



NZ ROCK LOBSTER INDUSTRY COUNCIL LTD

Ka whakapai te kai o te moana

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NZ RLIC comments on TTR's application under the FTAA 2024

1. The NZ RLIC is the umbrella organisation for the nine regional organisations known as CRAMACs, which operate in each of the rock lobster (CRA) management areas of New Zealand. CRAMAC membership comprises CRA quota owners, processors, exporters, and fishermen (quota share owner-operators and Annual Catch Entitlement (ACE) owners) in each region. All nine CRAMACs hold a significant majority mandate of rock lobster quota shares owned in the regions. CRAMACs are the shareholders in NZ RLIC, and appoint the Board of Directors.
2. NZ RLIC represents about 430 quota share owners in the nine CRA stocks nationally and the PHC stock. CRA rock lobster landings in the 2024/25 fishing year were 2,850 tonnes, almost all of which was exported live to Asian markets. PHC landings were 49 tonnes. Rock lobster generated export revenue (FOB) of around \$350 million in calendar year 2024. The industry deploys around 210 vessels¹, employs 1,800 people directly and indirectly in the harvesting sector², lands lobster at around 100 landing points with that product going to about 37 depots, processing and export facilities. The industry supports an extensive network of transport, engineering, electronics and provedoring businesses.

Comment

3. NZ RLIC supports the position outlined by Seafood New Zealand (SNZ) in its document provided to the Panel on 3/10/24.
4. We support SNZ's opposition to the application unless conditions address uncertainty and adverse effects. TTR's proposed mining activity has uncertain impacts on fisheries resources, fish³ habitats and commercial fishing. We recommends conditions that are intended to rectify information deficiencies and require TTR to mitigate any adverse effects that arise. If these conditions are accepted, NZ RLIC would not oppose TTR's application.

¹ landing > 1 tonne annually in 2023/24

² BERL 2021

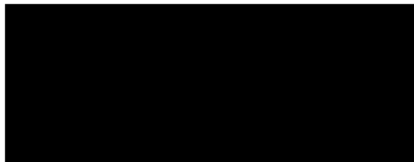
³ Where "fish" are referred to in this submission this includes crustacea and shellfish-

5. TTR's proposed mining activities overlap with commercial fisheries. The South Taranaki Bight (STB) supports a diverse range of healthy, productive and valuable commercial fisheries including the coastal rock lobster fishery. It is potentially affected by off-site impacts.
6. We do not believe that TTR has understood or provided adequate information on impacts on commercial fishing. TTR has provided insufficient information to properly evaluate the likely effects on the existing interests of the commercial fishing sector. The application rests on an incorrect assumption that if there are no significant adverse biological or ecological effects on fish, there will be no adverse effects on commercial fisheries. TTR has not undertaken any analysis of how environmental changes affecting fish may adversely affect the activity and economics of fishing in the STB. TTR's conclusions about adverse effects on the environment or fisheries at the scale of FMA 8 or the STB are not applicable to the localised scale at which fishing actually takes place or the scale at which fishers may experience adverse effects.
7. Localised adverse effects on fish will have impacts on commercial fishing. TTR's activities may cause localised changes in the distribution, productivity or abundance of commercially harvested fish. Impacts on fish can have adverse effects on the business of fishing, including making it harder to find and catch fish, requiring changes to the Annual Catch Entitlement (ACE) held by a fisher, increasing the cost of fishing, and reducing revenue and profitability. It may also cause displacement – for example, impacts of increased sediment load on the rock lobster fishery in the southern parts of the area may cause a shift in fishing effort (including recreational fishing effort) north an increase pressure on the resource and spatial competition between sectors. Rock lobster phyllosoma spend up to 18 months in the plankton in deep water – they may be adversely affected by sediment and noise affecting recruitment to the fishery. The significance of the adverse effects will depend on the intensity, duration and scale of the impacts. There is considerable uncertainty and knowledge gaps in relation to these matters, particularly in relation to cumulative effects of multiple stressors. Impacts will also depend on the circumstances of individual fishers, including their dependence on the affected area, ACE holdings, and the size and resilience of their business.
8. There is considerable uncertainty in TTR's plume model and other aspects of the environmental assessment. If impacts on harvested fish species occur across a broader scale than has been predicted, then more significant adverse effects on commercial fishing may occur, including reductions in total catch and/or quota value.
9. Commercial fishing effort will be displaced at and around the mining site and may be displaced from wider areas impacted by the activities. Cumulative spatial displacement is already significant. Commercial fisheries in the area are subject to extensive existing spatial exclusions, including regulatory closures, safety zones and submarine cable and pipeline protection zones around oil and gas infrastructure.
10. Hazards and safety risks for commercial fishing have been identified. Other adverse effects on commercial fishing include hazards and physical exclusion of fishing as a result of post-mining pits and mounds, actual or perceived impacts on seafood quality, and environmental and safety risks arising from unforeseen events (e.g., oil spills, collisions, biosecurity incursions).
11. Habitats of particular significance for fisheries management should be protected. The Fisheries Act 1996 is an "other marine management regime" that must be taken into account by the panel. The Act's provisions relating to the protection of HPSFM are therefore a relevant consideration.

12. SNZ has recommended conditions to address potential adverse effects on commercial fishing. We support those conditions including;
- a) requiring TTR to ensure that adverse effects on fish and shellfish are mitigated and, where practicable, avoided, including specific reference to underwater noise;
 - b) conditions requiring pre-commencement monitoring and ongoing monitoring, including the preparation and implementation by TTR of a Fish Monitoring Plan;
 - c) a mechanism to enable commercial fishers to raise concerns so that they can be transparently investigated and resolved including the changes in scope of the engagement suggested by SNZ;
 - d) amending proposed condition 60 to include reference to the NZ Rock Lobster Industry Council;
 - e) all areas of HPSFM that are identified by Fisheries New Zealand in the affected area (i.e., the Sediment Modelled Domain), whether identified before or after the commencement of mining, should be added to the Benthic Monitoring Sites in Schedule 4. Fish monitoring should be undertaken at the benthic ecology monitoring sites, particularly at those sites that are considered to be HPSFM; and
 - f) further consideration should be given to measures necessary to ensure recovery from impact occurs, potentially including the payment of a bond by TTR to the EPA to guarantee that necessary research and remedial actions will be undertaken and the intended recovery will be achieved.

Enquiries on this submission can be directed to the signatory below.

NZ Rock Lobster Industry Council



Chief Executive Officer