

31 July 2024

Minister for Oceans and Fisheries
Ministry of Primary Industries
Charles Fergusson Building
38-42 Bowen St
Pipitea
PO Box 2526
WELLINGTON 6140

SENT VIA EMAIL & COURIER

Attention: Minister Shane Jones

Tēnā koe e te Minita,

*Poua ki runga
Poua ki raro
Poua ki tāmōremore nui nō papa ki tāmōremore nui nō rangi
E rongo he aio, tēnā tawhito pou ka tū
E kore e uea
E kore unuhia
E kore hinga
E kore wharara
Tēnei to pou ka tū, e hai!*

RE: REQUEST FOR A TWO-YEAR EXTENSION OF THE WESTERN TARANAKI TEMPORARY CLOSURE UNDER s186a OF THE FISHERIES ACT

On behalf of Taranaki Iwi and Hapū, we write to formally request and apply for a two-year extension of the current Western Taranaki Temporary Closure under Section 186a of the Fisheries Act 1996, until December 2026. The rationale for this request/application is set out in this letter.

1. Applicants: Taranaki Iwi and Hapū via:

- Chairperson / Jacqui King of Te Kahui o Taranaki Trust (Post Settlement Governance Entity for Taranaki Iwi)
- Level 4/139 Devon Street West, New Plymouth
- PO Box 929, Taranaki Mail Centre, New Plymouth 4310
- [REDACTED]

2. Location of requested extension and map of area involved:

- 2.1. See Appendix 1.

3. Temporary Closure Process

- 3.1. This is a request for an extension of the current Western Taranaki Temporary Fisheries Closure under section 186a of the Fisheries Act 1996 (see 5.6 – Step 6 below).

4. Kai Mātaitai Species

- 4.1. Kai Mātaitai species included in the current section 186a Temporary Closure and requested to be included in the extension are seen in Appendix 2.
- 4.2. Please note this includes the addition of Kōura (Red Crayfish) which was part of the original temporary closure request.

5. Steps taken in the protection of Kai Mātaitai within the rohe of Taranaki Iwi

- 5.1. Step 1 - 2020 -21 Observation of excessive exploitation of Kai Mātaitai by increasingly organised groups, frequently from outside the local area.
- 5.2. Step 2 – Attempts to educate Kai Mātaitai collectors by Iwi, Hapu and Community volunteers.
- 5.3. Step 3 - Early 2022 a traditional Rahui was placed on the Western Taranaki inshore Kōhanga by Taranaki Iwi and all nga Hapū o Taranaki Iwi, with the support and many of the wider community.
- 5.4. Step 4 – 2022 Public meetings and consultation with Hapū resulted in an application for a temporary closure of the fishery under section 186a of the Fisheries Act 1996.
- 5.5. Step 5 – December 2022 the section 186a Application was approved by the Minister of Oceans and Fisheries as requested, excluding Kōura (Red Crayfish) and Gazetted. This temporary closure has been in force since, providing legal protection of the Kai Mātaitai.
- 5.6. Step 6 – (Now):
- 5.6.1. Taranaki Iwi and Hapu respectfully request an extension of the section 186a Temporary Closure as initial evidence is clear from our marine survey data to date that there is evidence of potential future growth but an insufficient current stock for sustainable harvesting.
- 5.6.2. Lifting the section 186a temporary closure poses significant risks to the marine environment's health, as the Kai Mātaitai population is not yet stable enough to support sustainable harvesting, potentially leading to over-harvesting and long-term damage.
- 5.6.3. Evidence shows more time is needed to prevent the total collapse of the toanga species and to allow for the implementation of protocols which will allow for sustainable collecting for future generations. On advice from the highest level we are requesting a two-year extension.

6. Extension of the section 186a Temporary Closure

- 6.1. Te Kāhui o Taranaki Trust agreed a deed of settlement with the Crown on September 2016 which recognise that Taranaki Iwi are Tangata Whenua. As part of the agreed settlement, the Ministry of Primary Industries issued a protocol recognising and supporting the right of Taranaki Iwi to manage their customary fisheries according to their customs and traditional practices. Since December 2022 the traditional Rahui has been supported by a section 186a Temporary Closure.
- 6.2. During this time local Hapū have voluntarily ceded their rights under the law to harvest for culturally significant occasions. Compliance to the closure by the wider community has been very strong. This is in line with the very high levels of support shown in submissions on the 2022 closure with 92% of submitters in favour.
- 6.3. Taranaki Iwi and Hapu now request that the success of this closure be continued to allow for the regeneration process to reach sustainable levels. The inshore kohanga zone is at a critical juncture and action is vital with respect to future sustainability by continued short term closure and the development of longer-term protection measures and protocols.

7. Consultation / Engagement

- 7.1. This has been wide and detailed. The consultation process has been guided by the Rahui Takutai Steering Group (a collective of Marae/Pa, Hapu and Community leaders) with the support of Taranaki Iwi. Co-design, unity and collaboration has developed as tikanga for this group, with Kotahitanga me te Mahitahi becoming a key value.
- 7.2. To this end Hapū have been frequently consulted and engaged by the Hapu Representatives who are part of the Rahui Takutai Steering Group. Each Marae/Pa/Hapu have held hui to determine the best way forward in terms of the current protection measures. In addition, Taranaki Iwi have provided regular updates and wānanga, such as at their AGM in October 2023 and with Marae/Pa/Hapu leaders at Parihaka in July 2024. Each Marae/Pa/Hapu within Taranaki Iwi support this extension request.
- 7.3. This follows an already common practice of engaging with the community, a range of which have been held to date, including at Oaonui Hall on 5 February 2023, Oakura Hall on 28 August 2022 and Opunake Events Centre on 29 April 2023. As well as hui held with the Cape Egmont Boat Club and Opunake Boat Club.
- 7.4. During the 2022 public submissions a wide variety of organisations, groups and individuals responded with 92% were in favour of closing the fishery.
- 7.5. In March 2023, Te Kahui o Taranaki established and employed, a Takutai Kaitiaki Team. This team is working closely with the Taranaki Regional Council with monitoring, surveying and providing education in schools.
- 7.6. Local organisations have been continually communicated with - as an example, see Appendix 3 Letter from Opunake Boat Club.

- 7.7. This consultation and the mahi undertaken to protect the Takutai has led to two major community awards. The Taranaki Regional Council's Environmental Award and the Taranaki Daily News Person of the Year Award. The latter was accepted only on the grounds it was presented to the entire Rahui Takutai Steering Group which is the first time this award was issued to a group rather than an individual.
- 7.8. A major result of these consultation processes and the public recognition of this kaupapa has been the raising of awareness and understanding of the Mātaitai and the whole concept of rahui from a Te Ao Maori perspective.

8. Reasons for application for extension

- 8.1. The state of taonga species that remain within the inshore Kohanga (traditional breeding ground) in the Western Taranaki Closure rohe is at a critical point. This closure extension will enable the Mātaitai to recover, increase in size and abundance as populations show initial signs of recovery. Extended time is particularly relevant to Paua, which require at least 3 years to reach sexual maturity and Koura which take even longer as is the case with many other threatened species.
- 8.2. The current ban and associated monitoring has only a short time series, resulting in limited temporal data, which does not allow robust conclusions of the time necessary for the full recovery of the fisheries. Methods of quantitative intertidal reef surveys using 1m² quadrants at 15m intervals as well as semi quantitative surveys assessing species zonation at high tide, mid and low tide have been used to survey Paua, Kina, Kutai, Pupu and other Mātaitai. Initial results show the juvenility of the Mātaitai is such that harvesting could permanently damage the resource. Further time is required to continue data collection on a sufficient time scale to allow adequate assessment of recovery. The unbridled exploitation of the past cannot be rebalanced and regenerated in 24 months.
- 8.3. Previous unrestricted public pillaging of any and every species of shellfish, plant, anemone and fish occurred in the period leading up to the closure. Every thing living was taken. Monitoring by Volunteers reported piano wires, wire, shovels, spades, crowbars and sharp hand tools as methods used to strip the reefs (Pukawa) bare.
- 8.4. In March 2023 Te Kāhui o Taranaki Iwi employed a Takutai Kaitiaki team to carry out:
 - Paua time counts on multiple Pukawa (abundance and size)
 - Surveys for other Mātaitai species, including Kina, Pupu and other Mātaitai
 - Intertidal Pukawa surveys
 - Monitoring of poachers including direct observations of illegal harvesting on the Pukawa, the number of rocks turned the wrong way and promotion and direct reports to the MPI 0800 Poacher hotline.
 - In addition, the Takutai Team have been working with local schools and the Taranaki Regional Council to increase education around the Rahui and better understand the response of the rocky shore communities. (E.g. Turning rocks back the right way)

- 8.5. Continued support under the law is imperative to prevent the total collapse of the Taonga Species and the erosion of the ecosystem. Paua require at least 3 years to reach sexual maturity.
- 8.6. A recent example of the premature lifting of a closed fishery is the Kaikoura event in 2022. Research conducted since the 2016 earthquakes had shown that in response to the five year fishery closure, paua abundance recovered significantly in many parts of the coastline. The large recreational catch taken during the initial reopening, during the 2021/22 season was attributed to fishing occurring over the peak summer period (December to February) when visitor numbers into the region were highest and an initial very high abundance of easily accessible paua in shallow wade-able areas close to shore with car parking availability. This had a devastating impact on the fishery. Owing to the accessibility of many Mataitai Pukawa (reefs) located at road ends within the Taranaki Iwi Rohe, we strongly believe that if the temporary closure is not extended, over harvesting of Mataitai species, which are in a in the midst of trying to recover, is inevitable.
- 8.7. Previous over harvesting has resulted in significant damage to intertidal Pukawa ecosystems in addition to targeted Mātaitai species.
- 8.8. An extension of the current section 186a closure will provide the time necessary for the establishment of longer term protection strategies (such as Mataitai Reserves or other considerations) with appropriately agreed mechanisms to provide managed protection to all threatened species and the ecosystem. These protections are essential to ensure an environment of future sustainability and ecological balance. This is in line with the Fisheries Act 1996 which requires the implementation of management practices that will ensure future gathering is sustainable and Pukawa ecosystems are adequately protected in line with Section 8 (1) and 9 of the Fisheries Act 1996.
- 8.9. The purpose of the Fisheries Act 1996 is to provide for the utilisation of fisheries resources while ensuring sustainability. In the Act, ensuring sustainability means *“maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations”*.
- 8.10. Section 9 c of the Act requires the following Environmental Principles: *“biological diversity of the aquatic environment should be maintained”* and *“habitat of particular significance for fisheries management should be protected”*.
- 8.11. The requested closure extension would meet the requirements under section 186a (2) of the Act which is *“to recognise and make provision for the use and management practices of Tangata whenua in the exercise of noncommercial fishing rights”* by improving the availability and size of Mātaitai.
- 8.12. The Customary Fishing Act 1998 goes further in managing Mataitai resources with the allowing of Mataitai Reserves to be established and Customary Management practices to be applied within the protocols laid out. The implementation of these practices and customary approaches will be paramount for building a sustainable resilient ecosystem within our Pukawa for the future. We are currently in the process of canvassing the range of options, our current

preference for a Mātaitai Reserve with our whanau. This protection measure, alongside other options will be detailed and once a decision is made by our community on the preferred protection measures, an application will be made on that matter. However, what is clear is the overwhelming support for the following:

“He matenga poto, he oranga roa”
(A short term sacrifice, for long term benefits.)”

9. Anticipated benefits of an extension

- 9.1. The realisation of inter-relationships of all phenomena, physical and spiritual and the interdependence amongst all natural phenomena and our place within it. This is an understanding of Te Ao Maori world view and is being shared widely with our community.
- 9.2. These benefits will be not only be local (hapū), regional (Iwi) but also nationwide. Not only short term but also long term.
- 9.3. The understanding of traditional methods of sustainability (eg Rahui), by the wider community.
- 9.4. The systems of sustainable harvesting, times, numbers and priorities are developed, and longer term protection measures given time to be put in place.
- 9.5. Knowledge of taonga species and understanding of protection processes are widely understood.
- 9.6. Pride in protection of taonga species and our ecosystems.
- 9.7. Wider community relationships are enhanced.

10. We formally request:

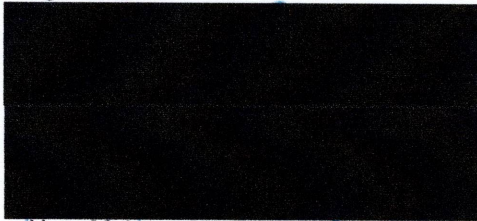
- 10.1. That the Minister of Oceans and Fisheries approve an extension to the Western Taranaki section 186a Temporary Closure for a two-year period from 15 December 2024 to 15 December 2026, for Taranaki Iwi, Hapu and the wider Community.
- 10.2. The extension will provide an opportunity for more scientific research, taonga species to continue in their recovery, grow in size and numbers to restore the mauri of the West Taranaki inshore Kōhanga and to allow time to establish a set of long term protection measures and protocols (e.g. Mātaitai reserves or alternatives). The concept of mahi tahi and the collective inclusive approach involving Whanau, Hapu, Marae, Stakeholders and the wider community will take New Zealand forward to a more sustainable and balanced environmental future.

11. Executive Summary.

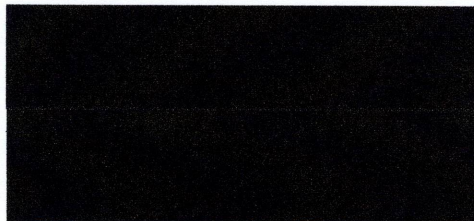
- 11.1. Taranaki Iwi, Hapu, and the wider Community request an extension for two-years of the Western Taranaki 186a Closure.

- 11.2. The current perilous state of Taonga Mātaitai species within the two nautical miles of closed area cannot be overstated.
- 11.3. The need for more time to establish robust scientific data and the opportunity to develop longer term protection is critical to allowing a sustainable resource for future generations. It is this focus that are the key drivers of our request.

Ngā mihi,



Hon. Mahara Okeroa
For and behalf of ngā Hapū o Taranaki Iwi



Jacqui King
Chair of Te Kāhui o Taranaki Trust