

Report

Whakamaharatanga Marae Hui

A hui to discuss non-commercial fishing interests and Maori customary management tools.

27-29 July 2005



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Contents

Executive Summary	3
Wednesday 27th July	3
Introduction	3
Fisheries Management.....	4
Marine Protection.....	6
Kahawai.....	6
Thursday 28th July	8
Managing Fisheries Above Bmsy.....	8
Conservation	10
Funding.....	12
Recreational Fishing.....	13
Mataitai and Taiapure.....	13
Fisheries Management.....	16
Regional Forums.....	17
Marine Protected Areas.....	18
Friday 29th July	19
Hui Agreement.....	19
Conclusion	19
Appendices	
Appendix One	20
Appendix Two	21
Appendix Three	31

Executive Summary

A successful three day hui was held at Whakamaharatanga Marae, Hokianga in late July to discuss non-commercial fishing interests and Maori customary management tools. Ministry of Fisheries representatives joined the hui on the second day to expand on points raised prior to the hui and participate in discussions with Maori customary and recreational fishing representatives.

Much of the Ministry of Fisheries focus was on the Maori customary regional forums that are being established, two of which will be based in Ngapuhi, one from Te Rarawa (northern Hokianga) north and the other based further south.

Ngapuhi agreed that for the forums to be successful non-commercial fishing interests had to be involved alongside customary interests. A commitment was made to hold the first regional forum meeting within four weeks to settle on the terms of reference, a Memorandum of Understanding and a strategic plan for the forum. The inaugural forum is scheduled for the last week of August.

We agreed that mataitai and taiapure were potentially excellent customary tools for managing sedentary species but were unlikely to have much effect on mobile finfish stocks. It is obvious that more resources are needed to be applied to implement and maintain customary tools.

All participants were invited to have input into a document that would be given to the Minister of Fisheries after the hui. The unanimous outcome was several statements and a series of bullet points on sustainability, Maori customary interests, recreational (non-commercial) fishing interests and marine protection.

Our collective interests lie in everyone disseminating what they had learnt from the hui and the potential benefits of working together to achieve the common goal of “more fish in the water” **“Kia maha atu nga ika i roto te wai”**

Wednesday 27th July

Introduction

After a powhiri from the Hokianga hapu of the Ngapuhi iwi the visiting non-commercial fishing representatives were welcomed onto the Whakamaharatanga Marae. The manuhiri (visitors) enjoyed afternoon tea which gave us the opportunity to meet and introduce ourselves to all present.

Ngapuhi Runanga Chairman Sonny Tau opened the hui with an outline of what we had all come to achieve and that everyone had the opportunity to speak freely and share ideas.

A brief background was given of who option4 is, our principles and how option4 formed. Scott Macindoe then introduced the option4 team and a short summary of what our functions are and how we go about achieving those.

“Confiscation in the name of conservation” and marine reserves were mentioned in the context of no-take forever areas and the response was that people needed to hear more about marine reserves in that light as no-take is not where Maori see their aspirations being met.

The relationship between other recreational representatives organisations was explained and it was accepted that option4 is a lobby group seeking to achieve objectives very similar to the aspirations of Maori, the main goal of **“more fish in the water”**.

Fisheries Management

Paul Barnes gave a summary of current fisheries management proposals that are being reviewed and of particular interest to people of the Hokianga. Namely the Total Allowable Catch (TAC) changes for snapper 8 (SNA8), flounder (FLA1), kahawai, grey mullet (GMU1), kingfish (KIN8) and also the proportional allocation system being promoted by the Ministry of Fisheries (MFish) in the latest Initial Position Papers (IPP’s) for the above fisheries.

A major flaw was the way in which MFish have worked out who has what share of each fishery. This allocation process was detrimental to the interests of Maori customary and recreational fishers, including Maori recreational fishers.

Snapper 8

A brief history was given of the advent of pair trawling during the 1970’s and the impact that had on the snapper 8 (SNA8) west coast North Island stock. The Quota Management System (QMS) was introduced to halt the depletion of our inshore fisheries. At that time some commercial fishers were paid compensation to take less fish out of the water. Quotas were inflated by successful challenges to initial allocations via the Quota Appeals Authority (QAA) and many fisheries were eventually being fished to unsustainable levels again.

A worrying aspect in the latest MFish proposals was the admission by the Ministry that dumping and high grading was more prevalent in SNA8 than in other snapper management areas. This is due to a number of factors, one of which is unbalanced quota portfolios being held by some commercial fishers i.e. they don’t have enough quota to cover the fish they actually catch on the west coast. This inevitably leads to fishers

having a choice of paying a fine (deemed value) or not landing the fish they have caught (dumping).

From its inception the QMS and subsequent increases by the QAA had failed to constrain commercial fishers to fish at a sustainable level. In contrast, recreational fishers have voluntarily conserved 26.6% of their total catch since 1995 due to management controls. These savings have been made through the reduction in bag limits; increased minimum size limit (MLS) and the halving of longline hook numbers from 50 to 25.

The proportional system being promoted by the Ministry does not take these conservation measures into account but gives acknowledgement in the form of quota to commercial fishers who have continued to take excess fish. Maori customary and recreational fishing interests now catch less and smaller fish in snapper 8 due to the reduced numbers of fish in the water.

Maori Commercial Fishing Interests

There was some interest in what Te Ohu Kaimoana's view on option4 stance is. While we couldn't be specific about their views, TOKM's statement made during the *Soundings* process, regarding recreational fishing was read out to the hui,

“This means that TAC reductions would be taken firstly from the recreational allowance unless there was a buy back of commercial quota”¹.

Sonny Tau explained to the hui the extent of Ngapuhi's commercial interest in fisheries. Although more discussion was required with the Ngapuhi runanga, his takiwa had been very clear in regards to their recreational fishing interests. They wanted kaimoana on the table to feed their mokopuna before feeding overseas customers or worse, Australian crayfish (as in the case of kahawai). New Zealanders are missing out on access to fish just to supply the ever-increasing export demand.

Continued overfishing will ultimately affect all sectors, commercial and non-commercial, economically and socially. The dilemma for Maori with commercial fishing interests is their willingness to conserve but also the need for sustainable funding to address social issues within their communities.

Recreational Fishing Interests

It was unanimously agreed that the term “recreational” when referring to fishing was offensive as it implies we play with our food. Nothing could be further from the truth for Maori recreational fishers attending the hui. After some discussion we agreed that the term non-commercial should represent both Maori customary and recreational fishing interests.

¹ TOKM Soundings Submission 20 December 2000.

Marine Protection

Maori Customary Management Tools

Many expressed frustration at barriers to implementing Maori customary management tools such as mataitai and taiapure. Te Rawara had been trying to establish a taiapure in their rohe (area) for some time. The most vocal opponents to mataitai applications had been the recreational boating fraternity, many of whom were fishers. It was particularly worrying for Maori that these tools are legitimate but the hurdles to actually implementing them were often set too high to be achievable. One objection to a mataitai application results in the whole process being halted.

Our collective interests lie in our groups uniting and deciding what we want for our local areas. Ministry have failed to deliver adequate management on a local level for many communities. Tangata whenua had been given the tools to manage but not the resources to fully implement and maximise the benefits of using these tools. It was accepted that these tools are not a substitute for good fisheries management or realistic Quota Management Areas (QMAs).

The Ministry of Fisheries need to consult more with Maori and also design a campaign aimed at informing the general public of what these tools are and their potential. It would be surprising if people, once informed, would choose a no-take forever marine reserve over having either a mataitai or taiapure in their area.

Marine Reserves

NZRFC representative Don Glass gave an overview of the legislation that encompasses the marine environment, namely the Marine Reserves Act 1971, the Fisheries Act 1996, the Resource Management Act and the Marine Reserves Amendment Bill currently being considered by parliament.

No-take marine reserves were being imposed on the public and ignore the rights of tangata whenua to manage their rohe (area) in a sustainable manner. The first marine reserve in the Southern Hemisphere was established at Leigh, Cape Rodney. This falls within the rohe of Ngati Wai. Ngati Wai will soon legally challenge the Department of Conservation's actions, this High Court action is supported by the Ngapuhi iwi.

Kahawai

The 2004 kahawai decision by the Minister of Fisheries regarding the introduction of kahawai into the QMS was flawed. The lack of available kahawai was a major problem for many fishing from the shore or small vessels. The example was given that while David Benson-Pope had set the recreational allowance in KAH1 (North Cape to Cape Runaway) at 1865 tonne the reality is the recreational sector cannot catch anywhere near

that amount. The truth is closer to an optimistic 300 tonne of harvest. This is a clear indication that the fish are simply not in the water and available to be caught.

The Minister's decision also allows excessive commercial fishing to continue which we object strongly to.

The allowance made for Maori customary interests was also noteworthy. The original paper from the Ministry advised the Minister to "allow for" customary interests at a level of half the recreational harvest, as he is obliged to do according to the statutory obligations set out in MFish documents. When the Final Advice Paper (FAP) was released it was discovered that the Ministry had advised the Minister to reduce that allowance by half again and only allow 25% of the recreational harvest for Maori customary interests.

Historically kahawai had been fished heavily due to the deployment of purse seine vessels and spotter planes to locate and scoop up entire schools of fish, leaving very little chance for kahawai to remain in the water and breed. The outcome of this pressure was a reduction in biomass to very low levels. The low numbers of kahawai in the water has made it hard for people to go out and catch a reasonable number of kahawai to feed their family. The impact on coastal communities, particularly Maori, has been immense.

Kahawai Legal Challenge

Recreational fishing representatives felt very aggrieved by the Minister's kahawai decision. A great deal of effort had gone into presenting submissions, over many years, to the Ministry and the Minister advising of the impact of excessive commercial fishing of kahawai.

It was agreed by the NZ Big Game Fishing Council (NZBGFC), the NZ Recreational Fishing Council (NZRFC) and option4 that we needed to address these flaws in the decision making process by taking legal action. It would be a very long time before we had an opportunity to challenge so many points of law in one court case. The ultimate objective was to obtain a rapid rebuild of the kahawai fisheries and change the way the Minister of Fisheries makes his decisions in the future.

Flounder and Mullet

Common to both the flounder and grey mullet MFish management proposals were the "paper cuts" being suggested for these fisheries, on the west and east coast of northern New Zealand. Unconstrained commercial harvest and the absence of tools to manage local areas have had a serious impact on Maori customary and recreational fishers for many years. option4 supports any cuts to the Total Allowable Commercial Catch (TACC) that will result in the TACC capping the **actual** commercial catch because that will prevent any escalation of the existing conflict between commercial fishers and local communities dependent on these species. However, the conflict will not be reduced unless the cuts are sufficient to reduce the actual commercial catch from current levels.

Other options for rebuilding the depleted flounder and mullet fisheries in the west coast harbours was an increase in mesh size for commercial fishers and a gradual increase for non-commercial fishers over several years. Shorter soak times for nets in the water are recommended to reduce wastage, particularly in west coast harbours where lice are a major problem.

Summary

Whatever the species of importance, we were at the hui due to the ongoing mismanagement of our precious inshore shared fisheries. Hopes were high for the remainder of the hui to achieve the common objective of **“more fish in the water”**.

Thursday 28th July

Much of Thursday morning was spent discussing, debating and finally agreeing on a statement and a set of questions to be put to MFish when they joined the hui. The Ministry delegation was due at 11am so discussions got underway early; the session was ably chaired by Hori Porata of Ngati Wai iwi.

The Ministry team of six were lead by Stan Crothers, deputy CEO of MFish, and included the manager of the Customary Relationships team, Carl Ross. Graeme Morrell, the Pou Hononga representative of Northland had participated in the hui from the outset.

Stan gave a brief presentation “Whakapapa of Maori fishing rights” so everyone understood the Crown’s perspective. This included a description of pre-1840 fishing rights through to present day management and rights. Stan emphasised that MFish are committed to delivering on the Crown’s obligations in regards to the Treaty of Waitangi (Fisheries Claims) Settlement and the Maori Fisheries Act 2004.

A series of questions (Appendix One) were sent to the Ministry before the hui so we had some understanding of MFish’s opinion on specific matters. Some answers (Appendix Two) received prior to the hui needed clarification and more detail. The questions prepared during the morning were to expand on those answers and seek commitment from MFish on statements made since the last hui at Whitiora Marae.

Managing Fisheries Above Bmsy

1. We are encouraged and excited to hear the policy announced at NZRFC conference - Managing important inshore shared fisheries at or significantly above Bmsy. How will this be achieved and how can we help achieve this?

MFish Response (*Stan Crothers unless stated otherwise*)

Managing stocks above or substantially above Bmsy means that there will be more fish in the water and better catch rates for commercial, recreational and Maori customary fishers. *“That has not been government policy until now, this is a new policy.”* Ministry are still trying to work through what that means in operational terms. Under this policy catching costs will be lower when there are more fish available but there will be increased costs in the meantime to achieve this, as there will be lower catch rates. Ministry are still looking into whether the law will provide for it and what are the constraints on achieving the new policy. MFish target up until this new policy has been to manage fisheries to Bmsy. The Minister has discretion to manage fisheries below, at or above Bmsy. *“This has been new to the Ministry and we are looking at how best we can implement the wishes of our Minister.”*

The Minister realises that by leaving more fish in the water it will improve catch rates. There is a limit to that; there comes a point where it becomes negative in terms of utilisation of the fishery. There would be a possibility of reduced bag limits at that time.

The Ministry was asked why they readily acknowledge that managing fisheries above Bmsy will improve catch rates for Maori customary and recreational fishers but seem to fail to acknowledge that running fisheries below Bmsy suppresses our catch rates i.e. SNA8, flounder 1, grey mullet 1 and possibly kahawai. *“We, the Ministry are not happy with the state of snapper 8 (SNA8).”* The Ministry thought SNA8 was rebuilding, the recent research has shown it has not, so proposals are out for consultation on a new rebuild strategy. *“The challenge in the future is, do we manage it above Bmsy and how do we get there?”*

The Ministry are not succeeding to manage to Bmsy in many fisheries, resources are constrained and the research is limited. The data on recreational catch is very poor. Snapper 1 (east coast upper North Island) is one fishery where Ministry can claim a rebuild strategy has worked. The Ministry’s job is to manage fisheries to sustainable levels, the debate is, at what level is sustainable?

Impacts on Marine Environment

The Ministry of Fisheries accepts that *“one of the things we do poorly in New Zealand is coastal planning.”* In many cases where fish stocks are doing poorly it is the result of the destruction of the habitat and not necessarily over fishing. Deforestation is causing sedimentation, which is having a *“severe impact on the habitat or our fish stocks”*. We need to find ways to work together to solve the issues of coastal planning.

The Ministry are working closer with the Department of Conservation. The Ministry had not done a good job to date in representing the interests of fish stocks in the coastal planning area. MFish are now taking a more ecosystem based approach to fisheries management.

Maori Input into Fisheries Management

The Ministry recognise there is difficulty in dealing with the 75 iwi and 1150-1200 hapu around the country. MFish has now proposed regional forums to bring together the iwi and hapu of each area so they can work together on fisheries plans. This scheme has been trailed in the eastern Bay of Plenty over the past few years.

Carl Ross is the manager of the new Cultural Relationship unit so Maori can have better input into fisheries management. The regional forums need resources and the capability to develop fisheries plans. MFish are providing the resources to enable iwi and hapu to participate more fully in the official processes.

Ministerial Advisory Panel

There was interest in how the Tai Tokerau representative on this advisory panel was appointed. MFish responded by advising the hui that nominations were called from the public and the Minister chose who he wanted on the panel to advise him. This panel is one of two initiatives to improve stakeholder input into fisheries management at a strategic level, not operational level.

The regional forums will provide recreational fishers with an opportunity for input. Arthur Hore has been managing that process and the MFish CEO is due to announce the appointments within the next few weeks. These are forums for recreational fishers; the process is distinct from the process for Maori customary interests.

It was pointed out that Judah Heihei's group in the Bay of Islands had instigated the only gazetted mataitai in the north. The process was flawed if people who had already had initiatives underway were not informed of the availability of appointments to such advisory forums. If this is the case then the Ministry acknowledged there is a possibility that more information needs to be given out by the Pou Hononga of Tai Tokerau so people such as Judah and his team are aware of what is happening.

Conservation

There seems to be no account taken of conservation measures taken by non-commercial fishers in the latest Ministry of Fisheries proposals, particularly in SNA8. Recreational fishers have conserved over 26% of catch since voluntary measures to reduce take were put in place. The Ministry have acknowledged that dumping and high grading is a bigger problem in SNA8 than in other snapper fisheries. In the latest IPP's it seems the Ministry are using the conservation efforts of non-commercial fishers to supplement over fishing and wastage by the commercial sector. Give us, the non-commercial sector, an incentive to conserve and we probably will. But at the moment there is none.

2. What are the incentives to conserve and how are they to be implemented?

MFish Response

The rebuild strategy implemented in 1998 for SNA8 has not been successful. The Ministry target of 22% of virgin biomass has not been attained and currently SNA8 is around 10% of the original unfished biomass.

It is in all of our interests to rebuild the fishery; we need to work together to achieve this rebuild *“I don’t think that sacrificing one particular sector for the others is the way to go. A balanced approach needs to be taken. Everyone has to contribute to the rebuild strategy, not just one particular sector....we all need to share in the pain of rebuilding and all benefit from that rebuild”*

Proportional Allocations

Effective fisheries management is not in a proportional approach as one sector can damage a fishery and the negative impact of doing so would be spread across all sectors.

Effective management will be achieved when two factors are taken into account:

1. Those who cause the damage to the fishery take the necessary cuts to rebuild it.
2. Those who conserve are acknowledged by making allowance for that effort.

MFish Response

MFish *“accept that those who cause the damage should pay”*. That principle is well enshrined in the Fisheries Act. In allocations decisions there are proportions of the TAC given to each sector. *“There does need to be incentives, within those proportions, for those people not to be ‘punished’ ... for the poor performance of the other sectors.”*

In the Ministry’s Statement of Intent (SOI) fisheries plans are discussed and how to achieve better fisheries management.

“It is true, the way we manage fisheries right now there are not a great deal of incentives for recreational fishers or Maori customary fishers to conserve, other than their belief that the fish stocks should be in a healthy state. We do need a fisheries management planning framework where contributions are truly reflected.” MFish do not believe they have the information available to measure the nature and extent of the contributions being made. There is very poor information on recreational and Maori customary harvest.

Once the customary fisheries regulations are in place kaitiaki will be able to provide information on what is being taken within their rohe. This information will be very important so that those contributions can be taken into account.

MFish have been trying for a long time to determine the nature and extent of recreational fishing interests. The Ministry accept it is a problem and are trying to address it so that conservation efforts can be recognised.

Answers to questions regarding specific fisheries currently being consulted on i.e. SNA8, FLA1, GMU1 and kahawai could not be given as the statutory process is still underway. MFish encourage stakeholders to submit their views and any information they have that will help the Ministry determine what level of contribution they are making.

“The way recreational fishing rights are described in legislation and the institutional arrangements that are in place for recreational fishing...which are largely voluntary, do not provide significant incentives for recreational fishers to conserve.”

Funding

3. Are we to have any input into how the \$4 M allocated in the last budget, for consultation, is to be spent?
 - New initiatives funding.
 - Public awareness.
 - Maori fisheries settlement processes.

MFish Response

“Last year there was new initiative funding for both recreational and customary areas.” In the recreational fishing area the government has asked the Ministry to set up regional forums. The Minister has also asked Ministry *“to set up an advisory body to him so that we can get better information from the recreational sector both in a strategic and operational sense.”*

The year before last an extra \$4 million was allocated for recreational research, so the Minister can get better information on the nature and extent of recreational fishing. There has been a *“heavy investment”* in the customary area. Focus is on establishing the Pou Hononga, the MFish’s relationship building unit for tangata whenua interests.

Ministry are also investing in “extension officers” who will help tangata whenua with fisheries plans and input into the wider management process. This is an attempt by Ministry to address tangata whenua’s resource constraints.

The Ministry’s Statement of Intent will be released in December this year and will be open for consultation for 2.5 months. Input will be sought on how the Ministry spend money on customary, recreational and commercial fishing.

Fisheries Plans

Te Rarawa has made several attempts to progress a fisheries plan for their rohe. No response was received from the Ministry in regards to the first application. The availability of an extension officer to complement the current application would be extremely helpful. MFish were asked when their application would be processed. Ministry committed to responding within a week to advise the timeframe for a decision

on their application and also the possibility of providing an extension officer to assist them.

Recreational Fishing

4. We find the term recreational fishers offensive as it implies we play with our food. We want to use the word non-commercial fishers when referring to us.

MFish Response

Yes, with a qualification. MFish “*are happy to have what we now know as recreational fishing to be called non-commercial fishing. I would not be happy, without going through due process, to have a non-commercial sector that lumps customary fishing into that. Customary fishing rights is quite separate to non-commercial fishing rights. We have specific obligations under the Deed of Settlement to deliver on customary fishing rights. They are separate. I am happy for customary fishing rights, non-commercial fishing rights and commercial rights. If that’s what you are happy with, then by all means, there is no real impediment to stop us moving forward on that.*”

Mataitai and Taiapure

Mataitai

5. Mataitai - Who decides what is an appropriate size of a mataitai?
10. MFish have already said that the Kaipara cannot be managed as a separate QMA. Given this, could an area such as the Kaipara be managed as a mataitai? If not, are there any other tools available that can deliver what we are asking for?

MFish Response

The Minister makes the final decision in regards to a mataitai but he does it in conjunction with tangata whenua. MFish acknowledge their processes for getting advice from tangata whenua for the Minister needs improving.

The law doesn’t prescribe the size of a mataitai, how big or small it can be. Ministry are looking to pull together all the tools available under the Fisheries Act and put it into a fisheries plan. Ministry hope all fishing and environmental interests will have input into the fisheries plans in the future.

A taiapure was a possible solution; Akaroa was given as an example where a taiapure application had been made for the entire harbour and included in that was several mataitai.

If a taiapure is the appropriate management tool for a harbour, is it possible to constrain the amount of commercial catch taken from a taiapure?

Taiapure

MFish Response

A taiapure is essentially a community based management scheme, a tool that came out of the 1989 interim settlement with tangata whenua. All interests can be involved in its management.

Mataitai are specific management tools for tangata whenua. Tools that help to better define and utilise their customary rights. *“Mataitai is a much more powerful tool in terms of protecting and enhancing customary fishing rights.”* Mataitai management is lead by tangata whenua but can include others from the community.

“Both tools are important and powerful but it depends what you are trying to achieve. They can be used together or separately. The important thing is, both tools are driven by tangata whenua, not the Ministry of Fisheries, not non-commercial fishers, not commercial fishers but tangata whenua.”

A taiapure committee can recommend to the Minister regulations that exclude commercial fishing from that area, *“but it has to go through due process”*.

[Terry Lynch MFish (TL)] *“There is no limitation on the size of a mataitai, in law, but there are certain limitations.”* A mataitai cannot do the following:

1. *“It can’t prevent the local people taking their fish in the area. If it does then it doesn’t say the mataitai doesn’t go ahead, but the Minister has to sit down with the applicants and work out a way to move it forward.”*
2. *“It can’t prevent recreational or non-commercial fishers taking their fish in the FMA.”*
3. *“It can’t prevent commercial fishers taking their quota in the Quota Management Area.”*

[TL] *“If you are starting to look at applying for all the hapu’s rohe, the first fellas of the block will probably get it. The last fellas off the block wont.”* Planning needs to be done with other hapu and iwi for each area.

[TL] *“There is no law that says you couldn’t manage the Kaipara as a mataitai but you bet your bottom dollar it will be the only one.”* Because of the size of the Kaipara and it as a proportion of the FMA, then it is likely to be the only mataitai in that whole FMA. There will be repercussions for other iwi and hapu if a mataitai the size of the Kaipara goes ahead.

Commercial fishing is automatically excluded from a mataitai. Commercial fishing can be allowed back in under conditions that have been agreed with the Minister of Fisheries.

Public Awareness

Many initiatives from tangata whenua have failed due to the general public objecting to the plans, without fully understanding the potential of Maori customary management tools.

MFish were asked what their intentions were in regards to advertising and educating the general public on the intricacies and benefits of Maori customary management tools. Also whether there was a budget for such activity.

MFish Response

Ministry accept that *“the general public are poorly informed about the way we manage fisheries in New Zealand and what tools are available at the Minister’s discretion. The new CEO of the Ministry of Fisheries has established a whole new unit to manage external communications, to get publications, TV, [info] out there to the general public. So we are starting down that path now, basically a proper educational programme. For tangata whenua we are doing something quite specific. We have appointed the Pou Hononga to actually work face to face with tangata whenua on what is available to tangata whenua, the various tools etc. also extension workers to help.”*

It was pointed out the Ministry have a lot of work to do in raising awareness of the tools before they even start implementing any as the public are generally ignorant, as are many tangata whenua, of the potential. As for a “race” to get the first applications in for mataitai or taiapure before the next hapu or iwi, this is not good enough. Everyone has a right to be fully informed before the process is underway so they don’t miss out purely because they are oblivious to what is happening in other areas.

Benefits

6. What species will benefit most from mataitai and taiapure and what are the respective sizes of area the Ministry envisages these tools will encompass?

What can be the whole cumulative affect of all the excluded areas as they pertain to a commercial fisherman’s ability to catch his quota entitlement in a QMA? If 10% is excluded through marine protected areas, how much of the remaining 90% of the available space will be available for mataitai and taiapure?

MFish Response

*“Government’s policy is to have 10% of the area **closed** in marine protected areas. Marine protected areas is just not marine reserves. Mataitai and other fisheries closures can be counted as part of that 10%... if they are making a contribution to marine biodiversity.”*

“There is no magic answer to ‘how much’, the law provides for, in legal terms, is a ‘prevent test’.” The prevent test would be explained in more detail in another session by Russell Burnard.

Concerns were expressed for iwi/hapu that are not aware of the potential ‘race’ for space in establishing mataitai or taiapure. The regional forums are a way the Ministry see of iwi/hapu to get informed about what is happening and work together to achieve establishment of management tools. MFish are not keen to sit back and do nothing.

Aotea (Great Barrier) Marine Reserve

Objections were raised about the approved 50,000 ha Aotea (Great Barrier) marine reserve. The impact on tangata whenua does not seem to have been taken into account. Local iwi had applied in December 2004 for their rohe moana and eight months later they still have not had been given any information regarding Maori customary regulations and tools, despite this the marine reserve is progressing.

MFish Response

MFish’s role in the Aotea application process currently underway is consultation with all fishers to determine what impact the reserve would have on them. *“If the Minister of Fisheries determines that there is an undue impact on customary fishing, non-commercial fishing and commercial fishing he can decline that proposal. We are still going through that proposal. The Ministry of Fisheries will start that consultation process later this year.”* Stan made a commitment that the Ministry would go to the marae on Aotea, with the Pou Hononga, to consult on the impact of the proposed reserve on customary interests, when consultation gets underway.

Fisheries Management

7. How is the customary allowance determined?

MFish Response

The Fisheries Act sets the process for setting allowances. In terms of customary allowance, the Minister has to set that first. The Minister does that by using the best available information. MFish accept they do not currently have good information on harvest levels. Once the customary regulations are fully implemented it is hoped better information will be available through the gathering of harvest records from kaitiaki.

8. If the Ministry are ultimately responsible for fisheries management. What equitable resourcing will be made available to tangata whenua and their communities to develop and build management capacity to maintain the tools of taiapure and mataitai to assist fisheries management? How have all these mataitai

and taiapure been established around the country without assisting them to financially manage these areas?

MFish Response

MFish resources are constrained. \$20,000 per annum has been allocated to run each of the regional forums mentioned earlier in the discussion. The Ministry are willing to discuss with each forum how that money is used. MFish staff will assist the forums and the extension workers will help the forums develop their fisheries plans.

Long term it is hoped the Ministry will be able to pay, by way of a contract, the regional forums to develop the fisheries plans. This will empower the regional forum to manage the plan and its implementation with Ministry support.

Regional Forums

Carl Ross, manager of the new Cultural Relationship unit, presented a video to give some background to the Pou Hononga unit, its staff and their business plan. Eleven Pou Hononga have been appointed to work with Maori around the country, one administration person and two managers. A database is being compiled of Maori contacts to be used for distribution of information.

The Ministry envisage up to 14 regional forums being established, currently only three are operational. Tai Tokerau will have two forums funded by MFish; Te Rarawa north will be one forum. Their objective is to build the capacity and capability of Maori to participate in fisheries management. It is also to build capacity within the Ministry for working with Maori.

The Ministry will work with the people to determine how big the regional forums will be, there is no limit to how many people participate in the forums. [CR] *“Under the Deed of Settlement the forums are customary.”*

Further discussion on the regional forums continued into the night.

Hori Porata of Ngati Wai explained the existence of a regional forum that already deals with resource, sustainable management and development issues. The forum meets every six weeks to discuss matters of a regional and national nature.

Ngapuhi do not want a segregated Maori regional forum. It would be better if the forum included non-commercial fishing interests. Together it would be more powerful and effective. There was strong agreement from Maori and recreational non-commercial fishing interests present at the hui that a joint forum would be beneficial to achieve our goal of “more fish in the water” **“Kia maha atu nga ika i roto te wai”**

There was willingness amongst those at the hui to do what we can to help the Ministry achieve what needs to be done to reach the common goal.

Recreational Regional Forums

The Ministry have already completed the selection process for the recreational regional forums, the appointees are yet to be announced. Nominations were called from the public through advertising. That process cannot be undone now.

The hui disagreed with the separate process, considering most Maori fishing is categorised as recreational. Ministry reiterated that the Maori forums were part of the settlement agreement between the Crown and Maori. Tangata whenua can choose who they wish to participate in their forums.

Ministry's goal is to develop multi-sector input into fisheries plans. Ministry do not believe the various non-commercial groups are very well organised, the forums are an attempt to achieve more organisation. MFish are not being critical of existing organisations but believe it is the wider public that is not well represented.

The suggestion that recreational fishers are not organised was offensive to some and it was suggested that it was MFish who was not organised.

The recreational regional forums are an initiative from the Minister of Fisheries. The customary forums are borne out of the Deed of Settlement. Both forums are limited in the support being provided by Ministry. It was pointed out that regional forums have been tried before and the only one that still exists is the southern forum, which had enjoyed more support from MFish compared to other forums. Ministry could not guarantee the new forums would survive long term but they were willing to try the new format being proposed.

Marine Protected Areas

9. What will qualify a mataitai as a marine protected area?

MFish Response

“The Department of Conservation and the Ministry of Fisheries are presently working on a Marine Protected Areas (MPA) strategy and its near [ready] to sign off. The critical part of the MPA strategy is the development of a protection standard. We need standards so we can evaluate it. If there are bylaws within the mataitai that contribute to and meet the protection standard then it will be counted.” The Ministry is committed to consulting on those standards later in the year and into early 2006. Consultation will be with customary, recreational and commercial fishers. If the northern regional forum is operating by that time then the Ministry will be consulting with that group.

From the discussions held it is obvious mataitai and taiapure are not sufficient tools to deal with issues relating to finfish.

Friday 29th July

The MFish team conducted a session on the customary management tools available to Maori. It generated, at times, heated discussion on the practicality of implementing these tools as many at the hui had already tried to have rahui, mataitai and taiapure established in their rohe. Some of those experiences had not been constructive and many felt the Ministry were not as supportive of their initiatives as they could have been.

Hui Agreement

Non-commercial fishing interests fully recognise and respect customary Maori fishing rights. Ngapuhi have acknowledged that a significant portion of their catch is categorised as recreational. This shows the ‘sameness’ of our interests, we need the same things to get what we want from the fishery. We all need to get this message out to our respective groups.

A working group made up of representatives from Maori, MFish and non-commercial fishing interests drafted a document overnight. This draft was presented to the hui participants in order to gather agreement.

An excellent discussion focussed around this draft continued during the morning session. This document would be given to MFish to take to the Minister as an agreed outcome from all. It was important to make it simple, clear and concise.

The document, Hui outcome 29 7 05 (Appendix Three) was agreed upon and passed unanimously by those at the hui. This was given to Stan Crothers to deliver to the Minister at a meeting scheduled within four days of the conclusion of the hui.

Conclusion

It was agreed that this had been another successful hui ably chaired by Sonny Tau. People had learnt a great deal and there was great anticipation for the first forum to settle on the terms of reference, a Memorandum of Understanding and a strategic plan for the combined forum. The Ministry made a commitment to remove the impediments for Maori to achieve successful outcomes in the use of the customary management tools. The opportunity to work together to achieve the common goal was welcome and the commitment was there from customary, MFish and non-commercial fishing interests.

“More fish in the water”
“Kia maha atu nga ika i roto te wai”

Appendix One

Questions for MFish

In order to gain some understanding of Maori customary and fisheries management tools the following questions were put to the Ministry of Fisheries on May 20th, 2005. Written answers were requested from MFish prior to the hui so distribution could be organised well before the event and people had some background information before arriving at the hui.

1. The specifics pertaining to the Maori customary tools available –
 - a. Mataitai
 - b. Taiapure
 - c. Rahui
2. MFish's definition of each of these tools.
3. What is the maximum size these areas can be?
4. What is the minimum size these areas can be?
5. Where are these tools being used elsewhere in the country?
6. The process, establishment and specific outcomes of these tools being used.
7. Have these tools been sufficient to have an effect on finfish populations?
8. Have they been effective on shellfish, paua and crayfish?
9. An explanation of biomass and MSY.
10. An explanation of how this management strategy affects our access to be able to fish for our babies.
11. What is the purpose of daily bag limits?
12. What importance does the minimum size limit have on fish populations?

Appendix Two

Answers to Questions posed by the Chairman of Ngapuhi, Sonny Tau

Questions 1 & 2

The specifics pertaining to the Māori customary tools available:

- ➤ *mātaitai reserves*
- ➤ *taiapure-local fisheries*
- ➤ *rāhui (s 186A temporary measures).*

the Ministry's definitions of each of these tools.

Response

Mātaitai reserves

Mātaitai reserves are identified traditional fishing-grounds that are established under the Fisheries (South Island Customary Fishing) Regulations 1999 or the Fisheries (Kaimoana Customary Fishing) Regulations 1998.

Once Tāngata Kaitiaki have been appointed for an area under the kaimoana regulations, the tāngata whenua who notified the Tāngata Kaitiaki or the Tāngata Kaitiaki may apply for a mātaitai reserve within their area/rohe moana. Once consultation has taken place and should the application meet all the regulatory criteria, the Minister of Fisheries must declare an area to be a mātaitai reserve.

Tāngata Kaitiaki are then appointed for the area within the mātaitai reserve, and they have the power to recommend to the Minister:

- ➤ the making of bylaws to manage non-commercial fishing activities within the reserve
- ➤ the reinstatement of commercial takes of specific species by quantity or time period within the reserve.

Bylaws for the management of non-commercial fisheries may impose restrictions or prohibitions relating to all or any of the following: species, quantity, size, method, area or areas, and any other matters the Tāngata Kaitiaki considers necessary for the sustainable utilisation of fisheries resources in the mātaitai reserve.

Taiapure-local fisheries

Under s 175 of the Fisheries Act 1996 (the Act), taiapure-local fisheries can be established in relation to areas of New Zealand fisheries waters (being estuarine or littoral coastal waters) that have customarily been of special significance to any iwi or hapū either as a source of food or for spiritual or cultural reasons in order to make better provision for the recognition of rangatiratanga and the right secured in relation to fisheries by Article II of the Treaty of Waitangi.

Proposals for a taiapure-local fishery must explain how the area is important to local Māori, why the taiapure-local fishery is needed, what types of controls are proposed to achieve the objectives of the taiapure-local fishery, and how other users of the area are likely to be affected. The proposal then enters a three-stage process that provides for public and stakeholder consultation.

Once a taiapure-local fishery proposal has been approved, the Minister of Fisheries appoints a committee of management from those nominated by the local Māori community. The committee can then recommend regulations to the Minister for the management and conservation of fish, aquatic life or seaweed in the taiapure-local fishery.

As commercial fishing can continue in a taiapure-local fishery, this tool offers a way for tāngata whenua to become involved in the management of both commercial and non-commercial fishing.

Section 186A temporary measures

Under s 186A of the Act, the Minister of Fisheries can temporarily close an area in the North or Chatham Islands, or restrict or prohibit a fishing method in respect of any species of fish, aquatic life, or seaweed for the purpose of recognising and making provision for the use and management practices of tāngata whenua in the exercise of their non-commercial fishing rights.

The intention of these measures is to improve the availability and/or size of a species of fish, aquatic life or seaweed in the area subject to the closure, restriction, or prohibition; or to recognise a customary fishing practice in that area, such as a rāhui.

A temporary closure, restriction or prohibition is in place for a maximum of two years, but it can be renewed once assessed against the aims outlined above. Temporary closures, restrictions or prohibitions apply to all fishing—customary, recreational, and commercial.

Temporary closures, restrictions or prohibitions are suitable as short-term measures in response to more urgent management issues, while more suitable longer-term measures are considered.

Questions 3 and 4

What is the maximum (minimum) size these areas can be?

Response

Mātaítai reserves

The kaimoana customary fishing regulations do not specify any minimum or maximum size for a mātaítai reserve. However, the criteria outlined in these regulations for assessing a mātaítai reserve application place restrictions on the size of a reserve, in that a reserve must be an area:

- ➤ where there is a special relationship between tangata whenua making the application and the proposed mātaítai reserve (regulation 23(1)(a))
- ➤ that is an identified traditional fishing ground and is of a size appropriate to effective management by tangata whenua (regulations 23(1)(c)).

It is possible that consideration of other criteria in the kaimoana regulations could result in changes being made to the boundaries of a proposed mātaítai reserve. These criteria assess any impacts the proposed reserve would have on the ability of the local community to take fish, aquatic life, or seaweed; and any prevention on commercial fishers taking fisheries resources, as well as those persons who take for non-commercial purposes (regulation 23(1)(e)).

In practice, the three established mātaítai reserves, outlined below, are relatively small in size. The outstanding applications cover areas that vary significantly in size, with one extending from the coastline to the 12-nautical mile territorial sea and another covering the coastal area, possibly only the inter-tidal zone. It should be noted that these applications are being assessed on a case-by-case basis.

Taiapure-local fisheries

The Act does not specify any minimum or maximum size for a taiapure-local fishery. Section 174 of the Act restricts a taiapure-local fishery to estuarine or littoral waters that have been customarily of special significance to any iwi or hapu either as a source of food or for spiritual or cultural reasons. Estuarine and littoral waters are not defined in

legislation, however, a definition of both may be provided in the forthcoming High Court judicial review proceeding for a taiapure-local fishery application in Akaroa Harbour.

It is possible that the boundaries of a proposed taiapure-local fishery could be amended in response to the impact it might have on the general welfare of the community in the vicinity of the area that would be declared a taiapure-local fishery, or due to the impact on those persons having a special interest in the same area, as outlined in s 176 of the Act.

Section 186A temporary measures

Section 186A of the Act does not define the size of the area that can be considered for a temporary measure. However, the purpose of a temporary measure is either to improve the availability or size (or both) of a species in the area subject to a particular measure, or recognise a customary fishing practice in that area. Meeting this purpose will, therefore, restrict the area in which the measure will apply.

Question 5

Where are these tools being used elsewhere in the country?

Response

Mātaitai reserves

There are three mātaitai reserves, all of which are in the South Island. The first mātaitai reserve was declared on 18 December 1998 at Rapaki Bay, Lyttelton Harbour (Banks Peninsula). The second reserve was declared in December 2000 at Koukourārata Harbour, Banks Peninsula, and the third was declared in December 2004 at Te Whaka a Te Wera Rakiura, Paterson Inlet on Stewart Island.

Taiapure-local fisheries

There are seven taiapure local-fisheries throughout the country. The first taiapure-local fishery was established in July 1995 at Palliser Bay on the south Wairarapa coast. Taiapure local-fisheries have been subsequently established at:

- ➤ Maketu in the Bay of Plenty (September 1996)
- ➤ Porangahau in southern Hawkes Bay (December 1996)
- ➤ Waikare Inlet in the Bay of Islands (December 1997)
- ➤ East Otago (July 1999)
- ➤ Kawhia Harbour on the west coast of the North Island (May 2000)
- ➤ Delaware Bay, north of Nelson (February 2002).

Section 186A temporary measures

There are six 186A temporary measures throughout the North Island. These include:

- ➤ Mt Maunganui—closed to the take of green-lipped mussels
- ➤ Pukerua Bay (north of Porirua)—all methods prohibited except hand-lining
- ➤ Hicks Bay—closed to the take of shellfish, kina and rock lobster
- ➤ Ohiwa Harbour—closed to the take of green-lipped mussels
- ➤ Western Coromandel Peninsula—closed to the take of pipi and cockles
- ➤ Kaipara Harbour—closed to the take of scallops (effective in July 2005 prior to the start of the commercial scallop season).

The Kaikoura area has a temporary closure to the take of all species. Temporary measures for South Island waters are made under s 186B of the Act.

Question 6

The processes, establishment, and specific outcomes of these tools being used?

Response

Mātaitai reserves

The process for establishing mātaitai reserves is outlined in the customary fishing regulations. The kaimoana customary fishing regulations only apply in the North and Chatham Islands. Copies of the kaimoana regulations will be available at the hui planned with Ngapuhi at the end of July.

Regulations 18-22 of the kaimoana regulations outline the mātaitai reserve application process, and regulation 23 outlines the criteria for assessing an application.

Taiapure-local fisheries

Taiapure-local fisheries are established under Part IX of the Act, sections 174 to 185, including ministerial appointments of nominated members of a taiapure-local fishery committee of management, and their powers to recommend to the Minister the making of regulations for the conservation and management of the fish, aquatic life, or seaweed in the taiapure-local fishery. Copies of this part of the Act will be available at the hui planned with Ngapuhi at the end of July.

Section 186A temporary measures

Section 186A of the Act outlines the criteria considered to establish temporary measures (closures and restrictions or prohibitions on fishing methods). The establishment of such measures includes consultation, as outlined in section 186A(7)(a). Copies of s 186A, which is contained in Part IX of the Act, will be available at the hui planned with Ngapuhi at the end of July.

Question 7

Have these tools been sufficient to have an effect on finfish populations?

Response

The Ministry cannot determine whether or not these tools have been sufficient with respect to having a positive effect on finfish populations, due to the lack of data and the relatively short timeframe since these tools have been in place. In time, the Ministry will acquire a more comprehensive understanding of the effect these tools have had on such populations.

The Ministry does not currently monitor the performance of mātaimai reserves, taiapure local-fisheries and temporary measures with respect to their effect on finfish populations. The effect of restricting the take of a finfish population will depend on more than one parameter, including the particular customary tool in question. Additional parameters, such as the biology of the particular species and stock size, recruitment, food supply, habitat and climatic influences will also affect a population.

The intention of customary fisheries management practices is to provide tāngata whenua with the ability to sustainably manage local fisheries resources. The effect of the particular customary tool used will vary, depending on the situation. For example, if the desired effect is enhancement of stock populations, different finfish species will display varied reactions, depending on the particular measures used. Benthic territorial finfish species, such as blue cod, may respond to an area restriction within a shorter timeframe due to their biology and life history, whereas it may be more difficult to detect stock changes for species which move around a lot.

Question 8

Have they been effective on shellfish, paua and crayfish?

Response

Again, the effectiveness of any particular fisheries management tool cannot be determined based on a single parameter, such as a restriction on the take of a species in question.

Other parameters must be taken into account, such as stock size, reproduction, recruitment, food supply, habitat and climatic influences. Due to the recent establishment of these customary tools, it would be inappropriate to make any conclusions about their effectiveness to date.

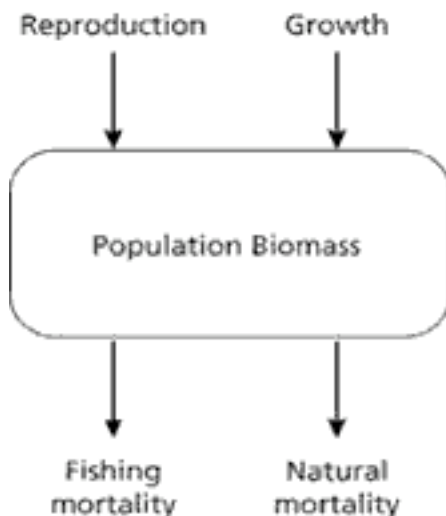
It should be noted, however, that the temporary closure to the take of all species at Kaikoura has led to an increase in the size and abundance of paua and booboo stocks.

Question 9

An explanation of biomass and MSY.

Response

In a fisheries context, **biomass** is the total weight of a stock or biological unit of fish or a defined fraction of it. For example, recruited biomass relates to the weight of fish above the size of recruitment (age or size first exploited); spawning biomass is the weight of fish of spawning age or size. Factors that contribute to or extract from biomass are outlined in the figure below.



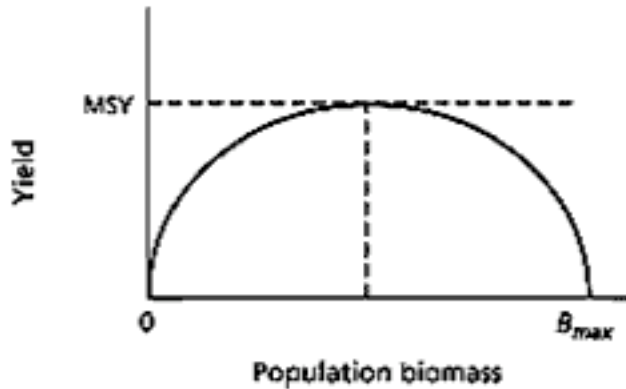
MSY or **maximum sustainable yield** is defined in the Act as follows: “Maximum sustainable yield’ in relation to any stock, means the greatest yield that can be achieved over time while maintaining the stock’s productive capacity, having regard to the population dynamics of the stock and any environmental factors that influence the stock”.

A number of factors contribute to the determination of MSY for a species. These include how fast they grow, when and how they reproduce and the pattern of harvesting in the

fishery. Typically MSY for a fish stock is also variable over time because of changes in productivity and environmental factors

The terms biomass and MSY are combined as a reference point for fisheries as the biomass that will produce the maximum sustainable yield (B_{MSY})

This relationship is illustrated in the figure below.



Question 10

An explanation of how this management strategy affects our access to be able to fish for our babies.

Response

The management target (strategy) for many New Zealand fish stocks, is to maintain them at or above B_{MSY} or to move them upwards or downwards to this level.

As illustrated in the figure above MSY is achieved at biomass levels well below the unfished level (B_{MAX}). The exact proportion of the unfished biomass that produces MSY will vary by species, but is often between 25 and 35 percent of unfished biomass. The effect of this strategy is that while yield (or annual surplus production) is maximised there are less fish in the water to produce that yield. The reduction in biomass in order to achieve MSY can affect the catch rate and availability of fish from a fish stock.

Again, with reference to the illustration above, as abundance declines below the MSY level both yield and the availability of fish declines. As biomass increases above the MSY level catch rates, availability and the average size of fish can be expected to increase but the yield declines.

Question 11

What is the purpose of daily bag limits?

Response

The purpose of daily bag limits varies by species. It can be either to:

- ➤ provide a reasonable limit for daily take to ensure resources are shared within a sector and to provide an overall constraint on catch for a fish stock:

the majority of bag limits fall into this category.

- ➤ constrain recreational take to a predefined limit (allowance):

an example is SNA 1, in which the bag limit of nine was assessed to provide a percentage reduction in total recreational catch for the stock.

- ➤ set a boundary between legitimate non-commercial fishing and unlawful commercial fishing:

this has general application. Under current legislation if a fisher exceeds amateur daily bag limits by more than three times they are deemed to have committed a commercial offence and commercial penalties apply.

Question 12

What importance does the minimum size limit have on fish populations?

Response

The purpose of a minimum size limit may vary by species. For some species (shellfish in particular) a minimum size limit can be a critical measure to ensure the sustainable management of a fish stock. General applications of a minimum size limit are as follows:

- ➤ provide an opportunity for fish or shellfish to breed at least once (on average) before they become vulnerable to the fishery

- ➤ to optimise the yield from a fishery by preventing harvesting of a species until it has past the size/age at which it grows the fastest

- ➤ constrain recreational take to a predefined limit:

examples are SNA 1, in which the size limit of 27 cm was assessed to provide a percentage reduction in total recreational catch for the stock, and kingfish for which an increase in minimum size was intended to achieve a reduction in total recreational catch.

Appendix Three

Whakamaharatanga Hui to Discuss Non-commercial Fishing Interests and Maori Customary Management Tools

27-29 July 2005

Introduction

On the 28th July 2005 the Ministry of Fisheries were invited to Whakamaharatanga Marae to have meaningful discussion on issues raised by those attending the hui. Discussions took place on a way forward and the conception of, and attendance of, customary regional forums.

Background

Up until 1992, when Maori went fishing to feed their whanau, they were customary fishers. They took enough fish to feed the family within traditional practices. After the signing of the Sealords deal the situation changed forever. Maori are now categorised as recreational fishers when fishing for food to feed their children.

Over the last 12 years Maori have been engaged in dealing with their commercial allocation of quota. Now that the asset has been settled and is close to being finalised, Maori have finally realised that their non-commercial interests are threatened by a lack of fish in the water.

In the last year Ngapuhi have been in consultation with other non-commercial fishing interests and have come to the conclusion that they have much in common. With closer relationship building it has been established that because of the depletion of the inshore shared fisheries the main common desire is more fish in the water.

Consultation has now widened to include other iwi within the Tai Tokerau region who have also concluded they must work together with other non-commercial fishing interests to achieve the objective of more fish in the water.

Those present at the hui agreed upon the following:

Sustainability

- We all want more fish in the water.
- Customary and recreational fishing interests all agreed that there is insufficient abundance to meet the requirements of non-commercial fishers in many inshore shared fisheries.
- Greater understanding of fisheries management processes has developed through dialogue.

- There is universal agreement about the deficiency of the current management of our fisheries.
- MFish acknowledge some failure in their fisheries management.
- Non-commercial fishers raised a list of issues that they believe need to be addressed regarding initial allocations, illegal and unethical activity by commercial fishers. These issues will need to be addressed as an essential component of regaining trust that the QMS can deal fairly with both commercial and non-commercial interests.
- MFish acknowledge that without goodwill it is difficult to effectively reduce non-commercial catch.
- It was agreed that goodwill was eroded when historic conservation efforts went unaccounted for in recent fisheries management decisions and proposals.
- Public awareness and good understanding of the need for change is essential if goodwill is expected.
- MFish have acknowledged research funding is limited.

Customary

- We agreed that mataitai and taiapure were potentially excellent customary tools for managing sedentary species but were unlikely to have much effect on mobile finfish stocks.
- More resources are needed to be applied to implement and maintain customary tools.
- Kaitiakitanga is caring for the fish stocks. Iwi agree kaitiakitanga is for the benefit of all.
- Customary interests accepted the forums proposed by the Te Tari o Te Kahui Pou Hononga.
- It was agreed the customary forum must include all non-commercial fishing interests.
- Iwi still maintain their customary rights under the Settlement Deed.
- Recreational fishing interests have developed an appreciation of tikanga associated with customary fishing.
- Before the promulgation of customary management tools education has to be provided to the public.

Recreational

- Recreational fishing interests fully recognise and respect customary fishing rights.
- Ngapuhi acknowledge that a significant portion of their catch is currently categorised as recreational.
- Recreational fishers have achieved a good understanding of how the above two points interact with Ngapuhi's commercial fishing interests.
- It was agreed by recreational fishing interests that our interests, in this respect, coincide to a great extent.
- We have achieved a common understanding of each others (customary and recreational) aspirations in shared fisheries.

Reserves

- No-take marine reserves were not a solution to poor fisheries management.

Recommendations

- We recommend that non-commercial fishers work collaboratively on the response to the current Ministry Initial Position Papers. The drafts are already prepared for the response to the SNA8, FLA1, GMU1 and kahawai proposals. The proportional allocation document will form part of the submissions. This is to help achieve the objective of more fish in the water. The decisions on these fisheries will take effect on 1 October this year.
- We recommend that if there are any outstanding issues from the proportional document, the Ministry and representatives from this hui will meet to discuss those issues after 1 October.
- We recommend that we should reconvene within four weeks. This hui will be funded by the Ministry.
- We recommend discussions will be on the terms of reference, a Memorandum of Understanding and a strategic plan for the forum.