

New clam fishery expects \$30m annual harvest.	2
Court flogs Fisheries Ministry for its unfair and illegal actions.	3
Iwi co-op sees jobs and dollars in surf clams.	6
COMPANY WANTS MORE CLAMS.	8
SURF CLAMS ON BOARD FOR MILLENNIUM.	9
CLAM EXPORTS 'UNDER THREAT' FROM TRANZ RAIL PLAN.	10
Clams could earn \$100m a year.	11
NEW ZEALAND sales can reach new heights. (2 of 2).	12

New clam fishery expects \$30m annual harvest

by Jonathan Dow
373 words
23 August 2006
New Zealand Herald
English
(c) 2006 The New Zealand Herald

Tuatua and six other species of "surf clams" will be harvested from the Hawkes Bay seabed from next year as a new multimillion-dollar fishery is established.

A consortium of fishing companies, Surfco, which owns the quota for seven species of clam in Hawkes Bay, has estimated each kilometre of the coastline could yield 16 tonnes of clams a year.

The clams are buried in sand, 2m to 6m below the low-tide line.

The National Institute of Water and Atmospheric Research will begin three months of research next month, from Westshore to Bay View and from Marine Parade to Haumoana.

The results of the study into the surf clam populations in Hawkes Bay will be presented at a public meeting.

Surfco chairman Tony Craig said all the sandy beaches were to be investigated but the company had decided to start in the bay because the seabed was ideal.

He was keen to keep the local community informed of the fishery plans and from next month people could see a 13m research catamaran working in the Napier surf zone.

"Early indications suggest the long-term sustainable fishery will be worth at least \$30 million a year."

Ngati Kahungunu has a share in Surfco through its share in Aotearoa Fisheries and Te Ohu Kai Moana Trustee which, with New Zealand Surf Clams and Armitage Fisheries, are part of the consortium.

The Government introduced seven species of surf clams into the quota management system last year and Surfco has all of the 20 tonnes of quota assigned to the area from East Cape to Wellington.

Mr Craig said that was set as a development level to allow research into what fishery existed.

Aquaculture consultant John Cranfield said a survey of the Nuhaka seabed in 1991 found 64 tonnes of the seven varieties of surf clam in an area that ran 350m along the beach and 450m out to sea.

Dr Cranfield said the clams would be harvested by pumping water into the sand, to float the clams into a catch bag.

The environmentally friendly method was developed at New Zealand's only existing commercial clam fishery in Marlborough, he said.-HAWKE'S BAY TODAY

CLAM23

Document NZHLD00020060822e28n00013

Court flogs Fisheries Ministry for its unfair and illegal actions.

By TIM DONOGHUE.

1,125 words

30 July 2003

The Independent Business Weekly

English

(c) 2003 The Independent Business Weekly

The High Court has ordered the Fisheries Ministry's chief executive Warwick Tuck to lift his ministry's unlawful moratorium on the geoduck and whelk fisheries and issue commercial fishing permits to Nelson-based Westhaven Shellfish Ltd.

In making the order Justice Lowell Goddard pilloried the ministry for prohibiting Westhaven from fishing for geoducks (deep-water, long-necked **clams**) and whelks (small sea snails) since 1992.

Noting the ministry's 1992 decision was made, in part, to avoid jeopardising Maori interests, she ordered Tuck to go back to the drawing board and treat Westhaven in a fair and even-handed fashion.

If Westhaven did not receive satisfaction from the ministry, Justice Goddard advised the company to return to the High Court for justice.

Westhaven's battle with the bureaucrats began in 1988 when it started fishing for geoducks and whelks under sections 63 and 64 of the Fisheries Act 1983.

The company was issued with a permit to carry out research work by taking one tonne of geoducks between March and May 1988.

The following year Westhaven sent divers down in Golden Bay.

Operating with hookah gear at about 20 metres, the divers blasted away the soft mud with air hoses, grabbed the exposed geoducks by their long syphons, and bagged them.

By the early 1990s the company had, at considerable expense, proven the potential of a new multimillion-dollar fishery.

Based on the results of the preliminary research, scientists employed by the former Ministry of Agriculture and Fisheries (MAF) recommended that Westhaven be granted an annual permit to take 100 tonnes of geoducks.

The ministry refused to extend Westhaven's special permit on the grounds that this sort of permit is granted to explore a new fishery and Westhaven had already done this.

So, on 11 September 1992, Westhaven applied for a permit to fish commercially and was turned down - apparently because granting a permit would jeopardise Maori interests.

There is no record of Maori ever harvesting geoducks.

The Crown's fishing rights negotiations with Maori were successfully concluded on 23 September 1992 and enacted as the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 on 14 December 1992.

The ministry stalled Westhaven's application.

There was a note on the ministry's file that Westhaven should not be told its permit application had been denied until a moratorium on granting all new permits came into effect - by which time it would be too late for Westhaven.

The ministry imposed this moratorium on 18 December 1992.

Following the introduction of the Fisheries Act 1996 Westhaven once again applied for permits under the review process set out in the new legislation.

Westhaven said it had conducted considerable research into the fishery at its own expense in

expectation of commercial permits being issued - to no avail.

Westhaven went to the High Court seeking a judicial review of the ministry's 1992 decision to reject its application.

The judicial review was heard by Justice Lowell Goddard in the High Court last October. The decision was reserved.

Then, on 3 March this year, when Justice Goddard was still considering Westhaven's judicial review case, Fisheries Minister Pete Hodgson decided to introduce geoducks and whelks into the quota management system (QMS) from 1 October this year.

Doing this would have rendered Justice Goddard's decision nugatory before she had even delivered her judgment.

Bringing geoducks and whelks into the quota management system would also have deprived Westhaven - the company that pioneered the geoduck fishery and the only New Zealand company with any experience in this fishery - of any rights to geoduck quota.

It would have allowed the ministry to allocate geoduck and whelk quota, based on Westhaven's research, and sell it to the highest bidder.

On 11 March 2003, Westhaven went back to the High Court seeking to have the gazetting of Hodgson's QMS decision stalled until Justice Goddard produced her decision.

The High Court declined this application.

Westhaven asked for an urgent Appeal Court hearing and on 28 March the court found in Westhaven's favour.

This stayed Hodgson's hand until Justice Goddard's decision came out - which it did on 21 July.

Justice Goddard's decision means Hodgson can't put geoducks and whelks into the QMS for the new fishing year until a satisfactory agreement has been reached with Westhaven.

Justice Goddard was scathing in her criticism of fisheries ministry officials' handling of Westhaven's applications.

When granting the company all the relief it sought, Justice Goddard found the review work undertaken by the ministry's policy operations staff to have been unlawful. She ruled that deputy group director of fisheries Bruce Shallard's 18 December 1992 decision to impose the moratorium was unlawful.

The ministry subsequently erred in failing to recognise this illegality when conducting its subsequent review of Westhaven's permit applications six years later.

"By failing to regard Westhaven's particular circumstances and history as relevant, Mr Shallard also failed to appreciate that Westhaven had a legitimate expectation (if not a legal right) to have the feasibility of being issued with a specially conditioned fishing permit under s63 (4) (of the 1983 Act) considered in response to its geoduck and whelk permit applications," Justice Goddard said.

She said it was reasonable to infer Shallard and his colleagues knew from 11 September to 18 December 1992 (the period in which the ministry stalled Westhaven's application) that the moratorium would be imposed on the latter date.

"The unexplained delay of almost three months that occurred between receipt of Westhaven's geoduck and whelk permit applications and Mr Shallard making his decisions is significant in judicial review terms.

"That delay can only be categorised as unreasonable and unfair. It is indisputable that it irretrievably prejudiced Westhaven's chances of obtaining a suitably conditioned commercial permit for the 1992/93 fishing year and it also prejudiced Westhaven's opportunity to test those decisions on review after 18 December 1992.

"The only reasonable inference to be drawn is that the delay in processing the applications was deliberate," Justice Goddard said.

Indeed, an anonymous note attached to Shallard's decision - and subsequently obtained by the company under the Official Information Act - included an instruction not to formally decline Westhaven's permit applications until after the imposition of the 18 December 1992 moratorium.

This case is not Westhaven's only legal battle with the ministry.

Earlier this year Westhaven won an Appeal Court victory - the finale in a 10-year battle to win rights to fish for cockles (The Independent 19 February 2003).

In the cockles saga, the courts deemed the ministry's decision-making illegal, unfair, unreasonable and apparently motivated by bias.

Document INDBUW0020030804dz7u0000t

Iwi co-op sees jobs and dollars in surf clams.

By Robyn Firebrace.
708 words
24 February 1999
Independent Business Weekly
English
(c) 1999 The Independent Business Weekly

Willie Packer was a freezing worker in Foxton until he was made redundant in the late 1980s.

Today, he is at the forefront of a new fishery - surf **clams**.

He and some former freezing worker mates and fishermen expect the new venture to provide much-needed jobs for the Foxton Beach community.

Packer and the Taihauauru Surf Clam Cooperative have spent the past eight years researching the viability of commercially harvesting surf clams, a small shellfish found just beyond the breakers around New Zealand's coastline.

The co-operative is talking to the five iwi along the coast, from Rangitikei to Paraparaumu, hoping they'll join the co-op.

Packer says harvesting the entire coastline could bring in about 250 tonnes of clams a year and provide much needed jobs. "I'm interested in looking after the resource and creating local employment," he says.

The group has received support and \$1 million in funding from the Maori Fishing Commission, Moana Pacific, Taskforce Green, and Science and Technology New Zealand.

Victor Anderlini, co-director of the Island Bay Marine Education Centre, has been working with the group since Packer approached him for help in 1989.

Anderlini has helped find funding, conduct research and supervise as the group tests water samples and surveys the shellfish population.

The group aims to be able to continue monitoring the clam population itself, once commercial harvesting has begun. "The whole idea is for me is to pass on the knowledge to them," Anderlini says.

Once the commercial operation is in place, Packer hopes to set up an environmental consultancy to continue monitoring and protecting the clam population.

The iwi co-operative would run the commercial side of the operation.

The group has also been working with the Labour Department's Community Employment Group. Field worker Evan Nathan has provided facilitation and planning for the past eight years.

Packer says the group is still another two to three years away from starting a commercial venture.

"There's no doubt that the clam industry will start. It's just a matter of setting it up properly. That's why it is taking us so long."

Packer's brother, Russell says: "It will be successful if we are selling the clams properly, have a proper training programme in place and carry on the scientific research so we don't over-harvest."

Surf clams live beneath the sand in six metres of water along about 1200 kilometres of New Zealand's coastline.

The clams can be harvested only by dredging. Weather conditions limit that to just 90 days each year.

Last year, the group was given permission by the Ministry of Fisheries to begin a trial harvest of 50 tonnes of clams between the Manawatu and the Rangitikei Rivers.

The 12 month trial to establish the commercial sustainability of harvesting will begin this year.

Russell Packer says the trial will gather between 6% to 10% of the clam population in that small area of coastline. "You can see we are being very conservative."

He is responsible for re-designing the hydraulic dredge needed to collect the clams from the seabed. He used home-made materials to adapt the dredge, which makes a slurry of sand to scoop up the clams without damaging them.

While the group has had to develop its own dredge, Willie Packer says the clams are relatively easy to collect.

"Because of that we don't want people with dollar signs in their eyes coming down here," he says.

Packer uses global positioning satellite (GPS) equipment to keep track of the clam beds he has discovered.

Limited harvesting and inconsistent supply means the co-operative is also investigating setting up aquaculture farms to grow the clams themselves.

American scientist Chris Mahoney flew to New Zealand last year to help begin spawning the clams in the laboratory.

Substantial capital will be needed to take the next step to a commercial operation.

Russell Packer says domestic and overseas markets for the clams are already being investigated.

The America's Cup in Auckland later this year will be a good place to start promotion. "Americans love clams," he says.

(c) The Independent Business Weekly, 1999.

Document indbuw0020010906dv2o003us

COMPANY WANTS MORE CLAMS.

85 words

9 November 1998

The Dominion

10

English

(c) 1998 The Dominion, INL .

A DUNEDIN company wants to increase its harvest of New Zealand littleneck **clams**, or "cockles", from the Otago harbour, a move it says could create at least 60 jobs and bring promotional and financial spin-offs for the city. Southern **Clams** general manager Simon Gilmour said last night that access to more cockle beds could sustain the company's multi-million dollar business at 10 times its present level.
- NZPA

Supplied by New Zealand Press Association.

(c) The Dominion, INL 1998.

Document domn000020010923dub9005h7

SURF CLAMS ON BOARD FOR MILLENNIUM.

201 words
2 April 1998
The Christchurch Press
29

English
(c) 1998 Knight-Ridder/Tribune Business News

Seven Wairarapa men laid off from the Longburn freezing works in the 1980s took up fishing. Now they are helping to develop a new industry: farming surf **clams** - cousins of tuatua.

Russell Packer, of Foxton, leads the group, which at present dredges for the **clams** off the Paraparaumu-Wanganui coast.

The group and Mr Packer's iwi, Ngati Apa, make up the Taihauauru Surf Clam Co-operative. With Victor Anderlini, a research fellow at Victoria University's marine laboratory, and with funds from Technology New Zealand, land-based techniques are being developed to farm the clams. It is hoped the methods may also be used to raise stock to re-seed toheroa beds.

Researchers have induced year-round spawning of two surf-clam species, triangle shells and rough shells. They are researching how to grow them for at least a year until they are marketable. Possibilities include sea-bottom cages, land pools, and mussel-style rafts.

Dr Anderlini says surf clams are found around the South Island, too. He expects conclusive results from the research within 12 months and surf clams in supermarkets and restaurants before the new millennium.

(c) The Christchurch Press, INL 1998.

Document thepre0020010927du4200qt4

CLAM EXPORTS 'UNDER THREAT' FROM TRANZ RAIL PLAN.

272 words

11 March 1997

The Christchurch Press

5

English

(c) 1997 Knight-Ridder/Tribune Business News

Live export of surf **clams** harvested in Clifford Bay would be under threat if Tranz Rail's planned ferry terminal went ahead, the resource consent hearing in Blenheim was told yesterday.

Kaimoana Trading operations manager John Flavell said his company had a permit to take 124.6 tonnes of surf **clams** from Clifford Bay.

They were sold to Taiwan, Hong Kong, and Singapore, with some sales to New Zealand restaurants, he said.

The export of live shellfish was only possible if a sanitary clearance was obtained identifying all potential sources of contamination, he said.

Monitoring programmes cost about \$6000. That would clearly increase massively if a harbour was created, he said.

His company was concerned that the sanitary reports would result in more temporary closures or permanent closure of the fishery in Clifford Bay, which only had significance for supporting an export shellfish industry if it was kept clear of contaminating effects, Mr Flavell said.

Tranz Rail had said it would take steps to mitigate effects.

Mr Flavell said he had seen enough ports in New Zealand to know that they contained significant quantities of rubbish, scum, and discoloured water to cause concern.

The development of the surf-clam industry had required considerable commitment and heavy expenditure.

"We are now commencing fishing with the new dredge only to face the complications of the Clifford Bay application," Mr Flavell said.

The way his company was treated by Tranz Rail and the Marlborough District Council over consultation and assessment of the effects on the surf-clam fishery had been abysmal.

(c) The Christchurch Press, INL 1997.

Document thepre0020011003dt3b00bwj

Clams could earn \$100m a year.

343 words

8 June 1991

New Zealand Herald

13

English

(c) 1991 The New Zealand Herald

The commercial harvesting of surf **clams** could earn New Zealand millions of dollars in exports, says a Ministry of Agriculture and Fisheries survey.

The survey, carried out over the past five months, involved dredging eastern coastlines to determine surf clam populations, species composition and growth rates.

The head of the ministry's fisheries survey, Dr John Cranfield, said preliminary results indicated that more than 1,000 tonnes of the shellfish could be harvested each year without damaging stocks.

There was potential to earn up to \$100 million a year on overseas markets.

Dr Cranfield is analysing the survey results along with information gathered from earlier surveys off Rabbit Island, Nelson, and Farewell Spit, Golden Bay. He plans to write a paper on the sustainability of commercial surf clam fishing.

This will be presented to a ministry committee in November. The committee will decide whether the shellfish should be covered by a quota system.

Only one commercial permit has been granted to take surf clams. It was issued to a Blenheim man who has dredged for them in Cloudy Bay since 1988.

Dr Cranfield said it was unlikely any more permits would be issued until the survey data was fully analysed and more was known about the clams.

The shellfish have been found from the tip of the North Island to Te Wae-Wae Bay, south of Invercaygill.

They are generally found on sandy bottoms in up to 9m of water.

Dr Cranfield said the world demand for clam meat was high and New Zealand shellfish could earn up to \$9,000 a tonne.

The major markets would be Japan and South-east Asia, Europe and the United States.

Italy alone consumed more than 100,000 tonnes of clam meat a year, he said.

Provisions for commercial harvesting of surf clams was expected to be made in the new Fisheries Act, planned to be in place by the end of next year.

Dr Cranfield said surveys would be done down the country's western coastline later this year.

Document nzhd00020011124dn68008i5

NEW ZEALAND sales can reach new heights. (2 of 2)

350 words

14 November 1989

National Business Review

11

English

(c) 1989 The National Business Review

Another important New Zealand achievement has been the introduction of the green-lipped mussel to Japanese consumers. Japan has one of the world's most sophisticated food markets; it is based on quality discernment, says Bowen. Because they eat raw fish, their quality demands are extraordinarily high. Freshness is vital, as is the visual aspect."

It is most unusual therefore to introduce a new species. The New Zealand mussel is one success story, up against a range of traditional sea food species - oysters, **clams** and others.

Other "quality" New Zealand products are starting to boom, he says. Wine is one. There are opportunities for beer and a whole range of processed foods.

Lifestyle items - from leisure wear through to pleasure boats - are another area of opportunity. But more homework is needed to generate value-added items "to focus on leisure wear in which purchase is emotional as much as practical."

Bowen suggests that the New Zealand garment and textile industry needs to develop more lifestyle lines, with quality to attract. Canterbury wear is doing well because it appeals to the Japanese best-in-everything mentality. "We are the world's best at rugby, which translates into a good market for Canterbury jerseys."

This "world's best" appeal should also extend to pleasure boats, "we are seen to be good at yachting".

Another potential new marketing force is the "exposure" arising from the fact that 100,000 Japanese now visit New Zealand each year. Many are younger people with sophisticated lifestyles, and they could build their personal tastes on the basis of what impressed them in New Zealand.

Japanese tourists traditionally buy things for other people, like gifts for those at home. These tend to be conservative and safe - an All Black's jersey, some chocolate; while that purchase is important, the personal purchase could be a clue to what New Zealand exporters still have to do in order to establish a long term and sustainable "lifestyle product" market in Japan.

And in that area, exporters have hardly scratched the surface.

Document natbr00020011130dlbe00267