

Te Taumanu o Te Waka a Māui Taiāpure and Oaro Haumuri Taiāpure Management Committees

3 October 2018



Taiāpure Management Update for fisheries stakeholders

Tēna koutou kātoa,

Legal purpose of the taiāpure management tool

The Fisheries Act contains provisions allowing for the establishment of a taiāpure and the subsequent appointment of a management committee¹. The object of this part of the Act (Part IX) is to “...make...better provision for the recognition of rangatiratanga and of the right secured in relation to fisheries by Article II of the Treaty of Waitangi”.

As such, the primary legal focus is on the recognition and provision of customary fishing practices (both use and management), however, other values can be incorporated in to the management of taiāpure as well, such as manaakitanga (looking after) of local community recreational fishers with limited fishing capacity. This manaakitanga of local recreational fishers is discussed further in the proposed regulations section below.

Taiāpure Committees

The Oaro Haumuri Taiāpure and Te Taumanu o Te Waka a Māui Taiāpure applications of Te Rūnanga o Kaikōura were given legal effect by the Kaikōura (Te Tai o Marokura) Marine Management Act 2014 and the taiāpure committees were appointed to manage these taiāpure under Part IX of the Fisheries Act in August 2015.

In meeting the objectives of the taiāpure, Te Rūnanga o Kaikōura has chosen to exercise their chieftainship through community-based taiāpure management committees. Our taiāpure committees are made up of representatives from Te Rūnanga o Kaikōura as well as local recreational fishers, commercial rock lobster and pāua fishers, the University of Canterbury and the Kaikōura Branch of Forest and Bird.

The taiāpure committees wish to manaaki the local community and, in order to achieve this, they need to ensure the fishery is rebuilt and restored to abundant levels. This will protect and future-proof the ability of customary fishers and the local community to ‘fish for a taste’ in the taiāpure areas – the two taiāpure areas are shown below in Map 1 and Map 2.

¹ Sections 174 to 184 of the Fisheries Act 1996.

Vision statement for the two taiāpure

The fisheries resources and marine environment within the taiāpure areas are protected and enhanced to abundant levels for present and future generations to enjoy and use in a sustainable manner and for mahinga kai practices to continue through the generations.

*Mō tātou, ā, mō ngā uri ā muri ake nei
For us and our children after us*

Taiāpure Objectives

The objectives of the taiāpure are to:

- i) ensure customary fishers have access to and use of abundant supplies of mahinga kai in order to exercise their customary rights including the manaaki of manuhiri (looking after visitors);
- ii) actively promote the use of traditional tikanga (customs) and kawa (protocols) such as rāhui (temporary closures) through the management regulations for the taiāpure (using 'lore' to create the 'law');
- iii) prevent further degradation of the mauri (life) and wairua (spirit) of these taiāpure;
- iv) ensure the adverse impacts of human activities on the marine environment, fisheries habitat and associated and dependant species are avoided, remedied or mitigated;
- v) ensure all mahinga kai from these taiāpure are fit for human consumption.

Implementation of Taiāpure management measures

- ***Application for the s186B temporary closure for Te Rae o Tawhiti (Mudstone Bay).***

As you know, the Management Committee for Te Taumanu o Te Waka a Māui Taiāpure have decided to withdraw this application. In the submissions that were received, the taiāpure committee read of the overwhelming importance of the bay as a safe fishing location and as an ideal place for teaching children to fish.

The Committee had applied for the temporary closure over this bay in order to assist stocks to rebuild for future community use and it was felt that leaving the western side of Baxter's Reef and the reef areas at Atia Point out of the closure would have catered for the immediate needs of local community recreational fishers with limited fishing capacity. However, the Committee were convinced by submitters that ongoing access to the remaining area of South Bay for fishing was too critical for it to be closed temporarily.

The taiāpure committee are still interested in utilising the s186B temporary closure tool but we will not propose future closures other than Waiopuka Reef until such time as we have more information to identify the best kōhanga areas around the Peninsula.

In withdrawing this application, the taiāpure committee have decided to focus on the proposed regulations referred to below that will, among other things, attempt to deal with the displacement effects from any future temporary closures.

- ***Proposed taiāpure regulations***

The taiāpure committees have developed a suite of proposed regulations for the Minister of Fisheries to consider consulting the community and fishers on.

In recommending these initial management measures, the taiāpure committees considered that an area closure, species prohibitions and reduced daily bag limits were all necessary to reduce fishing pressure on shellfish and finfish species in order to build abundance. Local knowledge indicates that fish stocks in the taiāpure were nowhere near as abundant and accessible as they were in the past. Pāua on the Peninsula in particular have decreased in number and distribution in customary depths. The recent earthquake has exacerbated these issues. The taiāpure committees believe the recommended regulatory measures are now required in order to achieve the legal object of the taiāpure.

Many of the recommended regulatory measures are supported by research undertaken on behalf of the taiāpure committees by Te Tiaki Mahinga Kai (a research and monitoring support team for Customary Protection Area (CPA) managers centred at the University of Otago).

(a) *Area closure - Waiopuka Reef*

Surveys by Te Tiaki Mahinga Kai in May 2017 indicate that the densities of pāua at the representative sites and depths at Waiopuka were relatively low (significantly below 1 per m²). Other important mahinga kai species were found to be present in low densities in the May 2017 survey also.

Given the slow recovery rate, the Committee believes that rather than regularly having to make application to renew a temporary closure, that an open-ended s297 regulation should be implemented at Waiopuka.

No end date would be placed on the closure, however, it is the taiāpure committee's intention to periodically monitor the closure to determine if it has achieved sufficient density to facilitate the customary harvesting practices previously used in the area.

(b) *Prohibition of Amateur Charter Vessels fishing for rock lobster*

The taiāpure committees have recommended this measure to increase access to the lobster fishery in the two taiāpure for customary fishers and recreational fishers who have less capacity (e.g. smaller boats, smaller/less pots).

The taiāpure committees note that further reductions in commercial rock lobster fishing pressure in the taiāpure are not warranted at this time as commercial fishers have already shifted 14 tonne of catch to other parts of CRA 5. The reduction in effort was necessary as the areas became more popular with other sectors. The taiāpure committees will of course work with CRAMAC 5 to ensure the commercial catch levels remain at these reduced levels.

(c) *Prohibition of commercial fishing of a range of finfish species*

The taiāpure committees have recommended the prohibition of commercial fishing for butterflyfish, blue moki, tarakihi, gurnard, flatfish, trumpeter, marblefish, leatherjacket, red cod, yellow-eyed mullet, kahawai, rig and school shark within the two taiāpure.

Again, the taiāpure committees have recommended this measure to increase access to these species, when they are within the taiāpure, for customary fishers and recreational fishers who have less capacity (e.g. smaller boats).

(d) *New recreational daily bag limits for finfish and crayfish and new recreational crayfish pot limits*

The taiāpure committees have recommended reductions to the daily recreational bag limits for rock lobster and a range of finfish species. The proposed reduced daily bag limits are three (3) rock lobster, two (2) blue cod, three (3) butterflyfish, three (3) blue moki, three (3) tarakihi, three (3) gurnard, three (3) flatfish, one (1) trumpeter, three (3) marblefish, three (3) leatherjacket, three (3) red cod, six (6) yellow-eyed mullet, three (3) kahawai, one (1) rig and one (1) school shark per fisher within the two taiāpure.

The taiāpure committees have also proposed that the number of recreational rock lobster pots that may be used when taking rock lobster from within the two taiāpure be set at three (3) per vessel (regardless of the number of fishers on board).

The taiāpure committees have recommended these measures to increase local abundance and to distribute catch across a greater number of fishers – including both customary fishers and recreational fishers who have limited capacity.

Surveys by Te Tiaki Mahinga Kai in May 2017 indicate that there is a relatively small, near-shore Kaikōura Peninsula blue cod population and that only 4% of them are at or above the minimum legal size compared to 23% offshore.

The proposed blue cod management measure will not only recognise and provide for greater customary fisher access, in line with the taiāpure status of the fishery, but it will also recognise and provide for the protection of juvenile blue cod that are so critical to the long-term sustainability of the fishery.

(e) *Commercial and recreational prohibition on harvesting shellfish and seaweeds*

In response to the earthquake the Minister has approved the implementation of a s11 sustainability measure prohibiting the recreational and commercial harvest of all species of shellfish (except for rock lobster, scampi and recently octopus) and all species of seaweed for the Kaikōura region.

The taiāpure committees believe they, as reserve managers, should determine when and how fishing recommences within the taiāpure – to ensure the appropriate levels of abundance of key stocks are present in the waters of the taiāpure before the fishing ban is lifted for each species. Generally speaking, to meet the legal object of the taiāpure,

stock abundances in taiāpure waters should be much greater than the 'open' coast not under special reserve management.

As such the taiāpure committees have recommended that the s11 fishing ban is supplemented in taiāpure waters by taiāpure regulations prohibiting the take of all species of shellfish (except for rock lobster and octopus within the Te Taumanu o Te Waka a Māui Taiāpure and rock lobster, octopus and pāua within the Oaro-Haumuri Taiāpure) and all species of seaweed (except karengo within the Oaro-Haumuri Taiāpure).

The taiāpure regulations will allow the taiāpure committees to lift the fishing ban on only those species that have reached target abundance, while the harvesting of all other species would remain prohibited. For example, this would allow key stocks such as pāua, kina and mussels to be fished whilst retaining the prohibition on limpets, periwinkle, cat's eyes and other such species at the base of the food web in order to facilitate the continued rebuild of local abundance.

The taiāpure committees are committed to providing future access to recreational and commercial fishers once stocks have rebuilt. In determining when and how fishing recommences within the taiāpure, the taiāpure committees will of course work closely with Te Tiaki Mahinga Kai researchers and other research providers. The taiāpure committees will also work closely with Te Korowai and the Kaikōura Marine Guardians to ensure a fair opening regime is determined that balances this access off against the need to conserve and rebuild stocks and to recognize and provide for customary fishing rights.

The taiāpure committees also note that the s297 regulations will allow for experimental fishing under customary authorisations issued by Kaikōura Tangata Tiaki/Kaitiaki, via regulation 11 of the *Fisheries (South Island Customary Fishing) Regulations 1999*, in order to develop appropriate fishing regimes for when the fishing ban is lifted for each species.

Feedback

Should you have any feedback on these proposed management measure please do not hesitate to contact us c/- the Secretary for Te Korowai. At this stage, it is likely that the Minister will consult the community on the draft regulations in November this year.

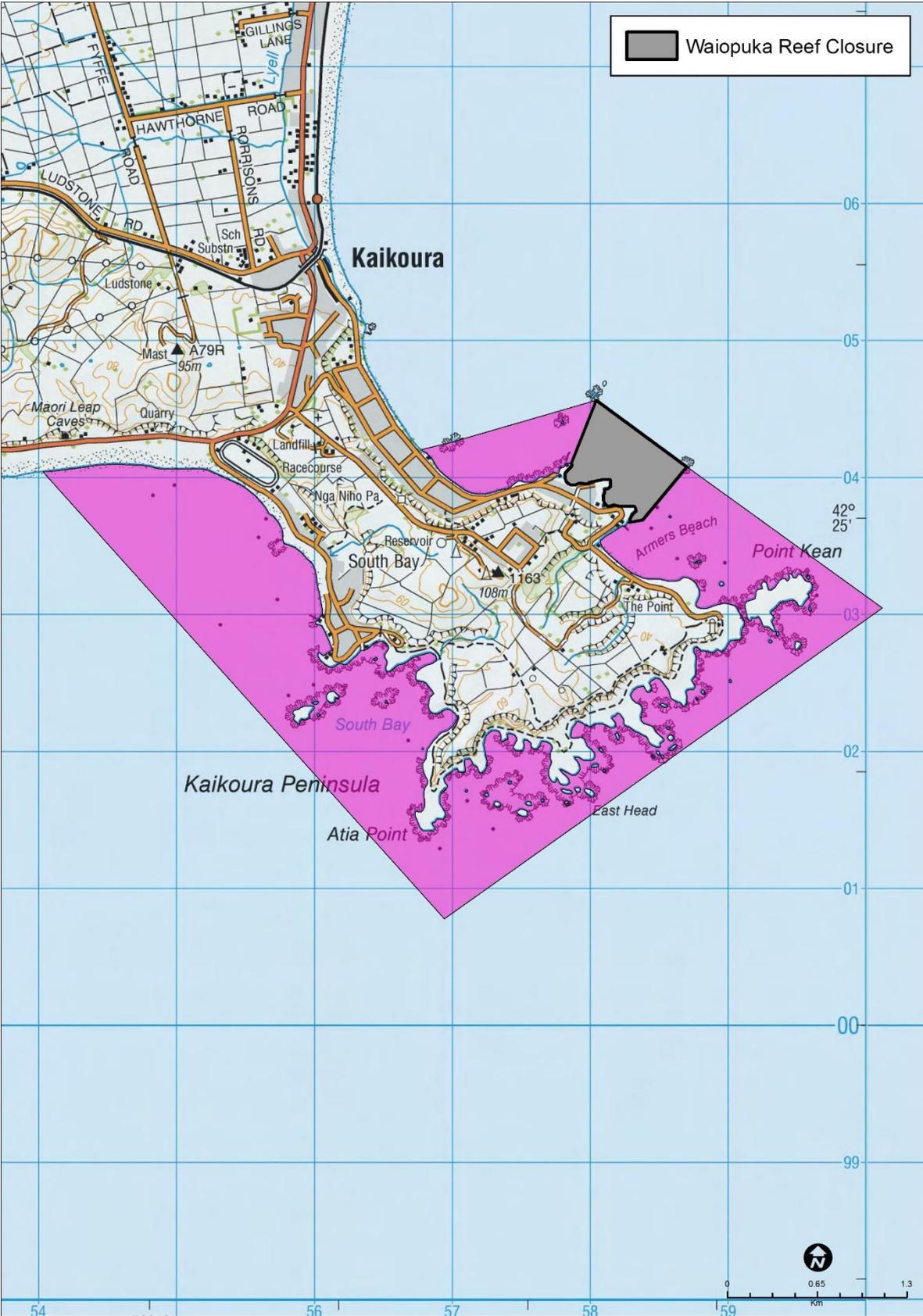
Nāhaku noa, nā



Sir Mark Solomon

Chairman, Te Taumanu o Te Waka a Māui Taiāpure Management Committee and Oaro-Haumuri Taiāpure Management Committee

Map 1 – Te Taumanu o Te Waka a Māui Taiāpure



Map 2 – Oaro-Haumuri Taiāpure

