risk from fisheries interactions however, we expect that the Crown will cover any research costs arising from species with little known fisheries interactions.

Objective 4.4 *The effects of global climate change and ocean acidification on sharks in New Zealand waters are understood and considered in planning and consent processes.*

67. As we have previously outlined, for objectives to be effectively implemented the performance measures require realistic timelines and scope to allow for future change. We request that the timeline for identification of potential effects of climate change and sea level rise on habitats of sharks is expressed as a continuum of learning rather than a definitive date (2025).
68. The effects of climate change and sea level rise on the habitat of sharks are not static, they will continue to vary spatiotemporally, and we must aim to increase our knowledge about those effects over time. We expect this research will continue beyond 2025, and only increase in importance.

Goal 5 – Better Integration of Tangata Whenua Perspective and values

69. DWG and Fisheries Inshore acknowledge the legislative requirements of the government to Tangata Whenua under the Fisheries Act 1996. We expect that any engagement and consultation by government under the NPOA within the scope of the Fisheries Act 1996 will act in compliance with the Deed of Settlement. Further, for any engagement and consultation under the NPOA that occurs outside of the scope of relevant legislation, we expect that the government will act in a manner that is guided by the principles of The Treaty.
70. On that basis we support the goal, Objectives 5.1 and 5.2 and the associated performance measures being undertaken by the Crown at its cost. We would note that it will be up to the Treaty partners to decide the fora used for discussion of these interests and do not think that the NPOA should confine that to only those noted. It would be better to refer to these as examples of where it might be done than limit it to only those.

Goal 6 – International Engagement

71. We support the goal, Objectives 6.1, 6.2, 6.3 and the outlined performance measures, noting that we only have the power to influence and guide management and conservation of shark species but cannot direct it outside of New Zealand.

Goal 7 – Research, data and information

Objective 7.1 *Ensure adequate monitoring and data collection for all sectors (including commercial, recreational and customary fishers and non-extractive users) to inform management of shark populations.*

72. Fisheries Inshore and DWG support the focus of this objective that aims to ensure adequate monitoring and data collection is available and implemented across all sectors. We expect that all future associated costs are recovered proportionately to each relevant sector. We request confirmation that the Crown will continue to fund recreational, customary, and non-extractive user costs. We, the Industry, will continue to support relevant and adequate monitoring and data collection for the commercial sector either via direct purchased research or through cost recovered levies.

Objective 7.2 *Undertake a research programme to increase understanding of shark populations (e.g. biology, stock status, functional role within ecosystems, non-fishing anthropogenic impacts and habitats of particular significance).*

73. We are extremely concerned about the scope of this proposed research programme and the substantial amount of funding required in order to implement it successfully. The target for Performance Measure 1 whereby 'knowledge gaps are filled' is extremely vague and we do not agree that this is appropriate nor is it adequately measurable.
74. This proposed programme and the associated process for research planning in this domain must be well-planned and documented. Research prioritisation needs to be guided by updated and relevant risk assessments, as we generally see with seabirds. Funding must be appropriately apportioned between relevant parties including principal investment from the Crown where the risk from commercial fisheries is less than adverse.
75. There must be a clear definition between fisheries research and priority conservation research for protected and high-risk species. The planning process must be objective and meet the requirements for species both within the QMS and those eligible for research priority within the CSP. We strongly believe that it remains the responsibility of fisheries managers within FNZ to determine the need for research for shark species within the QMS, not the Shark Advisory Group.

76. We emphasise the need for threat management plans for high-risk species where relevant. We have seen the downfall of the lack of species-specific population management plans for high-risk seabirds within the NPOA Seabirds, with continued competition for priority funding from a small financial pool and uncertainty regarding the upkeep of valuable longstanding time-series monitoring. We request the early development of threat management plans for relevant shark species in order to contribute to timely and objective decision-making regarding research prioritisation.
77. We cannot support Performance Measure 3 as proposed. It is entirely appropriate that research should be undertaken to identify the habitats of significance to populations of protected, threatened, breeding and endemic sharks. The content in Performance Measure 3 relating to the need for identification of significant habitats for protected and threatened shark species as significant habitats of indigenous biodiversity and sensitive receiving environments¹⁶ in national and regional planning document is not a matter for research as such. The need to manage such habitats is more appropriately located, and is satisfactorily contained in Objective 4.1 -Significant and sensitive shark habitats within the Territorial Sea and EEZ are protected through statutory planning and consenting processes.

Objective 7.3 *Undertake a research programme to improve knowledge of how to avoid unwanted catch and minimise harm to sharks.*

78. We agree with and support the need to undertake capture mitigation research, where it is necessary and appropriate to do so. In such cases, industry will strive to provide expertise, vessel resources and support as appropriate to undertake focused research.
79. Again, we emphasise the planning process for these projects must remain objective and focused, in order to maximise our knowledge of specific issues for high-risk or protected shark species while working within the constrained CSP budget.

Implementation

Fisheries Plans

80. Fisheries Inshore are concerned about the continued absence of a National Inshore Finfish Fisheries Plan and the lack of an associated Annual Operational Plan. We note that a Fisheries Plan exists for the HMS and Deepwater sectors and see no credible reason as to why an Inshore Plan should not guide management of those stocks and by-catch.

Funding

81. As previously mentioned, we are concerned about the process of securing adequate research funds via DOC's annual vote allocation system and FNZ's research planning processes. We are only too aware of the lack of funding available for research and management of marine biodiversity. Funds and resources for lower risk species such as sharks will always be limited as a consequence and that reality needs to be reflected in the NPOA Sharks. Notwithstanding the issues associated with resources and funding, industry will continue to support resources being sought and made available as appropriate.

Governance

82. We support the continuation of the current forums that we have been engaged in during the planning process. However, we are concerned about the lack of a consolidated fisheries planning process and adequate consultation for the inshore sector. We request that FNZ aims to address this.

83. We agree that a biennial review provided to the Shark Advisory Group is adequate in order to provide recommendations for any potential review of the NPOA. We expect that, if a review is required prior to the scheduled biennial timeline, there will be sufficient leadership from DOC and FNZ working with the Shark Advisory Group to act in a timely manner.
84. As we highlighted in our joint submission for the NPOA Seabirds – 2020, we consider that the Shark Advisory Group is well placed to be consulted on research plans under the NPOA Sharks, and guide the alignment of projects, without ending up with a doubling up of meetings and presentations on such matters.

General

85. The implementation section of the NPOA is currently a high-level overview of funding, coordination and governance however it offers little operational guidance. We are happy to support further drafting of this important component.
86. The delivery framework is critical to the persistent and consistent delivery of resources, tools and procedures across the relevant sectors to adequately implement the NPOA. We recognise that the plan will evolve and actions for future years will develop according to the performance of the NPOA and we look forward to discussing the delivery framework further within the Shark Advisory Group.
87. Thank you for the opportunity to provide a submission. We would welcome the opportunity to engage further on any of these matters.

Yours sincerely

For Deepwater Group



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