

In Confidence

Office of the Minister of Fisheries  
Office of the Minister of Conservation

Chair, Cabinet Environment, Energy and Climate Committee

## **CONSULTATION ON NATIONAL PLAN OF ACTION – SEABIRDS (2020)**

### **Proposal**

1. This paper informs the Cabinet Environment, Energy and Climate Committee of our intention to release the draft National Plan of Action – Seabirds (2020) (NPOA Seabirds 2020) for public consultation.

### **Background**

2. As a signatory to the Food and Agriculture Organisation of the United Nations International Plan of Action – Seabirds, New Zealand is obligated to have a National Plan of Action for Seabirds.
3. Broadly, the National Plan of Action – Seabirds defines overarching objectives for the prevention, monitoring, and management of incidental seabird captures in New Zealand fisheries, and how these objectives are to be achieved.
4. New Zealand's first National Plan of Action – Seabirds was published in 2004, with a second iteration published in 2013.
5. The vision, goals and objectives of the draft NPOA Seabirds 2020 are included as Appendix One to this paper.

### **Review and update of National Plan of Action – Seabirds (2013)**

6. The process of reviewing the National Plan of Action – Seabirds (2013) began in 2017. It has been undertaken jointly by the Department of Conservation and Fisheries New Zealand.
7. Advice to the two agencies has been provided throughout the process by the independently-chaired Seabird Advisory Group, which was established in 2013. The Seabird Advisory Group is the means by which government agencies (including the Ministry of Foreign Affairs and Trade), environmental groups, commercial and recreational representatives, and Te Ohu Kaimoana can advise and have input on the management of the impacts of fishing on seabirds. The Group has met 11 times since July 2017, when the review commenced.
8. A key consideration for the Department of Conservation and Fisheries New Zealand in developing an updated National Plan of Action – Seabirds has been ensuring that the goals and objectives are achievable, measurable, clear and easily understood, and that monitoring of progress towards the objectives is simplified.

9. For each objective in the draft NPOA Seabirds 2020, performance measures have been developed that will enable progress towards the objectives to be transparently and readily documented. Progress will be reported in a Seabird Annual Report, which the two agencies will develop and publish.
10. Within the membership of the Seabird Advisory Group, there is broad support for the goals and objectives set out in the draft NPOA Seabirds 2020. However, there are differing views on the vision and some of the performance measures; representatives from environmental groups feel that the plan is not ambitious enough and have expressed a clear desire for a 'zero bycatch' vision. They consider some of the performance measures should reflect this vision.
11. The draft NPOA Seabirds 2020 includes the vision that the Seabird Advisory Group agreed to earlier in the process and is supported by fishing industry representatives. There was not agreement from all members of the Group to amend or to include a new zero bycatch vision in the draft document for consultation.
12. A five-year Implementation Plan has been developed that sets out the work that will be undertaken to give effect to the objectives in the draft NPOA Seabirds 2020. The Implementation Plan will be a living document that is updated annually by the two agencies, in consultation with the Seabird Advisory Group, over the five year span of the NPOA Seabirds 2020, and will provide additional transparency and accountability for stakeholders.

### **Consultation**

13. Officials from the Department of Conservation and Fisheries New Zealand, with involvement from the Ministry of Foreign Affairs and Trade, have worked closely together on the development of the draft NPOA Seabirds 2020.
14. Advice has been provided to the departments by the Seabird Advisory Group.
15. Engagement with iwi has been undertaken via a series of iwi fisheries forum meetings held in November/December 2018. Feedback from the iwi forum meetings included recognition of the need to protect seabirds, and general support for the draft goals and objectives.

### **Financial Implications**

16. There are no financial implications for the Crown of releasing the document for public consultation.

### **Legislative Implications**

17. There are no legislative implications for the Crown from releasing the draft NPOA Seabirds 2020 for public consultation. No legislative amendments will be required to implement the NPOA Seabirds 2020.

18. The regulatory impact analysis requirements do not apply to the proposals in this paper as the decisions being sought are not regulatory proposals. A regulatory impact assessment is therefore not required.

### **Publicity**

19. As part of the process of developing the draft NPOA Seabirds 2020, Fisheries New Zealand and the Department of Conservation have developed a communications plan. The communications plan includes a press release that announces the start of public consultation and also contains a link to the draft plan and web content.
20. Some stakeholders may feel the draft NPOA Seabirds 2020 does not do enough to address the risk posed to seabirds by fishing and may criticise the document.
21. The communications plan includes proactive messaging acknowledging that there is more work to be done to protect seabirds, which is why the NPOA Seabirds 2020 is being updated.

### **Proactive Release**

22. Following Cabinet consideration we intend to release this paper in full.

### **Next steps**

23. Following the six-week consultation period, officials will consider all submissions and prepare a final NPOA Seabirds 2020 for approval by the Minister of Fisheries and the Minister of Conservation in early 2020.

## 24. Recommendation

The Minister of Fisheries and the Minister of Conservation recommend that the Environment, Energy and Climate Committee:

1. **Note** our intention to release a draft National Plan of Action – Seabirds (2020) for public consultation in late November 2019.

Authorised for lodgement

Hon Stuart Nash  
Minister of Fisheries

Hon Eugenie Sage  
Minister of Conservation