



# Third Quarter Report

1 Āperira - 30 Hune 2019

Te Ohu  
**Kaimoana**



# KA ORA KI TAI KA HUA KI UTA

A bountiful ocean will sustain us

## Summary

This briefing for Iwi provides an overview of Te Ohu Kaimoana's work against the 2018/19 Annual Plan and covers the period 1 Āperira 2019 to 30 Hune 2019.

## Published by

Te Ohu Kaimoana  
9 Hūrae 2019

Te Ohu  
**Kaimoana**



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# Karakia

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Poua ki runga

Poua ki raro

Poua ki tāmōremore nui nō papa

Poua ki tāmōremore nui nō rangi

E rongō he aio

Tēnā tawhito pou ka tū

E kore e uea

E kore e unuhia

E kore e hinga

E kore e wharara

Tēnei te pou ka tū, e hai!



# Executive summary

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Tēnā koutou katoa,

This is Te Ohu Kaimoana's third quarterly (Q3) report to Iwi against the 2018/19 Annual Plan and covers the period 1 April to 30 June 2019.

The key strategies and work streams identified for the year are:

1. Maintaining and growing positive relationships with Iwi and key stakeholders;
2. Reorganising Te Ohu Kaimoana's capacity for the future;
3. Developing and responding to initiatives to protect and enhance Māori fisheries rights; and
4. Completing statutory duties.

As with our previous quarterly reports, this report has been developed to give more regular insight into the work the organisation undertakes on behalf of Mandated Iwi Organisations.

For the third quarter of the 2018/19 year, Te Ohu Kaimoana delivered its services within budget of the 2018/19 annual plan at a cost of \$1,168,019 against a budget of \$1,525,562 – a \$357,543 variance.

As always, we welcome your feedback on the structure and content of our reporting.

Noho ora mai rā,



Dion Tuuta  
Te Mātārae  
Te Ohu Kaimoana



## Māui and Hector's Dolphins

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During the reporting period Te Ohu Kaimoana was required to commit significant resources to the management of a perceived risk to the continued existence of Māui and Hector's dolphins.

The Government made two announcements aimed at protecting the estimated 63 adult (and an unspecified number of pre-adult) Māui dolphins that are found on the West coast of the North Island. This subspecies of Hector's dolphin is deemed to be nationally critical and there is a risk of reduced genetic diversity if it is lost. From 2 November 2019 cameras will need to be fitted to the (28) vessels that either trawl or set net within the currently unrestricted areas of their range.

This will come at a cost of \$17 million to the taxpayer (initially), as well as imposing unspecified additional and ongoing costs on the fishing industry. The stated purpose of the cameras is to validate the information coming from the commercial sector which shows that fishers are not catching Māui dolphins.

Within a week of the first announcement, Government also released a revised Threat Management Plan (TMP) for Māui (and Hector's) dolphins. This plan identified a range of risks to the continued survival of Māui dolphins (including predation, disease transferred through cats and fishing). The TMP sets out a range of proposals to manage the threat of fishing that involve widespread spatial closures. These measures are deemed necessary because the model used in the TMP identifies a risk of capture in fishing gear.

These two initiatives have the potential to impact the commercial fishing industry in general, and Iwi Settlement Quota owners in particular. Te Ohu Kaimoana is presently assessing the proposals to determine their impacts on dolphins, individual Māori fishers, whānau, marae, hapū and Iwi and we will be meeting with affected parties to hear their views.



## Sustainability Rounds

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During the reporting period our policy team had a series of interactions with staff from Fisheries New Zealand (FNZ) regarding the annual review of sustainability measures and other management controls for fish stocks:

- Working with an independent reviewer of the 2018/19 process
- Engagement in the problem definition phase in the lead up to the review for the 2019/20 fishing year
- Review of the consultation document released by FNZ for the 2019/20 fishing year.

This work involves all members of the fisheries policy team. Many of the stocks under review are of significant interest to Iwi.



## Retirement of Jamie Tuuta and Hinerangi Raumati-Tu'ua

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Jamie Tuuta and Hinerangi Raumati-Tu'ua have reached their maximum statutory terms as Directors for Te Ohu Kaimoana and will retire after 8 years on the Te Ohu Kaimoana Board. Jamie and Hinerangi have served Te Ohu Kaimoana and Iwi during significant events including the 2015 Statutory Review process and subsequent reorganisation of Te Ohu Kaimoana.

Jamie was Chair of Te Ohu Kaimoana from May 2015 and oversaw Te Ohu Kaimoana's response to the Statutory Review. Hinerangi chaired the Audit and Risk Committee and was a key member of the Portfolio Services Management Ltd board which has successfully grown the investment fund. Both Jamie and Hinerangi's contribution to the development of Te Ohu Kaimoana following the statutory review has been huge.

Te Ohu Kaimoana sincerely thanks Jamie and Hinerangi for their exceptional leadership and service to ngā iwi o te motu and the Māori Fisheries Settlement. Ka nui te mihi atu ki a kōrua mō o kōrua pukumahi.

Director Ken Mair also reaches his maximum statutory term in November 2019. At the time of writing this report Te Kawai Taumata was meeting to consider successors to Jamie, Hinerangi and Ken. Further information on this can be found at the end of this report.



## Moana New Zealand Dividend Distribution Consultation

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During Q3 the Chief Executive met with Mandated Iwi Organisations (MIO) throughout the country to discuss the Te Ohu Kaimoana Board proposal to distribute Te Ohu Kaimoana's 20% share of the Moana New Zealand dividend for the 2018/19 financial year to Iwi in the lead up to a Special General Meeting set down for 3 July (the beginning of Q4).

The Te Ohu Kaimoana Board announced its intention to make this distribution at the 2019 Annual General Meeting subject to discussion with MIOs and consideration of the risks and benefits. As part of this work Te Ohu Kaimoana considered legal risk, tax risk and affordability risk to the continued operation of the business.



## Examples of Charitable Fisheries Purposes

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- Education grants to Iwi members to enable them to acquire skills that are required for the fisheries industry.
- Funding wānanga for Iwi members to discuss the current state of their traditional fishing grounds and to identify an action plan to improve kai moana.
- Providing kai moana to tangi within the rohe of the Iwi.
- Funding a research project that involves examining biology/life cycle ultimately to assist with the replenishment of stocks and habitats and publishing the results.
- Purchasing fishing equipment for marae within the rohe of the Iwi for use for tangihanga, wānanga and marae based activities
- Funding commercial fisheries activities to provide a sustainable income to support any of the above activities. The profits from the enterprise **MUST** all be used for charitable purposes.



# Financial performance against plan



The following table summarises each area of work identified in the 2018/19 annual plan, by comparing actual to budgeted expenses for quarter.

Summary of Annual Plan FY 2019 Goals and Objectives	Quarter 3 (1 April - 30 June 2019)		
Areas	Actual	Budget	Variance
Fisheries Allocation	139,645	151,921	12,276
Fisheries Policy	246,352	371,786	125,434
Aquaculture Allocation	131,826	209,781	77,955
Aquaculture Policy	24,987	25,945	958
Maori Fisheries Act Review	21,676	36,476	14,800
Governance Services	161,589	189,274	27,685
Management Services/Relationships	444,945	540,379	98,434
<b>TOTAL</b>	<b>1,168,019</b>	<b>1,525,562</b>	<b>357,543</b>

Summary of Annual Plan FY 2019 Goals and Objectives	Year to date		
Areas	Actual	Budget	Variance
Fisheries Allocation	361,400	437,310	75,910
Fisheries Policy	655,758	931,920	276,162
Aquaculture Allocation	366,772	478,153	111,381
Aquaculture Policy	61,411	68,021	6,610
Maori Fisheries Act Review	43,036	92,436	49,400
Governance Services	498,486	502,790	13,304
Management Services/Relationships	1,205,097	1,437,061	231,964
<b>TOTAL</b>	<b>3,182,961</b>	<b>3,947,691</b>	<b>764,730</b>



## Comments on quarter three variances

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**Fisheries Allocation** – Funds were set aside to assist with arbitration costs. Expenditure has not occurred as expected, however Te Ohu Kaimoana continues to provide assistance to all Iwi groups. The travel budget has not been utilised as efforts have been focused with Iwi at the bottom of the North Island.

**Fisheries Policy** – As discussed in the body of this report 28N rights remains in recess and therefore costs have not been spent in this quarter. The TransTasman Resources Court of Appeal is set down for September 2019. The budget for this work is allocated across the last three quarters of the year. To date, we have not had to utilise budget set aside for Rangitahua.

**Takutai Allocation** – Our regional settlements work programme has not progressed in the timeframes originally anticipated due to delays in completing the first review of the Minister’s New Space Plan.

**Maori Fisheries Act Review** – No further progress has been made. We are looking at what options can be taken to progress this in parliament.

**Governance Services** - This is behind budget in quarter three due to the timing of board books subscription payment which was paid for in quarter two.

**Management Services/Relationships** – We had budgeted to provide a series of positive messages on fisheries using different communication platforms, i.e. social media, videos and print media. However, responding to current issues over the last three quarters has been the focus of our communication team.





Our Chief Executive Dion Tuuta appeared on TV3's 'The Hui' with Mihingarangi Forbes in early April, to discuss Ngāti Kuri's new plan for a puna ora and what Te Ohu Kaimoana's view would be on this.

From 2 November 2019 cameras will need to be fitted to the (28) vessels that either trawl or set net within the currently unrestricted areas of their range. This will come at a cost of \$17 million to the taxpayer (initially), as well as imposing unspecified additional and ongoing costs on the fishing industry. The stated purpose of the cameras is to validate the information coming the commercial sector which shows that fishing is not catching Māui dolphins.



In the lead up to the review, we presented Minister Nash with an Eastern Tarakihi Management Strategy and Rebuild Plan, developed in conjunction with Fisheries Inshore New Zealand and Southern Inshore Fisheries. The plan was then included in Fisheries New Zealand's 2019 Sustainability Rounds.

We attended Ngāti Kahungunu Iwi Inc's 9th Annual Fish Hook Summit in Ahuriri in May.



We worked with Chapman Tripp and the Law and Economics Association of New Zealand (LEANZ) to arrange an open seminar with Professor Gary D. Libecap, who we commissioned to carry out research on the effectiveness of Marine Protected Areas.

We were active in attending the Annual General Meetings for a range of paua fisheries (PAU2, 3, 4 and 7). This ensured we were able to be informed on, and engaged with, fisheries complexes which are the focus of fine-scale management delivered through the PAUAMAC's.



Te Rūnanga

We provided a response to the EPA on the OMV Great South Basin Marine Discharge Consent. Te Ohu Kaimoana was neutral, though we encouraged OMV to develop an engagement agreement with Ngāi Tahu Iwi and papatipu rūnanga that identify with the waters off the South Island's south-east. We also encouraged OMV to put in place conditions which will mitigate and minimise effects on the marine environment.



We continue to be involved in discussions relating to the management of sea lions. Throughout the quarter we participated in both the Sea Lion forum and advisory group, as well as the Auckland Islands squid trawl fishery advisory group. While sea lion captures have reduced significantly over recent times, there continues to be a push from environmental NGOs to achieve a zero by-catch target. This is an aspirational, rather than achievable, target at this time given our current knowledge and fishing practices.



# Operational performance against Annual Plan 2018/19

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The following summarises what Te Ohu Kaimoana worked on during Q3 in each of the highlighted areas.

## Fisheries allocation

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### Objective

# 01

**Assist Iwi gain/retain MIO status and transfer population-based assets where relevant by 30 September 2019; and**

**Assist Iwi to transition their Post Settlement Governance Entity to a new MIO where required.**

- We continue to work with Te Rūnanga o Te Whānau-ā-Apanui to agree a project plan to assist with their progress towards establishing a MIO for Te Whānau-ā-Apanui.
- Te Rūnanga o Ngāti Tama has placed the process of establishing a MIO for Ngāti Tama (Taranaki) on hold, at least until after their AGM processes are carried out later this year. We are in regular contact with Te Rūnanga about this matter and will assist them, where possible, when they are ready to progress towards establishing a MIO.
- We continue to work with the Office of Treaty Settlements to assist Te Rūnanga o Ngāti Whātua to transfer their MIO status to their future Post Settlement Governance Entity.

### Objective

# 02

**To allocate and transfer remaining settlement assets**

- Wellington Iwi continue to be engaged in processes to resolve their coastline dispute.
- We have continued to assist Manawatū Iwi to develop a process for resolving their coastline dispute.
- We have offered to assist South Island Iwi to develop a process for resolving their coastline dispute.
- We have offered to assist Iwi in Northern Taranaki to develop a process for resolving their coastline dispute.

# Fisheries allocation



## Objective

# 03

**Facilitate agreements using statutory processes under the Act (s 181 and 182) where required**

- We have made considered efforts to avoid resorting to use of the statutory processes provided for in section 182 of the Act. Where coastline disputes exist, we are working closely with the relevant Iwi to develop processes to resolve those disputes.

## Objective

# 04

**Make ACE available to iwi who have not received their settlement assets**

- The April 2019 ACE Round is underway and is being conducted in accordance with the same protocols as previous years. We have begun the process of transferring non-disputed ACE to the relevant AHCs. We have completed the tender process for disputed ACE and the revenue from these sales will be held on trust until those disputes are resolved.

## Objective

# 05

**Allocate and transfer funds on trust**

- An ongoing piece of work is the continuous review of funds held on trust and the status of disputes. It was not possible to facilitate agreements between Iwi during the third quarter.

## Objective

# 06

**MIO and Te Ohu Kaimoana compliance with the requirements of the Maori Fisheries Act 2004**

- We continue to be engaged with two MIOs for which issues of compliance with the requirements of the Maori Fisheries Act 2004 have arisen.





## Objective

# 01

### Management settings: Improve managing and reporting the overall catch

- We responded to proposals to reform the management of catch that is either landed or returned to the sea during the second quarter. Our offer to meet with the Minister of Fisheries to discuss our recommend approach was declined due to competing priorities. However, we have had follow up discussions with MPI/FNZ to explore the principles that underpin our preferred approach. MPI have since provided their advice to the Minister on the next steps for the reforms. Our request for joint advice to be provided was declined.
- The roll out of electronic and geospatial position reporting continues with industry bodies being the primary source of engagement. Our attendance of the Implementation Advisory Group (the stakeholder advisory body) has continued and it is clear that there are significant operational issues. The roll out is in tranches based on ACE holding, and the level of non-compliance is increasing as more entities are being brought in to the new system. We hold real concerns for the loss in data quality during this transition period.

## Objective

# 02

### Develop efficient policy tools for fisheries management

- The two working groups established by the Minister/MPI to address 28N Rights and the use of shelving ACE in fisheries management decision making continue to be in recess. Both of these issues will once again be addressed in specific fisheries during the review of sustainability measures and other management controls for the 2019/20 fishing year. Of material significance to the shelving of ACE working group, Crown Law has now agreed that shelving of ACE is a legitimate consideration for the Minister of Fisheries to take into account when considering the effects of fishing.



## Objective

# 02

### Develop efficient policy tools for fisheries management

- This change in stance has resulted in the PAU4 and PAU7 proceedings being withdrawn and the Minister's decisions to reduce the TAC/TACC in those fisheries without taking the effect of shelving ACE into account are set aside. The appeal against the PAU5B decision to increase the TAC/TACC and discharge 28N Rights in that fishery has been put on hold pending an evaluation of the implications of the PAU4 and PAU7 proceedings being withdrawn. Despite this progress with clarifying the law, there continue to be issues with MPI around the use of shelving as a preferred approach.
- The Minister of Fisheries/MPI established a third working group on deemed values during the quarter. This step was taken in response to a request that key fisheries management settings be reviewed to ensure incentives not to retain and report catch were removed. Te Ohu Kaimoana has a representative on the working group. The working group met twice during the quarter and has accepted the proposition that deemed values are a utilisation (rather than sustainability) measure. Our view is that this means that the current practice of ramping deemed values up to levels that exceed the market price for fish is inappropriate. This view is consistent with the position we have articulated in our response to the 2018/19 sustainability round and to the "Your Fisheries Your Say" reform proposals. We are encouraged by the progress this working group is making.

## Objective

# 03

### Fish stock management: Protect Māori settlement interests through continuous engagement in fish stock kōrero

- During the third quarter, Fisheries New Zealand initiated consultation on proposed changes to sustainability measures and other management controls for the 2019/20 fishing year. The review includes a range of stocks that are important to Iwi and our policy team evaluated the issues and the associated options to address them.



## Objective

# 03

**Fish stock management: Protect Māori settlement interests through continuous engagement in fish stock kōrero**

**In the lead up to the review, we presented Minister Nash with an Eastern Tarakihi Management Strategy and Rebuild Plan, developed in conjunction with Fisheries Inshore New Zealand and Southern Inshore Fisheries. The Plan was then included in Fisheries New Zealand's 2019 Sustainability Rounds.**

- In the lead up to the review, we presented Minister Nash with an Eastern Tarakihi Management Strategy and Rebuild Plan, developed in conjunction with Fisheries Inshore New Zealand and Southern Inshore Fisheries. The Plan was then included in Fisheries New Zealand's 2019 Sustainability Rounds. Fisheries New Zealand (FNZ) is also consulting on a proposal to reduce the East Coast tarakihi TACC's by 50% - we see this as an unnecessary approach.
- The inclusion of these SUR1A and SUR1B stocks in the review was surprising and came with minimal warning and a complete lack of prior engagement with Iwi. We responded to this approach by arranging hui in the region where additional fishing was planned and ensured the proponent was present to explain the basis of the increased harvest being sought.
- We continued our work on several other key fisheries, including those that were not included in the formal sustainability round process. These fisheries have come under the management spotlight for various reasons and we are continuing to be actively involved in designing enduring solutions to what are complex problems, with a focus on collaboration within and across sectors. In some instances, this involves participating in Fisheries New Zealand led processes, while in others it involves working directly with participants in the fisheries.
- An example of the support for a FNZ-led process is the development of a strategy to guide the reopening of the Southern Scallop Fishery once abundance has increased. The strategy was refined during the quarter and will be released for wider consultation in the fourth quarter.
- An example of an Iwi-led process is the work going into developing a strategy to improve the overall management and performance of the PAU7 fishery. In this instance we have partnered with The Nature Conservancy and a project plan was submitted to them for funding approval. A related proposal was also submitted to the Sustainable Seas initiative for funding.





## Objective

# 03

**Fish stock management: Protect Māori settlement interests through continuous engagement in fish stock kōrero**

- We were active in attending the Annual General Meetings for a range of paua fisheries (PAU2, 3, 4 and 7). This ensured we were able to be informed on, and engaged with, fisheries complexes which are the focus of fine-scale management delivered through the PAUAMAC's.

## Objective

# 04

**Managing effects of fishing: Develop efficient mechanisms to manage effects of fishing while ensuring Māori fishing interests are protected**

- We continue to be involved in discussions relating to the management of sea lions. Throughout the quarter we participated in both the Sea Lion forum and advisory group, as well as the Auckland Islands squid trawl fishery advisory group. While sea lion captures have reduced significantly over recent times, there continues to be a push from environmental NGOs to achieve a zero by-catch target. This is an aspirational, rather than achievable, target at this time given our current knowledge and fishing practices.
- During the quarter, the Ministers of Fisheries and Conservation announced that from 2 November 2019, all vessels trawling or set netting within Māui dolphin habitat will require onboard cameras. The Government has undertaken to fund the installation of cameras onboard 28 vessels, and to maintain the cameras to an expense of up to \$17.1 million. In addition, FNZ plans to have 100 percent observer coverage on the same vessels next year (costs recovered from industry). This proposal raises issues in relation to the level of protection required under the Fisheries Act and how cameras can help with fisheries management. Our team will be working with Iwi in the lead up to this initiative taking effect.
- Also during the quarter (one week later), the Department of Conservation and Fisheries New Zealand initiated consultation on a revised Threat Management Plan for Hector's and Māui Dolphins. The options contained in the consultation document pose serious threats to fisheries access while (in our assessment) providing minimal conservation benefit. We are engaging with Iwi, sector representative entities, scientists and fishers to establish an appropriate response.



## Objective

# 04

**Managing effects of fishing: Develop efficient mechanisms to manage effects of fishing while ensuring Māori fishing interests are protected**

- The release of the Southern Seabirds Working Group's seabird strategy has been delayed while FNZ focuses its attention on consultation for the Threat Management Plan for Hector's and Māui Dolphins and the Sustainability Rounds.
- The first meeting on the revised National Plan of Action for Sharks was held in June. We expect it will take between six to twelve months to develop the revised plan.

## Objective

# 05

**Continue ensuring sustainability in fisheries while ensuring Māori fishing interests are protected**

- We had discussions with Fisheries New Zealand to discuss potential stocks to be included in the review of sustainability measures and other management controls for the 2019/20 fishing year. We used these meetings to discuss the high-level principles we will be advocating throughout this process, particularly in relation to the need to avoid the dilution of settlement assets due to the exercise to 28N rights and reallocation to the recreational sector.
- We engaged with an independent reviewer commissioned to review the Fisheries New Zealand Sustainability Rounds process. We outlined concerns about the lack of a consistent and agreed process for altering management settings of fish, and the low level of commitment to a partnership approach. We considered the stock assessment process to be a strength.

## Objective

# 06

**Managing effects on Māori fisheries: Protect Māori fishing rights from access threats**

- During the quarter we co-hosted a seminar (with the Law and Economics Association of New Zealand) delivered by Distinguished Professor Gary Libecap. The seminar focussed on the findings from the study of the effectiveness of marine protected areas and ecosystem-based management worldwide. The seminar was covered by Māori Television and showcased through social media. A professional recording was made that will also be made available through social media. The key message was that bottom up measures offer the best approach to delivering on conservation objectives and Aotearoa is ideally positioned to do this through a framework based on rights and responsibilities.



Objective

# 06

**Managing effects on Māori fisheries: Protect Māori fishing rights from access threats**

**We provided input for the MFAT negotiators to consider in their meeting with the Pacific Island Forum Secretariat. The matters we raised included: the need to acknowledge the shared cultural and ecological connectivity among Pacific peoples, collective interests in the high sea, ensuring indigenous knowledge informs approaches to sustainability and conservation and ensuring the interpretation of traditional knowledge in the BBNJ should acknowledge its dynamic nature.**

- Both proposed convention for Biodiversity Beyond National Jurisdiction (BBNJ) and the Convention on Biological Diversity (CBD) have a focus on marine protected areas as one of the key tools for managing biodiversity. If this approach is implemented without taking into account the true costs and benefits of this approach there is a risk that Settlement assets will be unnecessarily diminished. During the third quarter:
  - » We have had ongoing engagement with the Ministry of Foreign Affairs and Trade’s negotiation team on BBNJ. BBNJ is proposed to be an international legally binding instrument under the United Nations Convention on the Law of the Sea. Te Ohu Kaimoana aspire to support a Pacific voice in these negotiations, which recognises our collective interests in the high seas.
  - » We provided input for the MFAT negotiators to consider in their meeting with the Pacific Island Forum Secretariat. The matters we raised included: the need to acknowledge the shared cultural and ecological connectivity among Pacific peoples, collective interests in the high sea, ensuring indigenous knowledge informs approaches to sustainability and conservation and ensuring the interpretation of traditional knowledge in the BBNJ should acknowledge its dynamic nature.
  - » We had ongoing discussions concerning the CBD. We met with Aotearoa’s negotiators from MFAT, DOC and MPI on the CBD, including our aspirations for the development of a Global Biodiversity Framework for Post 2020 (when the existing CBD is due to expire). The MFAT negotiators also met with the Te Ohu Kaimoana policy team to outline the framework of the current CBD and advise on how the updated position will be developed.





**Managing effects on Māori fisheries: Protect Māori fishing rights from access threats**

**We provided a response to the EPA on the OMV Great South Basin Marine Discharge Consent. While our view is neutral, we encouraged OMV to develop an engagement agreement with Ngāi Tahu Iwi and papatipu rūnanga that identify with the waters off the South Island's south-east.**

- We engaged with MPI on the allocation to Aotearoa of Orange Roughy made by the South Pacific Regional Fisheries Management Organisation (SPRFMO) for three designated fishing areas. Engagement on these matters has been constructive and positive between our respective teams. However, we remain concerned with an interim approach that promotes a “race for fish” through an olympic fishing model. MPI have agreed to continued engagement on this matter with Te Ohu Kaimoana and to work towards developing a medium/long term management arrangement.
- We provided a response to the EPA on the OMV Great South Basin Marine Discharge Consent. Te Ohu Kaimoana was neutral, though we encouraged OMV to develop an engagement agreement with Ngai Tahu Iwi and papatipu rūnanga that identify with the waters off the South Island’s south-east. We also encouraged OMV to put in place conditions which will mitigate and minimise effects on the marine environment.
- We had discussions with representatives from Te Rūnanga o Otākou, Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Aukaha and Te Rūnanga o Ngāi Tahu regarding the South East Marine Protected Area proposal and OMV’s Great South Basin marine consent application. The Papatipu rūnanga representatives recalled their journey of the SEMPA process and we explored ways in which Te Ohu Kaimoana can provide support.

# Fisheries policy



Objective

07

**Customary fishing: Ensure efficient, balanced and current management of customary fishing rights**

- The first permit for the Deepwater Pataka was issued in early May. Unfortunately, due to issues with the Tōkatu's fish finder technology, the fish that was caught was caught outside of the of the gazetted area and could not be placed in the pātaka. It is expected that a second attempt will be made in August.
- The rebuild of the IkaNet system is complete and we are working with users to improve functionality as well as to develop a monitoring platform. A key focus over the coming months will be to increase uptake as the number of users remains relatively low.

# Aquaculture allocation



Objective

01

**Facilitate discussions between Iwi Aquaculture Organisations (IAOs) on the allocation of settlement assets, and discussions between IAOs and the Crown on satisfying further settlement obligations in the Northland region**

- In late 2017, the Northland regional council received two applications for spat-catching off 90-mile beach. We continue to work with MPI to determine whether it is feasible to forecast and value the settlement obligations the Crown will owe if these applications are granted. No forecast of farming of mussel spat in this region was included in the 2014 New Space settlement forecasts and there are no existing spat-catching farms in this region to assess expected performance.
- We continue to work with Northland Iwi to develop agreement on an allocation methodology for some of the new space aquaculture settlement assets we currently hold on their behalf.
- An amendment to the Maori Commercial Aquaculture Claims Settlement Act 2004 is necessary to enable allocation of the remaining pre-commencement space aquaculture settlement assets we hold on behalf of Northland Iwi.

# Aquaculture allocation



## Objective

# 02

**Facilitate discussions between IAOs and the Crown on satisfying settlement obligations in the Waikato (West) region, and discussions between IAOs on the allocation of settlement assets**

- The Waikato Regional Council has received applications for spat-catching off the western coast of Waikato and in Aotea Harbour. We continue to work with MPI to determine whether it is feasible to forecast and value the settlement obligations the Crown will owe if these applications are granted.

## Objective

# 03

**Facilitate discussions between IAOs on the allocation of settlement assets, and discussions between IAOs and the Crown on satisfying settlement obligations in the Bay of Plenty region**

- An amendment to the Maori Commercial Aquaculture Claims Settlement Act 2004 is necessary to enable allocation of the pre-commencement space aquaculture settlement assets we hold on behalf of Bay of Plenty Iwi. We continue to work with Bay of Plenty Iwi to develop an allocation methodology so that the assets may be allocated immediately upon enactment of our proposed amendments to the Act.
- We continue to facilitate engagement between Bay of Plenty Iwi and the Crown, about the new space obligations owed to Iwi. Iwi have expressed an interest in taking some of the new space settlement obligations owed to them in the form of authorisations to develop space and we are working with Iwi to agree appropriate sites for investigation.

## Objective

# 04

**Facilitate discussions between IAOs on the allocation of settlement assets in the Wellington region**

- Due to competing priorities, no work was undertaken on this matter in the third quarter.

## Objective

# 05

**Facilitate the allocation of settlement authorisations to jointly owned iwi companies in the Tasman region**

- We continue support Maara Moana in its efforts to rectify the line-layout issues that were identified in March 2019.

# Aquaculture allocation



## Objective

# 06

**Facilitate discussions between iwi on the form of additional settlement assets created in the Marlborough region**

- We have continued to work with an Iwi Working Group to facilitate engagement with New Zealand King Salmon (NZKS) about the Panel's recommendations on the proposal that the Minister of Fisheries use his powers under section 360A of the Resource Management Act 1991 to alter the Marlborough Sounds Resource Management Plan to allow the relocation of particular salmon farms in the Marlborough Sounds. The Iwi Working Group and NZKS have developed a joint proposal that will be presented to Marlborough IAOs for their consideration in the fourth quarter.

## Objective

# 07

**Facilitate the allocation of settlement assets to IAOs derived from the Canterbury regional new space settlement**

- In March 2019 Environment Canterbury transferred the two authorisations to develop aquaculture space in Lucas Bay, Akaroa Harbour to Te Rūnanga o Ngāi Tahu in accordance with the Agreement allocating the Canterbury New Space regional aquaculture settlement assets.

## Objective

# 08

**Facilitate discussions between IAOs and the Crown on satisfying settlement obligations in the Southland region, and discussions between IAOs on the allocation of settlement assets**

- We continue to work with MPI and Te Rūnanga o Ngāi Tahu to achieve a regional agreement ahead of the legislative deadline of 31 August 2019.

## Objective

# 09

**Assist IAOs and the Crown to agree the value and form of additional new space settlement assets where applicable**

- MPI and Te Ohu Kaimoana have contracted Aquaculture Direct and EY to value the settlement obligations the Crown will owe if the application for spat-catching in the Aotea Harbour in the Waikato West region, currently lodged with the Waikato Regional Council, is approved. Earnst Young (EY) have provided a draft valuation model and we are now working with MPI to refine that draft model.



# Aquaculture allocation



## Objective

# 09

**Assist IAOs and the Crown to agree the value and form of additional new space settlement assets where applicable**

- We continue to work with MPI to determine whether it is feasible to forecast and value the settlement obligations the Crown will owe if applications for spat-catching off either 90-mile Beach or the West Coast are approved. In both these situations there is no previous experience of farming mussel spat off these coasts to be able to sensibly assess performance to assist valuation at present.

## Objective

# 10

**Review the Minister's New Space Plan for aquaculture**

- We are working with industry participants to reality-test the updated valuation inputs (productivity, costs, wharf prices etc) that have been provided to us by Aquaculture Direct. Once these inputs are agreed, EY will make any further necessary amendments to the new space valuation models (originally built in 2014) to determine the value of the space (and the Crown's settlement obligation) in each region. This work is ongoing. Once that work is completed, we will work with FNZ/MPI on the document that sets out a reviewed New Space Plan for consultation.

## Objective

# 11

**Assist Iwi to transition their PSGE to a new IAO where required:**

- Where needed, we continue to work with the Office for Māori Crown Relations: Te Arawhiti to assist Te Rūnanga o Ngāti Whātua to transfer their MIO status to their future PSGE. Once MIO status is transferred to this new entity, we will ensure that IAO status is transferred to that same entity. We will also work the Office for Māori Crown Relations: Te Arawhiti in its discussions with Whanau a Apanui on investigations into potential aquaculture development inclusions in its historical settlement.

# Aquaculture allocation



## Objective

# 12

### Meet statutory requirements

- In accordance with our Funding Agreement with the Minister for Fisheries, we provided a report to the Ministry for Primary Industries outlining our activities undertaken in the second quarter.

## Objective

# 13

### Maintain relationship with MPI officials

- We meet regularly, and work collaboratively, with MPI officials within the Aquaculture Unit in Fisheries New Zealand.

# Aquaculture policy



## Objective

# 01

### Protect the interests of iwi in aquaculture by collaborating with iwi, the aquaculture industry and government to identify and address any threats to aquaculture

- We have continued to participate on the board of Aquaculture New Zealand, allowing us to ensure that any proposals put forward by Aquaculture New Zealand have a positive impact on the aquaculture settlement and IAOs aquaculture interests.
- We have engaged with MPI officials in preliminary discussions about the development of a policy framework to enable open ocean aquaculture development.
- We continue to await the government's consideration of the NES for marine aquaculture, which, if adopted, would standardise the consenting of coastal permits across the regions.

# Aquaculture policy



Objective

02

## Amend the Maori Commercial Aquaculture Claims Settlement Act 2004

- We continue to engage with MPI about our proposal to amend the Maori Commercial Aquaculture Claims Settlement Act 2004; although MPI officials submitted a Category 5 legislative bid for this proposal in the Government's 2019 Legislation Programme – meaning that a Bill should be drafted and considered by Cabinet within 2019 and passed in 2020 – we have been advised that progress on this Bill has been stalled while the coalition partners attempt consensus on our separate proposed amendments to the Maori Fisheries Act 2004. Given these amendments are independent workstreams that can be progressed separately, we continue to engage with MPI officials about the possibility of progressing the Maori Commercial Aquaculture Claims Settlement Act 2004 amendments.

## Maori Fisheries Act 2004 review implementation



Progress of the legislative changes continues to be stalled at the political level.





# Governance and management services



During Q3 Te Kawai Taumata undertook a process to consider applications and to appoint directors to Te Ohu Kai Moana Trustee Limited. Te Kawai Taumata received a number of high calibre applications for the positions and recently interviewed short-listed candidates.

Te Kawai Taumata has also reappointed Mr Selwyn Parata, Mrs Rangimarie Hunia and Mr Paki Rawiri for further terms of four years each.

Te Kawai Taumata has made the following appointments to the positions of Director of Te Ohu Kai Moana Trustee Limited for four-year terms:



**Pāhia Turia** (Ngā Wairiki, Ngāti Apa, Whanganui, Ngā Rauru and Ngāti Tuwharetoa) has been involved in Iwi governance for over 25 years. Mr Turia holds a number of governance roles including the chair of Te Rūnanga o Ngā Wairiki – Ngāti Apa. During his time in this role, he was responsible for negotiating their difficult coastline agreement, and was also involved in Treaty Settlement negotiations resulting in significant freshwater fisheries for his people. Pāhia is currently an Alternate Director of Te Ohu Kai Moana Trustee Limited. Mr Turia’s term begins on 8 July 2019.



**Bella Takiari-Brame** (Waikato-Tainui and Ngāti Maniapoto) is a chartered accountant with over 16 years’ global experience in strategic financial roles. Ms Brame is currently a member of Te Wānanga o Aotearoa Council, an independent member of the Group Audit and Risk Committee of Waikato Tainui, a trustee of the Māniapoto Māori Trust Board, Māngai Māori representative for the finance committee of the Hamilton City Council, previously a Member of Te Ohu Kai Moana Trustee Limited’s Audit and Risk Committee and a Director on Te Ohu Kaimoana’s Portfolio Management Services Limited. Ms Takiari-Brame’s term begins on 8 July 2019.



**Alan Riwaka** (Te Atiawa) is currently the Chief Executive of Te Rūnanga o Ngāti Whātua. Mr Riwaka has extensive experience in fisheries management, including rock lobster, pāua, eels, developmental fisheries such as geoduck and surf clams, and customary non-commercial fisheries. Mr Riwaka’s term begins on 23 November 2019.

# HR and infrastructure



**Monique Holmes** returns to us as a graduate analyst for a 20-month contract. Monique was a summer intern in 2017 and finished her thesis on sand-flies in 2018. Monique is with Te Ohu Kaimoana on a short-term contract as she was awarded the 2021 Global Fisheries scholarship which is managed in conjunction with Te Ohu Kaimoana, Moana New Zealand and Nippon Suisan Kaisha (Nissui).

**Fran Olds** has recently joined our communication team on a three-month contract as a Communications Advisor. Fran previously worked as Communications Advisor at Te Tumu Paeroa and has a degree majoring in Māori Studies and Creative Writing from Victoria University of Wellington and the International Institute of Modern Letters.

**Dianne Brown** (*below*) has resigned to take up a position as Programme Manager – Whenua Ora at Wakatū Incorporation. Dianne has been employed by Te Ohu Kaimoana for over 14 years contributing a large portion of her time to allocating assets to iwi. Dianne's last day with us is Friday 19th July 2019. We wish her well in her new role.



# Communications



## Te Ohu Kaimoana 2018 Annual Report up for awards

Te Ohu Kaimoana's 2018 Annual Report, designed by Auckland based agency Fly, has been nominated for two Designers Institute of New Zealand Best Design Awards.

The report has been nominated for the Ngā Aho Best Award. The criteria is that the work must reflect a clear understanding of who we are and where we are in our unique corner of Moana nui a Kiwa, the Pacific Ocean, by responding to our indigenous culture, heritage and sense of place.

Ngā Aho also recognises the collaborative practice of 'co-design', requiring an effective and measureable engagement between designers and clients, as best practice when working within and between cultures.



# Communications

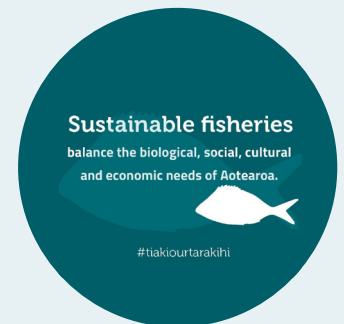
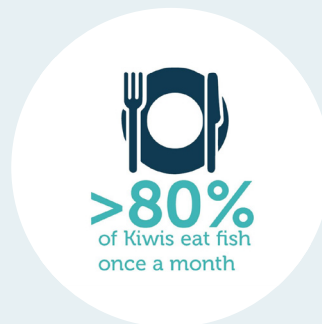


## Tarakihi Rebuild and Management Plan communications strategy

Due to the absence of the Communications Manager for Seafood New Zealand, Te Ohu Kaimoana was approached to formulate and lead a communications strategy and plan for the joint Tarakihi Rebuild and Management Plan.

This project is a joint effort put together by Te Ohu Kaimoana, Fisheries Inshore New Zealand and Southern Inshore Fisheries New Zealand to show the Government that the currently implemented cuts, as well as other fishery management measures for the tarakihi fishery will rebuild the stock without further unnecessary cuts or job losses.

The plan was supported by a media release, an ongoing social media campaign, as well as meetings with influential regional and list MPs. You can read the [release here](#).



## Provide regular quarterly updates to Iwi and other stakeholders on the work of Te Ohu and subsidiaries;

We sent seven pānui (e-newsletter campaigns) to Iwi throughout the third quarter. Topics of communication included Te Ohu Kaimoana's Special General Meeting, the launch of our joint Tarakihi Rebuild and Management Plan, the October 2019 Sustainability Round, the Māui and Hector's Threat Management Plan review and our response to OMV's Great South Basin Marine Discharge Consent.



# Communications



## Media

Our Te Mātārae Dion Tuuta appeared on Mihingarangi Forbes' 'The Hui' in April regarding a proposed puna ora by Ngāti Kurī, with both parties agreeing that any form of sanctuary must be Iwi led. Click below to view.



Dion also appeared on Te Ao Māori regarding Marine Protected Areas and their effectiveness. This aired on Te Ao Māori News in May and this story can be viewed by clicking below.



Te Ohu Kaimoana issued two media releases in June. We worked with Moana New Zealand to put together a proactive joint release regarding the government's announcement on the implementation of cameras on vessels in the known Māui habitat on the West Coast of the North Island. This release was met with some criticism by some West Coast fishermen, after the discovery of Fisheries New Zealand's (FNZ) plan to transfer operating costs of cameras onto operators after one year. Te Ohu Kaimoana is of the understanding that this aspect will be consulted on by FNZ before progressing.

We received a media enquiry from Piripi Taylor (Te Ao Māori News – Māori Television) after Moana were unable to arrange for comment, but we were also unable to comment within the timeframe we were presented.

### Promote Te Ohu Kaimoana as a source of expert advice and information:

In April we sponsored Hon Chris Finlayson QC to speak at Victoria University on the durability of Treaty Settlements. The talk was well attended and Tā Tipene O'Regan closed the evening with his own thoughts on the past and current status of the strength of settlements. You can read his address by clicking below.



We worked with Chapman Tripp and the Law and Economics Association of New Zealand (LEANZ) to arrange an open seminar with Professor Gary D. Libecap, who we commissioned to carry out research on the effectiveness of Marine Protected Areas. The seminar was hosted at Chapman Tripp and was well attended and received. You can watch Gary's seminar by clicking below.





# Communications



We are on the Seabird Smart Awards Steering Committee and met in early June to plan the Annual Awards which will likely take place at Government House in November.

We increased our activity on our social media accounts throughout this quarter and reached approximately 62,000 people with our messaging, with nearly 3,000 of those engaging with our content.

Our website saw the most traffic it has received this year during our third quarter. Throughout Q3 we've have approximately 3,500 visit our site over 4,500 times. The most visited pages this quarter have been our 'about us' pages and 'our people', which indicates a good amount of interest in our organisation.

We were extended an invitation by Ngāti Kahungunu Iwi Inc to attend their Annual Fish Hook Summit in Ahuriri in May. Dion Tuuta and Bede Dwyer attended the Summit.

**62K**

We reached 62,000 people this quarter through our social media channels.

**3K**

Over 3,000 people interacted with us through social media in Q3.

**3.5K**

Over 3,500 people visited our website in Q3.



Te Ohu  
**Kaimoana**

