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Spatial Allocations Team
Ministry for Primary Industries
Private Bag 14
Nelson 7042
Email: fishfarm@mpi.govt.nz

NEW SPECIAL PERMIT PURPOSE – FERAL OYSTERS

Introduction

1. This submission is from Te Ohu Kaimoana Trustee Ltd (Te Ohu) in response to the Ministry for Primary Industries (MPI) consultation document “Proposed Ministerial Purpose for Issuing a Special Permit – Collection of Wild Oysters” dated January 2013.
2. Te Ohu was established under the Maori Fisheries Act 2004. The purpose of Te Ohu is to advance the interests of iwi individually and collectively, primarily in the development of fisheries, fishing and fisheries related activities.

Summary of the Proposal

3. MPI is seeking submissions on a proposal to establish a new purpose for issuing special permits under section 97(1)(c) of the Fisheries act 1996. The proposed purpose is to: *“provide interim relief so that marine farmers affected by the oyster herpes virus can take wild (feral) Pacific oysters for the purpose of relay and/or transfer onto a marine farm for on-growing and sale without the requirement to hold a commercial fishing permit and land to a licensed fish receiver, subject to food safety requirements.”*
4. Special permits issued under this purpose will be valid for a maximum of three years and will enable an oyster farmer (whose business is affected by the herpes virus) to take wild (feral) oysters for relay and/or transfer purposes onto their marine farm for on-growing and sale, subject to food safety requirements.
5. Special permits issued under this purpose will specifically exempt farmers from the commercial fishing requirements to hold a fishing permit to gather wild oysters and land to a Licensed Fish Receiver (LFR).

Submission

6. Te Ohu acknowledges that the intention of this proposal is to provide interim relief to affected oyster farmers in light of high oyster mortalities and associated financial hardship as a result of the herpes virus.
7. Te Ohu is supportive of this proposal, but would like the following matters considered when authorising a special permit:

Issue	Recommendations
Customary fishers are able to continue to gather wild oysters	<p>If there are concentrated areas in which wild oysters will be collected under the special permits, it is recommended that relevant iwi be engaged and informed about the potential impacts that the collection of wild oysters may have on customary fishers.</p> <p>Te Ohu would be happy to assist with identifying the appropriate iwi to engage with.</p>
Avoid the spread of the herpes virus during the transfer of wild oysters on to oyster farms	MPI to enforce the special permit conditions and ensure permit holders are operating in accordance with the Biosecurity Act 1993 and the Animal Products (Regulated Control Scheme-Bivalve Molluscan Shellfish) Regulations 2006.
	Areas where wild oysters will be collected under the permits should be regularly tested to ensure no spread of the herpes virus.
Over exploitation of the wild stocks could negatively impact on the future collection of oysters, both for customary and commercial purposes.	Understanding the capacity of the wild oyster stocks is going to be critical to ensure that the current wild stock will be able to sustain the increased take of wild oysters over the period in which permits will be approved.
	The collection of juveniles (not adults) should be a condition of the permit, to avoid farmers from taking stock from the wild and selling it on immediately.

8. Thank you for the opportunity to submit on this issue. If you have any questions about this submission please contact the writer directly.

Beth Tupara-Katene

Senior Analyst

Te Ohu Kaimoana Trustee Ltd

DDI: (04) 931 9532

Cell: (021) 032 4478

Email: beth.tupara-katene@teohu.maori.nz