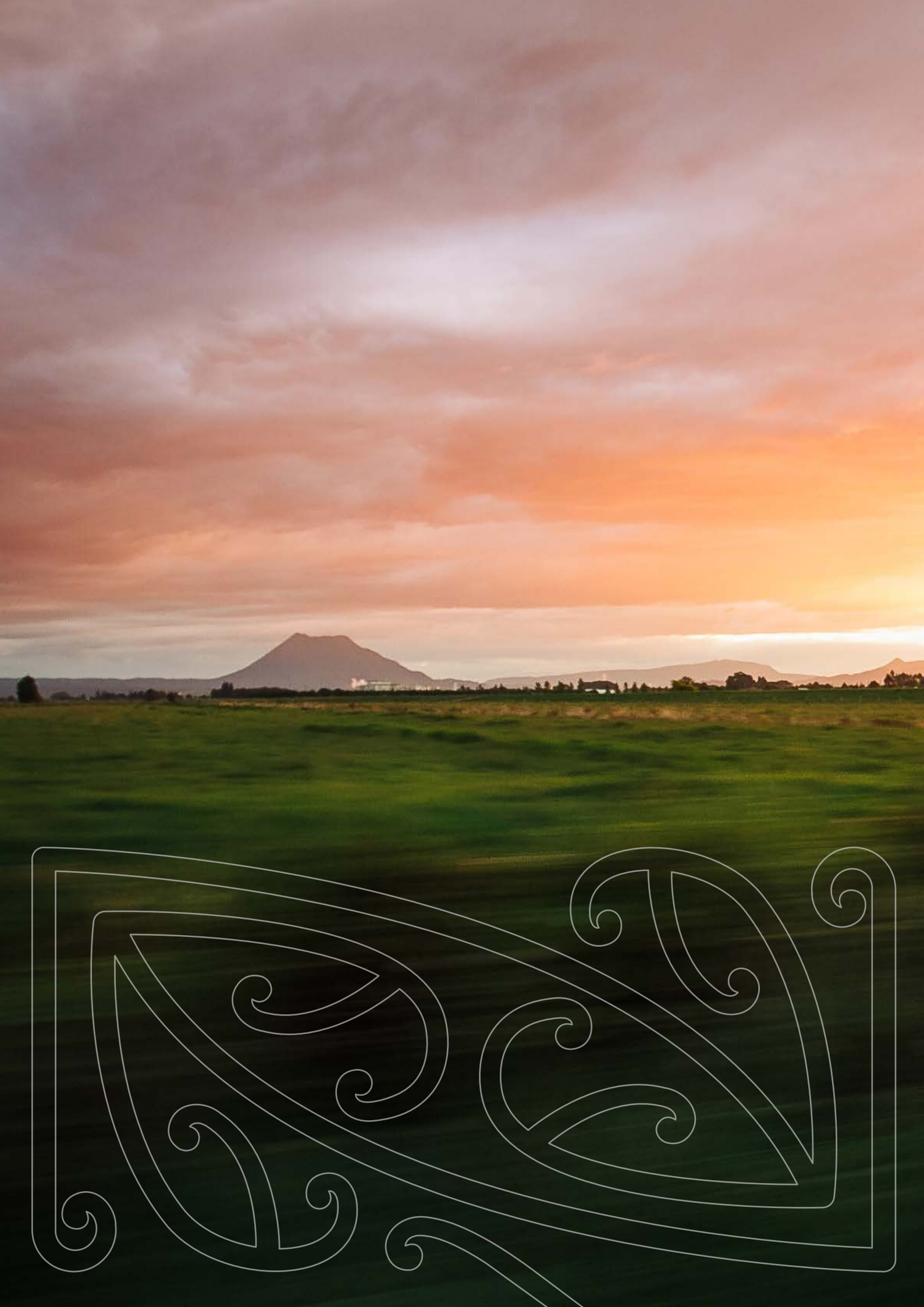


TE HĀ





Whakataka te hau ki te uru,
Whakataka te hau ki te tonga,
Kia mākinakina ki uta,
Kia mātaratara ki tai,
E hī ake ana te atākura,
He tio, he huka, he hauhu,
Tihei mauri ora!



POTENTIAL

He hiringa a nuku,
hiringa a rangi,
he hiringa tai ki te whai ao
ki te ao marama

This speaks to the current and future potential for all Māori and Aotearoa as a nation and how this can be realised in a positive way.



TE HĀOITI

SUSTAINABILITY

Ka mate kai horo,
ka ora kai whakatonu

The glutton perishes while those that conserve survive. This whakatauki speaks of maintaining appropriate balance and sustainability as one with Tangaroa to survive for today and into the future.





RELATIONSHIPS

Rukutia te mouri o Tangaroa,
Tangaroa tu ki uta,
Tangaroa tu ki tai

Maintaining the lifeforce of Tangaroa both inshore and out at sea. Recognises the interconnected nature of maintaining the mauri of Tangaroa and the role we play.

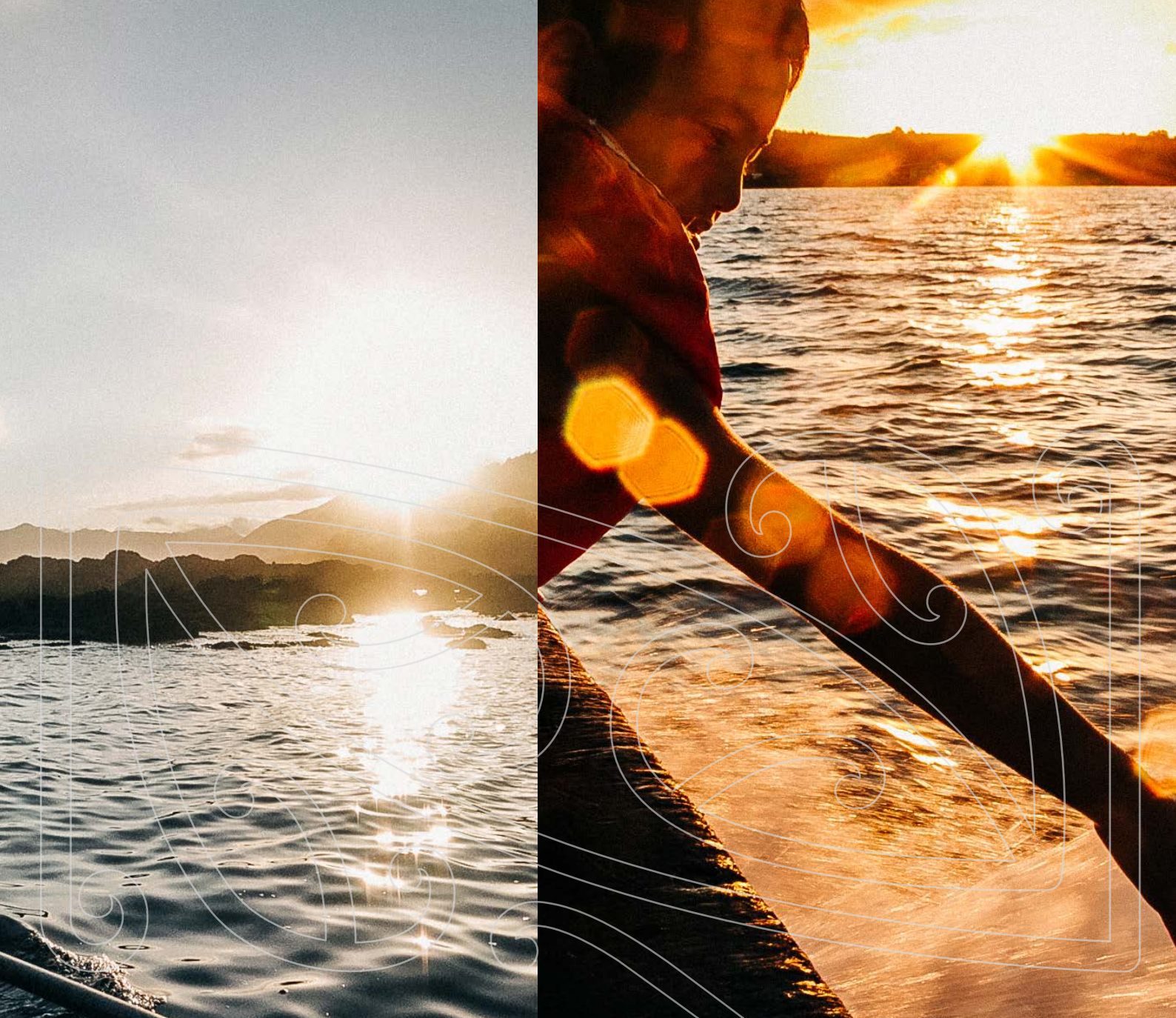
TANGAROA



RECIPROCITY

Tangaroa kai atu,
Tangaroa kai mai

An expression which relates to the reciprocal relationship between Māori and Tangaroa. Tangaroa is the god to whom we give the first fish. It is about the long-term sustainability of Tangaroa.



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He hiringa a nuku,
hiringa a rangi,
he hiringa tai ki te whai ao
ki te ao marama

POTENTIAL







OUR BOARD



Rangimarie Hunia
Chair
NGĀTI WHĀTUA



Tā Mark Solomon
Deputy Chair
NGĀI TAHU, NGĀTI KURĪ,
NGĀTI MAMOE, WAITAHA,
NGĀ RAURU,
NGĀTI PAHAUWERA,
NGĀTI KAHUNGUNU



Selwyn Parata
Director
NGĀTI POROU, NGĀI TAHU



Paki Rawiri
Director
TAINUI, NGĀPUHI



Pahia Turia
Director
NGĀ WAIRIKI, NGĀTI APA,
WHANGANUI, NGĀ RAURU,
NGĀTI TŪWHARETOA



Bella Takiari-Brame
Director
NGĀTI MANIAPOTO, WAIKATO



Alan Riwaka
Director
TE ĀTIAWA, TARANAKI
IWI, NGĀTI RARUA,
WHITIKAUPEKA, PĀHAUWERA



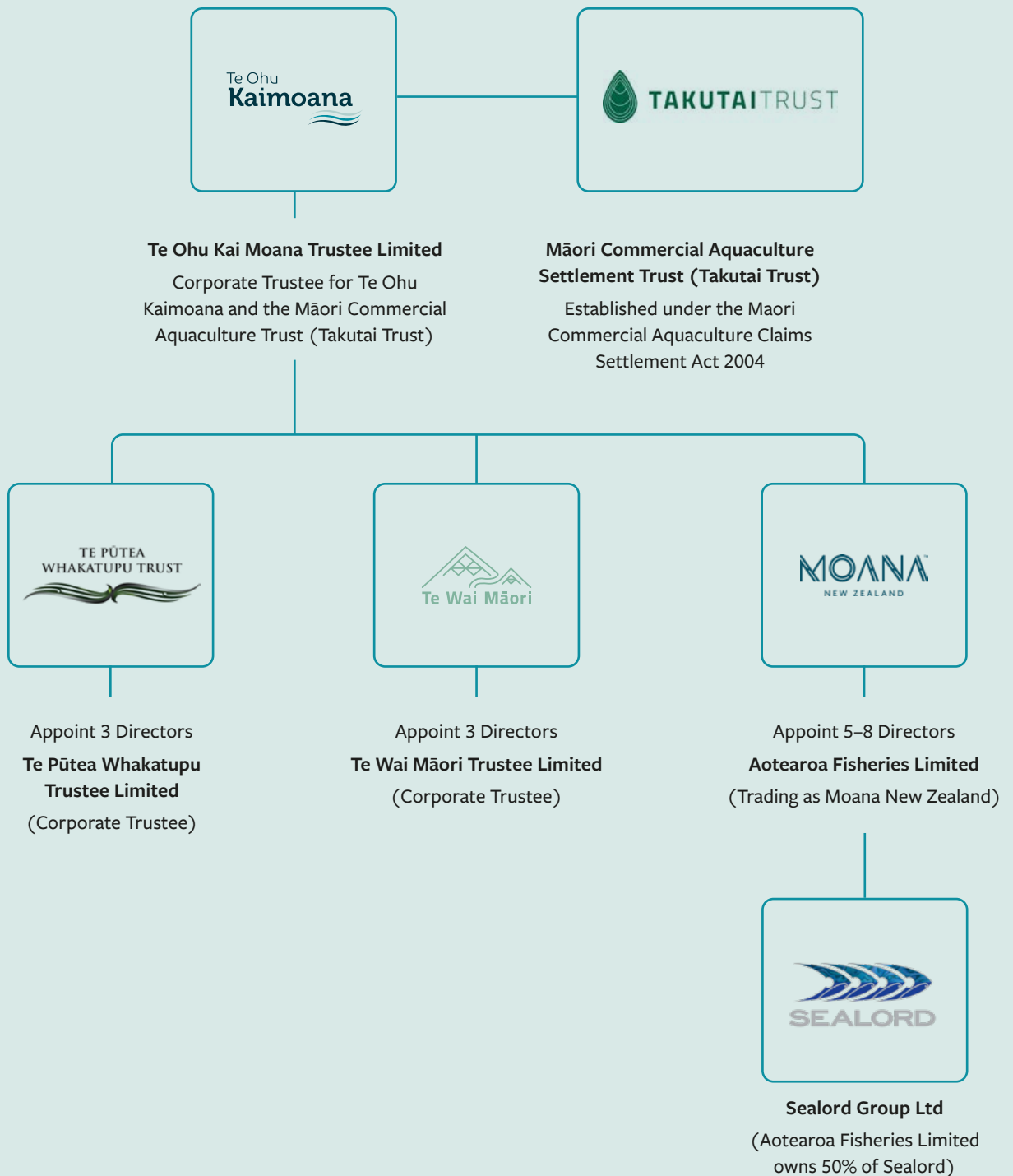
Kim Skelton
Alternate Director
TE ĀTIAWA, TARANAKI,
NGĀTI RAUKAWA KI TE TONGA



Maru Samuels
Alternate Director
NGĀI TE RANGI, TE RARAWA,
NGĀI TAKOTO



GOVERNANCE STRUCTURE





Rangimarie Hunia
Chair, Te Ohu Kaimoana

CHAIR'S FOREWORD

Tukua te wairua kia rere
ki ngā taumata
Hei ārahi i ā tātou mahi
Me tā tātou whai i ngā tikanga
a rātou mā
Kia mau kia ita
Kia kore ai e ngaro
Kia pupuri
Kia whakamaua
Kia tina! Tina! Hui e! Tāiki e!

Summary of 2019/20

No one could have predicted the turn of events that COVID-19 provided in 2020. With this in mind, and the many challenges it presented alongside a General Election, I am proud of the work undertaken by Te Ohu Kaimoana and related Fisheries Settlement entities and am pleased to present the report for the period 1 October 2019 to 30 September 2020 (FY19/20). It was a unique year, one that both provided new challenges to the integrity of the Deed of Settlement and highlighted Māori fisheries as a pou tokomanawa in supporting iwi, and indeed Māori, in their response to COVID-19.

Setting our strategy

Our guiding principle, Te hā o Tangaroa kia ora ai tāua, continues to direct and focus our work. It speaks to the ongoing reciprocal and living relationship between Tangaroa and Māori. As the final year of our three-year strategy Te Ara Taupuhpuhi, the Board looks to the next iteration of our strategy with Te hā o Tangaroa remaining at the forefront of our thinking. With a new Chief Executive joining Te Ohu Kaimoana in early 2021 after Dion Tuuta's departure in December 2020, the Board will work with the incoming Chief Executive on the development of Te Ohu Kaimoana's five-year strategy for approval by iwi in 2021.

Building relationships

Despite a year which asked us to isolate and required us to engage differently, the Board has continued to engage with key Ministers to advocate for a Tiriti/Treaty-based approach for fisheries and marine policy development. These include former Minister of Fisheries Hon. Stuart Nash, Minister for Māori Crown Relations Hon. Kelvin Davis, former Minister of Conservation Hon. Eugenie Sage and Minister for the Environment Hon. David Parker.

The Board has also continued to engage with the Iwi Chairs Forum, and met with many other government representatives and international delegations to discuss and seek their support on key issues.

Although the Board was unable to host the 2020 Māori Fisheries Conference to gather ā-tinana with representatives from iwi, the fisheries industry and government agencies, we were pleased to host the hui-a-tau via Zoom to provide iwi with an update in May. We look forward to the opportunity to hui-tahi again.

Progressing legislative change

The Board has been focusing on progressing three key legislative issues, including the amendments to the Maori Fisheries Act 2004, amendments to the Maori Commercial Aquaculture Claims Settlement Act 2004

and the Rangitāhua/Kermadec Ocean Sanctuary Bill.

Happily, amendments to the Maori Commercial Aquaculture Claims Settlement Act 2004 progressed through consultation which saw Te Ohu Kaimoana's preferred proposal supported by iwi and accepted by the Crown as a draft Bill. The Bill was introduced to Parliament in August 2020.

As we mentioned in our 2019 Annual Report, the iwi-mandated amendments to the Maori Fisheries Act didn't have sufficient support to progress in the former coalition government. The Board is expecting to advance these discussions with the new government. Regardless of this delay, the Board distributed Te Ohu Kaimoana's share of its Moana New Zealand dividend to iwi as defined in the amendments to the Maori Fisheries Act and agreed to with iwi in July 2019.

The Board has been active in furthering discussions on Rangitāhua/Kermadec Ocean Sanctuary. In December 2019, myself, former director Ken Mair and Chief Executive Dion Tuuta met with the Prime Minister Rt Hon Jacinda Arden, former Deputy Prime Minister Rt Hon. Winston Peters, Ministers for the Environment and Crown Māori Relations and the leader of the Green Party to propose a solution based on the principles and parameters developed and endorsed by iwi in September 2019. The principles define a solution that aligns with Te hā o Tangaroa kia ora ai Tāua, upholds the integrity of Te Tiriti o Waitangi and the 1992 Deed of Settlement, and protects the long-term developmental opportunity for iwi to exercise rangatiratanga within fisheries management area 10 (FMA10). Our engagement continued in early 2020 and was then deferred due to COVID-19. Engagement resumed in July and the Board expects swift progression and the resolution to Rangitāhua/Kermadecs to be a priority for the new government.

Protecting our rights

Ensuring that a Māori perspective is part of domestic and international policy development where there is potential impact on Māori fisheries' rights continues to be a focus for Te Ohu Kaimoana. This includes engagement in international fora such as the Western and Central Pacific Fisheries Commission, the South Pacific Regional Fisheries Management Organisation, United Nations Convention of Biological Diversity and the United Nations Treaty on Biodiversity Beyond National Jurisdiction.

Te Ohu Kaimoana has been monitoring the outcomes of recent Court decisions surrounding the Mōtiti

Island Court of Appeal case. The apparent implications of the case open the way for regional councils to have a greater role in controlling fisheries. Already we have seen councils look to insert rules to prohibit fishing in certain areas on this basis. We have engaged further on these matters to ensure that the implications of the Mōtiti decision on the Fisheries Settlement and Māori fishing rights are considered as part of precedent-setting Court decisions.

In June 2020, Fisheries New Zealand and the Department of Conservation (DOC) released their decision for the Hector's and Māui Dolphin Threat Management Plan. This saw further closures to fishing areas along the west coast of Te Ika a Māui and the east coast of Te Waipounamu but did little to address other threats to the Māui dolphin population. We were disappointed that this outcome has not provided the Māui dolphin with better protection from disease- and habitat-related threats and yet has impacted our Māori fishers. Our work has shifted to address these factors and support Māori fishers.

We welcomed the Court of Appeal's decision to stop Trans-Tasman Resources' seabed mining off the South Taranaki Bight. We worked alongside Ngāti Ruanui and Ngā Rauru to respond to the appeal in 2019.

Legal action was required again this year in response to 28N rights for SK12 and SPO3. This would have reduced iwi settlement quota from 9.99% to 8.36% and 7.93% to 7.91% for SK12 and SPO3 respectively. The 28N Rights Working Group presented their recommendations to this ongoing issue in December 2019 and we continue to progress this matter with officials.

Leading our iwi fisheries organisations

The past year has seen governance changes across the wider Te Ohu Kaimoana group, specifically Te Ohu Kaimoana, Moana New Zealand and Te Wai Māori Trust. The Board would like to thank both outgoing Chairs, Ken Mair and Whaimutu Dewes, for their leadership over the years. It is also wonderful to acknowledge the wāhine toa who now lead organisations right across Te Kāhui o Te Ohu Kaimoana for the first time.

The Board would like to acknowledge Ron Roberts who passed away in May this year. Ron was instrumental in setting up Te Arawa Fisheries Trust and its role as a MIO – moe mai rā e te matua. The Board would also like to acknowledge the retirement of Tiwha Bell from Maniapoto Māori Trust Board and Tā Matiu Rei from Te Runanga o Toa Rangatira for their significant contribution to Māori Fisheries.

Te Ohu Kaimoana

We welcomed two new members to the Te Ohu Kaimoana Board in the 2019–20 financial year. Alan Riwaka (Te Ātiawa, Taranaki iwi, Ngāti Rarua, Whitikaupēka, Pāhauwera) began his term as a Director in November 2019. Alan is Chief Executive of Te Rūnanga o Ngāti Whātua and brings extensive experience in fisheries management.

In February 2020, Maru Samuels (Ngāi Te Rangī, Te Rarawa, Ngāi Takoto) began his term as Alternate Director on the Board. Maru also brings extensive fisheries experience and is currently General Manager of Iwi Collective Partnership. He succeeded Pahia Turia (Ngā Wairiki, Ngāti Apa, Whanganui, Ngā Rauru and Ngāti Tūwharetoa), who vacated his role as an Alternate Director to take up a role as a Director.

Te Wai Māori

In February 2020, Ken Mair reached the end of his term as Chair of Te Wai Māori Trust. Lisa te Heuheu (Ngāti Raukawa, Ngāpuhi, Ngāti Maniapoto), first wahine Māori Chair for the Trust, stepped into the role. Lisa has been a director of Te Wai Māori since 2017, and brings significant experience working in the natural resources sector, having held various roles in resource management, iwi planning, agriculture, policy, research and management.

The Trust has also welcomed Pahia Turia to its Board to succeed Ken Mair in February 2020. Pahia (Ngā Wairiki, Ngāti Apa, Whanganui, Ngā Rauru, Ngāti Tūwharetoa) brings with him extensive governance expertise and strong relationship management skills.

A detailed report on progress within Te Wai Māori can be found at page 50 of this annual report.

Moana New Zealand

The end of the 2019/20 financial year was also the end of Whaimutu Dewes' term as the Chair of Moana New Zealand after nine-years of leading the Board. Hinerangi Raumati-Tū'ua (Ngāti Mutunga, Waikato) has been appointed as the new Chair. Hinerangi has been a director of Moana New Zealand (Aotearoa Fisheries Limited) since 2012 and was previously a director of Te Ohu Kaimoana. She is a Fellow Chartered Accountant with significant experience in investments, financial management and governance, and currently holds the roles of Chair of Parinihi ki Waitotara Inc., Te Kiwai a Māui o Ngāruahine Ltd, Ngā Kaitautoko GP and Ngā Miro Trust.

Mavis Mullins (Rangitane, Aihau Nui a Paparangi, Ngāti Ranginui and Ngāti Hainamana) and Glenn Hawkins (Ngāti Whakae, Ngāti Maniapoto) were also appointed as new directors of Moana New Zealand to succeed Jamie Tuuta as of August 2020, and Whaimutu Dewes from October 2020. They both bring a strong background in business, primary industries and iwi organisations.

Hei whakakapi

This year saw change and uncertainty. Yet, looking back, I'm proud of the way we navigated each new situation to develop responses that looked after our people and advanced the work that ensures we can continue to look after our people into the future. Our enduring connection to Tangaroa, supporting his health and upholding our rights to fish, provides this.

At this time, I wish to acknowledge the past four-and-a-half years of service that our Chief Executive Dion Tuuta has given to iwi, and to us as a Board. Dion entered Te Ohu Kaimoana in a challenging time post the 2015 review of the Trust, navigated the organisation through many difficult occasions and built the largest fisheries policy team outside of government. Dion leaves Te Ohu Kaimoana in a much stronger state and we acknowledge and thank him for his dedication and resilience in protecting Māori fisheries rights throughout his tenure.

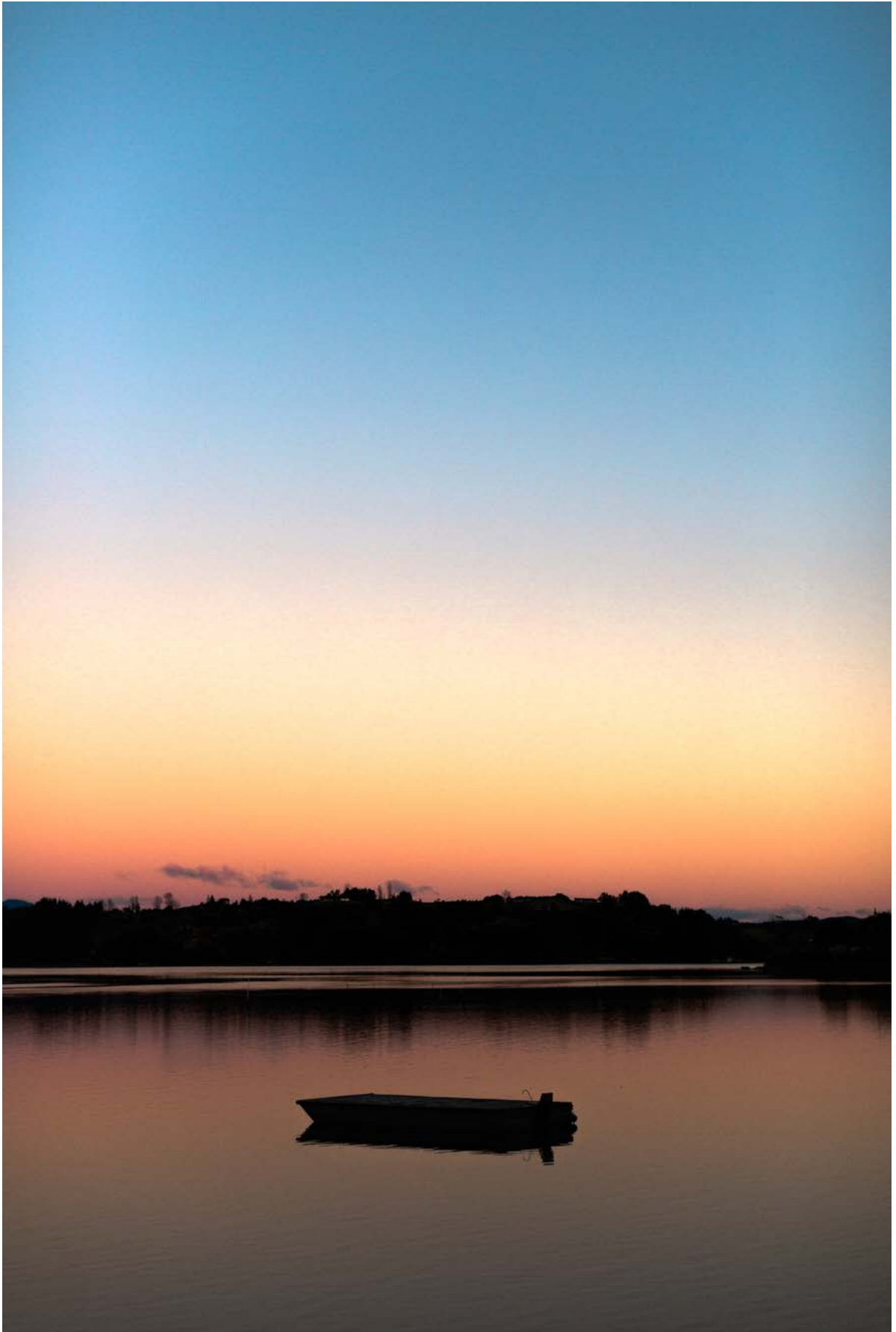
Next year will bring further change, with a new government and Minister for Oceans and Fisheries, an incoming Chief Executive for Te Ohu Kaimoana and continued challenges to the Māori Fisheries Settlement. There will be plenty of new opportunities to progress and resolve key matters such as amendments to the Maori Fisheries Act 2004, and resolutions to Rangitāhua/Kermadec Ocean Sanctuary and 28N rights.

The Board looks forward to presenting iwi with the five-year strategy for Te Ohu Kaimoana in 2021 to further guide and direct our work in protecting our enduring relationship to Tangaroa.

Mauri ora



Rangimarie Hunia
Chair, Te Ohu Kaimoana





Dion Tuuta
Te Mātārae, Te Ohu Kaimoana

CHIEF EXECUTIVE'S REPORT

Whakataka te hau ki te uru,
Whakataka te hau ki te tonga,
Kia mākinakina ki uta,
Kia mātaratara ki tai,
E hī ake ana te atākura,
He tio, he huka, he hauhū,
Tihei mauri ora!

Summary of the year

The 2019/20 year (FY19/20) was marked by COVID-19 and our collective response to the global pandemic. It was the final year of our three-year strategy, Te Ara Taupuhpuhi, and an election year that brought both challenges and opportunities for us at Te Ohu Kaimoana. Despite the environment of uncertainty, our focus remained clear – working to ensure that the ongoing Tiriti/Treaty Partnership between iwi and the Crown is given effect through development of fisheries-related legislation, policies and arrangements that recognise and respect the rangatiratanga of iwi over their traditional fisheries.

Our financial performance

COVID-19 negatively impacted the performance of global investment markets. On 11 March 2020 the World Health Organization declared the outbreak of COVID-19 a global pandemic. Two weeks later, the New Zealand Government declared a state of national emergency. Since 26 March the country has been through various Alert Levels, commencing with a complete lockdown period at Alert Level 4 from 26 March to 27 April 2020. This resulted in a reduction in investment return during March and April 2020. Investment returns have subsequently returned to the level experienced prior to the outbreak.

Te Ohu Kaimoana delivered our services within budget of the 2019/20 Annual Plan at a cost of \$3.8m against a budget of \$5.2m – a \$1.4m variance

Strategic opportunities and challenges

In our final year of Te Ara Taupuhpuhi, we were in a position to rise to the challenges and make the most of the opportunities presented during the year. This included our strategic goals to maintain and grow positive relationships with iwi and key stakeholders and develop and respond to initiatives to protect and enhance Māori fisheries' rights.

COVID-19 demonstrated the value of the Fisheries Settlement in action. We worked to actively support the efforts of iwi and our fishing companies to provide kaimoana to the nation, iwi, hapū and whānau. Fisheries were classified as essential businesses and the importance of the primary industries, including our seafood sector, was widely recognised. It also highlighted the desirability of maintaining access to fisheries' resources and the increased fragility of Māori fishing rights to blunt policy tools that favour protection over sustainability.

Protecting Iwi settlements has always been central to the work we undertake, and this year was no exception. Our monitoring of the Court of Appeal's decision in *Attorney-General v The Trustees of the Mōtītī Rohe*

Moana Trust (the ‘Mōtītī Case’) led to our involvement to ensure the implications for the Fisheries Settlement are considered and respected in any attempt to manage fisheries as a result of this case. The implication of the Mōtītī Case is that regional councils may be able to impose certain fishing controls under regional plans through the Resource Management Act (RMA), provided that those controls are implemented for biodiversity purposes under the RMA. However, the Court noted that it had not considered Tiriti/Treaty-related matters so there is some uncertainty as to the impact of the decision on the Fisheries Settlement. In September, we sought to join proceedings in Northland, alongside Ngāti Wai, to ensure the Fisheries Settlement was considered and respected in the Bay of Islands Maritime Trust Inc. and Forest & Bird appeal against the Northland Regional Plan to include new rules to prohibit fishing or introduce controls in certain areas.

The 28N rights remained a key matter for Māori fisheries this year. Despite an identified solution produced by the 28N Rights Working Group in December 2019, the Government has not yet made a commitment – from either the Minister of Fisheries or officials from the Ministry of Primary Industries (MPI)/Fisheries New Zealand (FNZ) – to resolve the outstanding issue to prevent 28N rights. The Minister also decided to increase the total allowable commercial catch (TACC) for two additional stocks with 28N rights in play (SK12 and SPO3) as part of the decisions for the 2020/21 fishing year. We have, by consent of the parties, injunctioned any TACC increase pending a permanent solution. Regardless of this political stalemate, we worked proactively with the holders of 28N rights in SK17 (Sealord and Sanford) to resolve any dilution of settlement quota as a result of the TACC increase in the SK17 fishery.

Finally, despite several meetings in December 2019 with the Prime Minister, Deputy Prime Minister, Leader of the Green Party, Minister for the Environment and Minister for Māori–Crown Relations and subsequently their officials, the matter of Rangitāhua/Kermadec Ocean Sanctuary is yet to be agreed. Te Ohu Kaimoana presented a solution based on the principles which iwi agreed on in September 2019 that upholds the promises made within the 1992 full and final Treaty of Waitangi Fisheries Settlement and the relationship of iwi Māori with Tangaroa. We have maintained contact with officials throughout the year and expect Rangitāhua to be a key priority for the newly announced Minister for Oceans and Fisheries, Hon. David Parker.

Staffing and reorganisation

Te Ohu Kaimoana maintained a steady whānau this year. We farewelled Tai Pari/Policy Analyst Peter Van-Kampen and Tai Tatau/Accountant Ngahia Rehu-Murchie at the end of 2019. In early 2020, we welcomed Tai Timu/Graduate Policy Analyst Jesse Rihia and welcomed back Tai Kaute/Finance Assistant Katrina Gregory.

Engagement looked different this year

Iwi engagement looked different this year. Our team, usually present at hui throughout the motu, adapted quickly to Zoom meetings and continued to engage with iwi and the wider fishing community. We engaged in a diverse range of kaupapa, including: support for the National Rock Lobster Management Group, particularly around annual catch entitlement (ACE) carry-over as a result of COVID-disrupted exports to China during the height of the crayfish season; Māori fishers affected by the Hector’s and Māui Dolphins Threat Management Plan; iwi and hapū wanting to establish customary pātaka prompted by Alert Level 4 lockdown; Te Rūnanga o Ngāi Tahu responding to proposed marine reserves for Motu Ihupuku and South Eastern Marine Protected Areas; and various working groups and dedicated hui for specific fisheries (hoki, SCA7, SNA7, GLM9 and the east coast tarakihi).

Te Ohu Kaimoana also played a role in supporting iwi representatives who sit on industry committees including the Ministerial Advisory Committee appointed to shape the Government’s response to the conservation- and fisheries-related proposals in the Sea Change – Tai Timu Tai Pari Hauraki Gulf Marine Spatial Plan. In addition, we provided input into research projects as part of our involvement in the Sustainable Seas Stakeholder Panel and Kāhui.

We continued to work closely with Crown agencies across the natural resources sector (NRS) (particularly the MPI, Department of Conservation (DOC), the Ministry for the Environment (MFE), and Ministry of Foreign Affairs and Trade (MFAT)). This was reflected in our involvement in policy matters both domestically and internationally. Our engagement with the NRS centred on the development of the marine protected area (MPA) discussion paper options, fisheries management settings like the annual sustainability rounds process, and marine conservation such as the National Plan of Action for Seabirds initiative. Meanwhile, engagement with MFAT focused on the development of New Zealand’s position on a new global framework for managing biodiversity. Despite the broad range of issues, much of our feedback echoes the need for targets and management measures

to have clear objectives – they should respect Māori fishing rights and focus on managing threats and risks rather than implementing a specific tool to achieve the best outcome for Tangaroa me ōna tamariki.

This year's Māori Fisheries Conference was cancelled due to COVID-19; indeed the scheduled day of the conference was the first day of Alert Level 4 lockdown. Like many this year, much of our engagement has taken place via video calls and webinars. In May, we hosted the hui-ā-tau via webinar, which provided an opportunity not only for Māori fisheries entities to present on the 2018/19 year but also for an update on the Māori fisheries' response to COVID-19 and the nationwide lockdown. A planned series of regional hui scheduled for August and September were also cancelled due to Auckland's second lockdown.

In June, we published Dr Gary Libecap's research paper entitled "An analysis of the impact on Māori property rights in fisheries of Marine Protected Areas and recreational fishing outside the Quota Management System".

Our third annual Iwi Satisfaction Survey provided us with a good measure of our progress. It was rewarding to see that satisfaction with Te Ohu Kaimoana's performance was up 9%. The survey results also provided some clear indications about areas for improvement that are most important to iwi. Further details on these results are included in this report.

Our policy development work: highlighting the importance of Māori principles and indigenous rights

Our policy work is built upon the guiding principles of Te hā o Tangaroa kia ora ai tāua: relationships, reciprocity, sustainability and potential. This framework provides a more nuanced te ao Māori perspective which often differs from the dominant narratives around 'conservation vs utilisation'. Our feedback on policy development initiatives remains consistent that fishing and conservation ('kaitiakitanga' is often used here) are not in opposition to each other; rather, they are entwined and balanced by responsible fisheries management.

Many of the discussion documents we respond to focus heavily on implementing specific tools or measures without clearly identifying the threats and objectives or looking at a suite of measures to support the marine environment. This is disappointing in cases where the outcome doesn't enhance Tangaroa and his tamariki and negatively impacts Māori fishers and Māori fishing rights.

The Hector's and Māui Dolphins Threat Management Plan is an example of this issue. Increasingly since 2003, measures to restrict fishing have been put in place to reduce the risk posed to Hector's and Māui dolphins with the most recent decisions being announced in June. The Minister of Fisheries decided to extend the restrictions to address fishing risk but did little to address other threats impacting the Māui dolphin population.

Diseases such as toxoplasmosis, and habitat degradation are also contributing to the decline of the Māui dolphin population yet little to nothing has been done to address these identified threats. Since the Minister's announcement, we have been working with Māori fishers to help them transition to different fishing methods so they can continue to operate safely; however, these changes will inevitably affect iwi fisheries' interests within the Hector's Māui zones. We have also been engaging in the Sea Shepherd petition which seeks a trade ban of New Zealand kaimoana in the United States. Finally, to support the Māui dolphin, we are looking at ways to address toxoplasmosis and other threats.

This year, our response to policy development in the international space continued. We provided MFAT with our feedback on Area-Based Conservation Measures under the UN Convention on Biological Diversity (CBD) in February and our direct feedback about the post-2020 global biodiversity framework to the Secretariat on the CBD in July. We have experienced first-hand how the outcomes of international guidelines, like the CBD, can generally marginalise indigenous issues and more specifically influence the development of policy within Aotearoa (the proposed Rangitāhua/Kermadec Ocean Sanctuary is a direct result of this type of influence). As a result, we have been proactive in ensuring that Te hā o Tangaroa and the promises of Māori Fisheries Settlement and Te Tiriti o Waitangi are part of New Zealand's position in these matters.

Our work in the biodiversity area trickled down into domestic policy development too: providing comments on DOC's New Zealand Biodiversity Strategy, the development of the revised marine protected area (MPA) policy and supporting Ngāi Tahu in their response to the proposed South East MPAs.

This year's Sustainability Round involved high levels of engagement with Mandated Iwi Organisations (MIOs) throughout Aotearoa and with key staff from our fishing companies. Pleasingly, of the wide range of stocks under review, only one proposal was for a reduction in the total allowable catch/total allowable commercial

catch (TAC/TACC) and, even then, it was promoted by iwi and stakeholders to be included in the round. Unfortunately, several of the Minister's decisions are unfavourable to iwi. Increases in TACC for SK12 and SPO3 triggered 28N rights, and the Minister's decision on SNA7 didn't address what we view as a reallocation error made in 2016 in favour of the recreational sector which reduces the iwi share of the fishery. We have filed legal proceedings to injunct the TACC increases until a solution to 28N rights is reached and continue to work with officials to find a resolution to the issue of reallocation.

COVID-19 again highlighted the importance of our customary fisheries and during the latter part of 2019, we engaged with Iwi Fisheries Forums and Fisheries New Zealand to discuss a review of the customary framework. We had planned a workshop at the Māori Fisheries Conference to receive direction from MIOs on how Te Ohu Kaimoana could best support and contribute to work in this space. With the cancellation of that workshop our engagement with iwi and review of the customary framework remains ongoing.

Instead, supporting iwi and hapū to establish pātaka kai became a key piece of our customary work. Many iwi recognised the benefits of a pātaka kai as part of customary fishing arrangements during Alert Level 4 lockdown. In Te Tairāwhiti, we have been assisting Ngāti Porou to engage with ngā hapū o Ngāti Porou in accordance with the requirements of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019. As we assist with these discussions, we are also encouraging kaitiaki within the rohe to sign up to IkaNet, our online customary fishing management tool.

Further details about our progress against the 2018/19 Annual Plan can be found on pages 32–47 of this report.

Maori Fisheries Act 2004 matters

Fisheries Settlement allocation

During the year, Ngāti Toa Rangatira and Te Ātiawa (Wellington) agreed their respective coastline allocations to the area between Titahi Bay and Turakirae and their fisheries assets were transferred to them in July. Pleasingly, this means that more than 95% of coastline-based settlement quota has been allocated and transferred to iwi.

Despite our best efforts, progressing the final allocation of fisheries assets to other iwi remains slow.

- › We worked with iwi in northern Taranaki to assist them to reach a coastline agreement. However, COVID-19 disrupted the progress of this work and discussions are ongoing.

- › We received a request to determine the coastline dispute between Manawatū iwi over their respective coastline allocations to the area between Kukutauaki and the Rangitikei River. We referred the dispute to the Māori Land Court for determination.

An updated coastline map showing progress with coastline agreements is included in this report.

MIO status

We continued to be engaged with Ngāti Tama (Taranaki) and Te Whānau-ā-Apanui over the need for both iwi to ratify MIOs to act on their behalf. Unfortunately, progress stalled as a result of competing priorities on the part of both iwi. We will continue to work with Te Rūnanga o Ngāti Tama and Te Rūnanga o Te Whānau as they seek to be ratified as the MIO for their respective iwi.

We engaged with Te Arawhiti on the transfer of MIO status from the Maniapoto Māori Trust Board and the Whakatōhea Māori Trust Board to their respective future Post Settlement Governance Entities (PSGEs).

We also provided support to two MIOs for which issues of compliance with the requirements of the Maori Fisheries Act 2004 have arisen.

Aquaculture

In August of this year, Minister Nash introduced to Parliament the Maori Commercial Aquaculture Claims Settlement Bill. This legislation amends the Maori Commercial Aquaculture Claims Settlement Act 2004 to provide Te Ohu Kaimoana with greater flexibility to allocate and transfer aquaculture settlement asset to iwi and is based on a proposal we first provided to Minister Nash in June 2018. We worked with iwi, the MPI and the Parliamentary Counsel Office on the Bill throughout the year and are extremely pleased with the progress we have made. The amendments are required for Te Ohu Kaimoana to be able to allocate aquaculture settlement assets to iwi in Northland and the Bay of Plenty, and we are therefore eagerly waiting for the Bill to progress further through the House.

A key focus for us during the year was our continued involvement in the Te Oneroa-a-Tōhē spat harvesting working group, alongside representatives from each Te Hiku iwi, Aquaculture New Zealand, the Marine Farmers Association, the spat harvesting community and GLM9 quota owners. Continued access to spat from Te Oneroa-a-Tōhē is vital to the aquaculture industry, with 70 to 80% of all green-lipped mussel spat collected there. The group was set up to amend the current

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harvesting Code of Practice and develop community initiatives which the industry can implement. We are pleased that despite COVID-19 restrictions, which delayed the progress of the working group, an agreed Code of Practice has been signed by all permit holders.

Over the year, we worked with a number of iwi to progress their aquaculture settlement negotiations with the Crown, and continued to work towards regional agreements in Southland, the Bay of Plenty and Waikato West. We worked with Bay of Plenty iwi to agree on sites where the Crown would carry out investigations for suitable water space and engaged EnviroStrat to undertake an investigation of potential aquaculture opportunities in the area. We worked with Te Rūnanga o Ngāi Tahu to have Minister Nash gazette an aquaculture settlement area for Ngāi Tahu off the north-eastern coast of Rakiura/Stewart Island. We also worked with Pare Hauraki and the Crown to agree a timeframe for achieving an exercise of s 360A of the Resource Management Act 1991 to effect the transfer of assets agreed to under the Waikato East Regional Agreement.

The Government's Aquaculture Strategy, released in September 2019, promised that the Crown would assess whether the settlement could do better in terms of advancing Crown and iwi aspirations. To this end, together with Fisheries New Zealand we jointly commissioned an independent review of the benefits of the new space aquaculture settlement. The evaluation will help the Crown and iwi to understand whether there are improvements that can be made to how the new space aquaculture settlement is delivered.

The Aquaculture Strategy also champions the case for open ocean aquaculture, and signals that a successful open ocean aquaculture industry will be key to helping the industry reach \$3 billion in annual sales by 2035. A key priority for us throughout the year, therefore, was working with the MPI to consider an ideal management framework that could apply to open ocean aquaculture development in New Zealand. Our work with the MPI and iwi in this regard involved consideration of settlement implications, research and investment needs, as well as management options.

In addition, this year we successfully refreshed the website for Takutai Trust (www.takutai.maori.nz). This website provides valuable information about the Māori Commercial Aquaculture Settlement, the Trust and its activities.

Looking to the future

This year has served some immense challenges, and I'm enormously proud of the way that Māori fisheries stepped up and supported our people in times of need. It was driven by manaakitanga and innovation and it shows the real value of the Māori Fisheries Settlement – ensuring an enduring connection to Tangaroa me ōna tamariki.

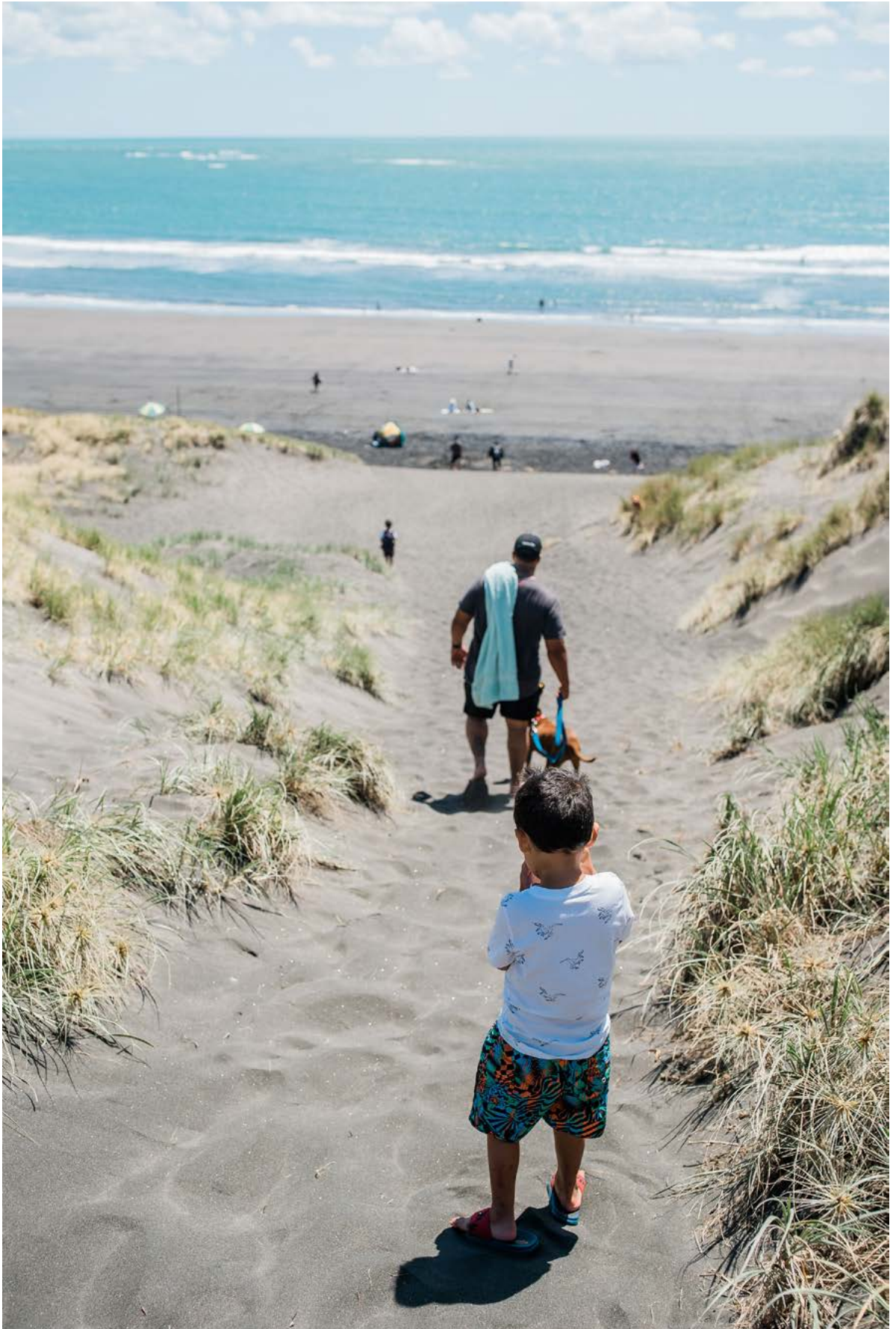
As we find ourselves at the end of the three-year strategy and the end of my time as Te Mātārae of Te Ohu Kaimoana, I feel confident that we are in a position to rise to any future challenges. And there will be challenges. We are upholding an indigenous world view that includes conservation as part of sustainable use amid increasing divisive views on conservation vs commercial activity. There are differing opinions on what constitutes sustainability. International decisions are impacting small-town Aotearoa.

In my time, I have seen Te Ohu Kaimoana become a powerhouse of fisheries policy expertise underpinned by our guiding framework of Te hā o Tangaroa kia ora ai tāua, with a team who work incredibly hard to engage early and proactively on issues that could not just undermine the Māori Fisheries Settlement but also Māori rights to an enduring relationship with Tangaroa. I would like to thank iwi for giving us the opportunity to achieve this.

I will continue to honour the Māori Fisheries Settlement and I look forward to continuing to support Te Ohu Kaimoana in my new role as Chief Executive of Te Kotahitanga o Te Ātiawa.



Dion Tuuta
Te Mātārae
Te Ohu Kaimoana





RELATIONSHIPS

Rukutia te mouri o Tangarōa,
Tangarōa tu ki uta,
Tangarōa tu ki tai







IWI SATISFACTION SURVEY 2020



In August, we conducted our third annual Iwi Satisfaction Survey.

We commissioned this independent survey to measure our performance against the expectations of Mandated Iwi Organisations (MIOs), recognised iwi organisations, asset-holding companies and against our own values and expectations as an organisation. It provides valuable insight about how well iwi feel we are carrying out our core duties and helps us identify areas for improvement. This holds us to account and ensures that we are delivering services in line with iwi needs and wants. The survey was sent to 273 iwi representatives, with 61 people completing the survey – the highest number of participants so far.

Being the third year, the results of the survey now show a clear baseline and allow us to see trends – both the positive and declining trajectories. The feedback provided in this year’s survey has enabled us to look at how we can continue to celebrate and grow the positive trajectory and address factors to disrupt any declining trajectories.

He mihi nui ki tēnā o koutou i whakahoki kōrero mai, thank you to all the respondents who took the time to complete the survey.

What's going well

77% ↑ **9%**

Satisfaction with overall performance grows

Each year, we've seen an increase in respondents' satisfaction with Te Ohu Kaimoana's performance. In 2020, satisfaction increased by 9% – reaching a new high of 77% of respondents satisfied with Te Ohu Kaimoana's performance.

82–84%

Te Ohu Kaimoana continues to perform an important role

Te Ohu Kaimoana's current and future role continues to track upwards in its importance to respondents' organisations (82% – 84% respectively).

84%

Integrity and transparency remain as high-ranked attributes

Over the last three years, Te Ohu Kaimoana has been consistently recognised for acting with integrity and transparency, alongside other attributes like exhibiting leadership (79%).

100%

Chairs of iwi organisations agree that we do well to protect the interests of iwi and represent a collective iwi view when responding to government.

In addition, all the respondents who were Chair of their organisation agreed that we 'provide information on policy/opportunities to discuss issues' and 'include feedback during the policy development process'.

70% ↑ **27%**

Improvement in use of te reo Māori

Since 2018, satisfaction with our use of te reo Māori has improved from 55% to 70%.

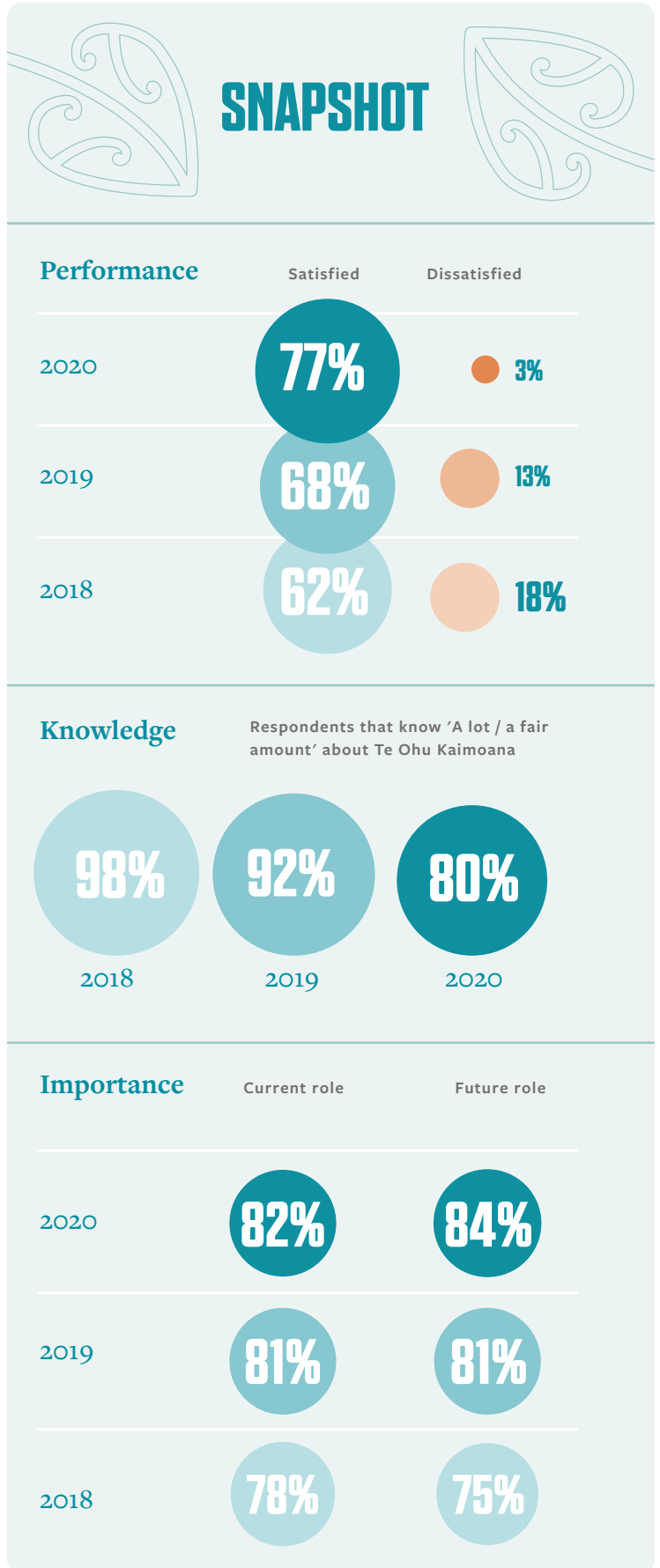
Where there's room for improvement

With our baseline now established, we can see a slight downward trend in several key areas. These include policy and decision-making (67% – 69%), interests and rights of iwi (46% – 77%) and statements specifically referring to the Deed of Settlement (67% – 69%). This, alongside other feedback, has helped us to identify how we can improve these measures; for example, changing the way we acknowledge input from iwi in our responses to government, and bringing together stories to highlight the benefits of the Deed of Settlement.

Better communication (33%) and engagement with iwi/Māori values (30%, up 9%) were identified as areas needing improvement too. This also mirrors the expectations we have of ourselves as we consistently strive to improve communication with iwi and not just engage with iwi/Māori values but ensure that these are also central to all the work we undertake.

What does this mean?

This survey has given us a good baseline. It has shown us the areas where we have made progress over the past three years as well as areas where we can review the way we are working to better demonstrate the engagement we have with iwi in our responses and highlight the way that Māori values and Te hā o Tangaroa drive our policy work.



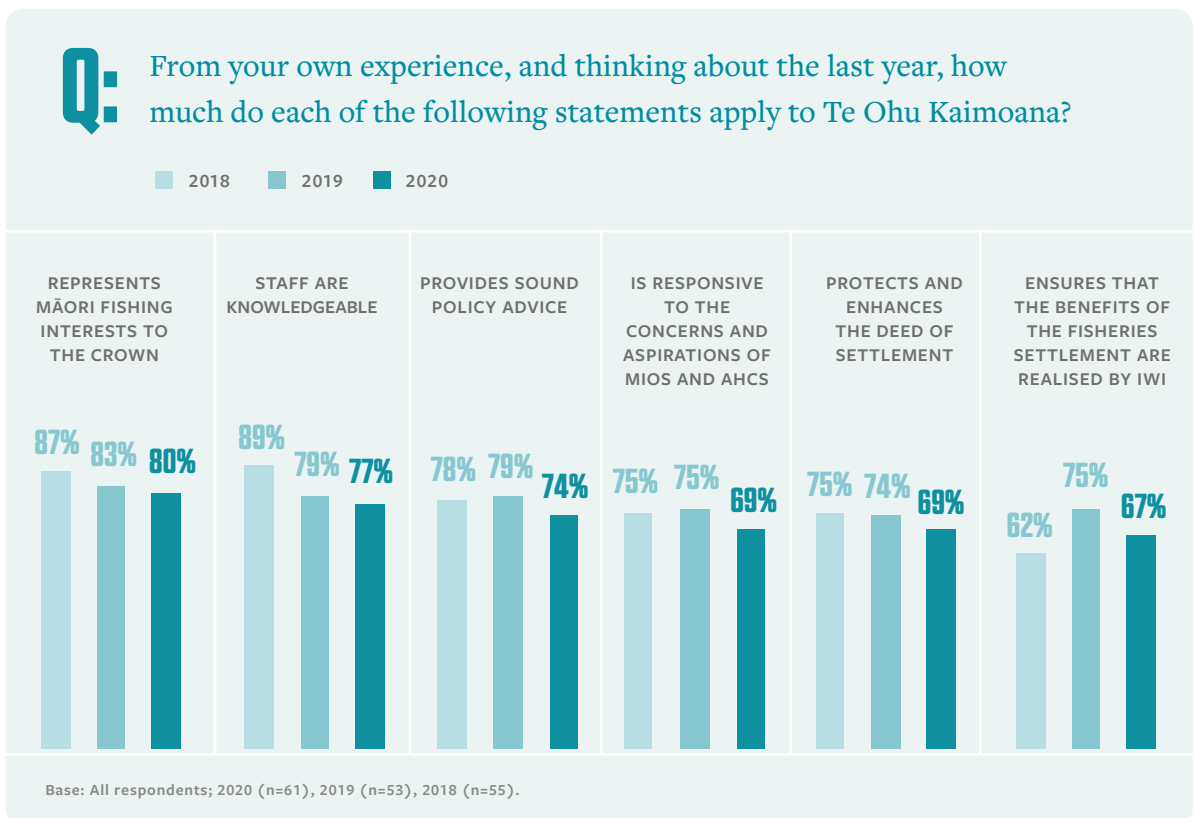


Perceptions

Despite a slight decrease across agreement over the applicability of statements, between 67% and 80% of respondents felt that the various statements were applicable to Te Ohu Kaimoana.

While a small decreasing trend can be seen compared to last year, a clear majority of respondents (67–80%) continue to indicate that the statements listed apply to Te Ohu Kaimoana.

The most applicable statement was again that Te Ohu Kaimoana ‘represents Māori fishing interests to the Crown’ (80%, down 3%).



Respondents from MIOs were less likely to think the following statements were applicable:

73%

‘Represents Māori fishing interests to the Crown’.

60%

‘Protects and enhances the Deed of Settlement’.

58%

‘Ensures that the benefits of the Deed of Settlement are realised by iwi’.

In contrast, respondents from organisations with 1–5 employees were more likely to think the following statements were applicable:

94%

‘Provides sound policy advice’.

84%

‘Protects and enhances the Deed of Settlement’.

81%

‘Ensures that the benefits of the Deed of Settlement are realised by iwi’.

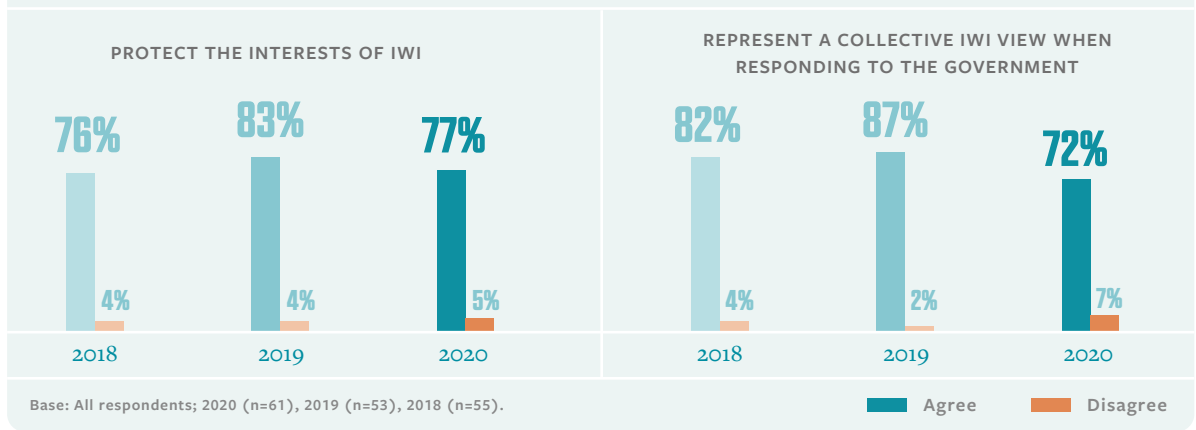
26  **Interests and rights of iwi attributes – tracking**

The proportion of respondents who believe that Te Ohu Kaimoana does well across the attributes involving the interests and rights of iwi has decreased since last year.

Despite this, a majority (77%) of respondents still think that Te Ohu Kaimoana does well to ‘protect the interests of iwi’ (down 6%).

Similarly, 72% think that Te Ohu Kaimoana does well to ‘represent a collective iwi view when responding to the government’. This figure decreased 15%.

Q: Thinking about the interests and rights of iwi, how well does Te Ohu Kaimoana...

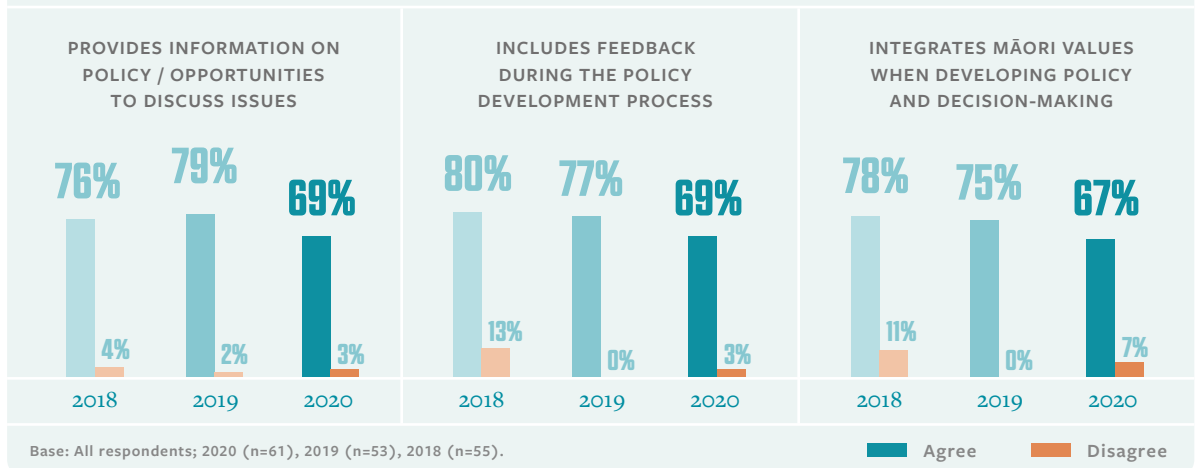


 **Policy and decision-making attributes – tracking**

Respondent agreement across policy and decision-making attributes decreased from 2019. Despite this, the attributes still received agreement from just over 2 out of 3 of respondents.

These numbers aren’t alarming – but there is a downward trend here, so it’s a good time for us to look and see what we can do differently to improve these attributes.

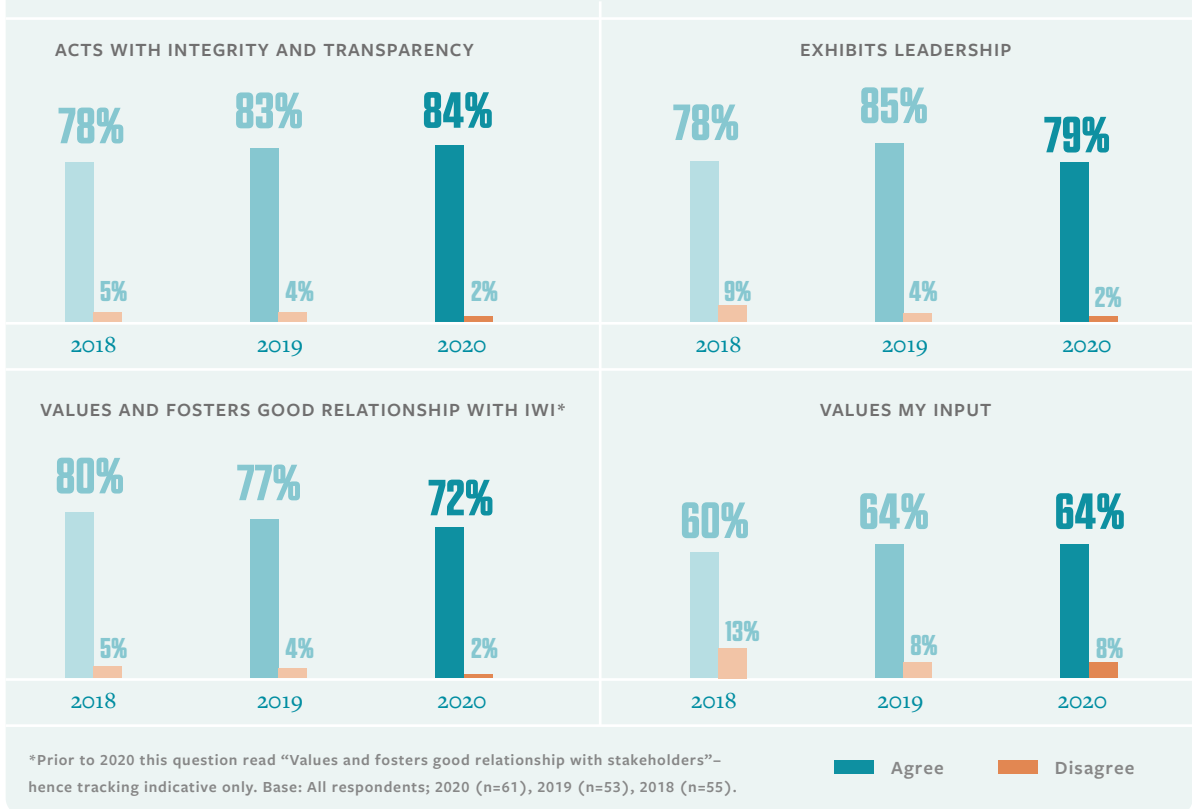
Q: When making decisions and developing policy positions, how much do you agree that Te Ohu Kaimoana...





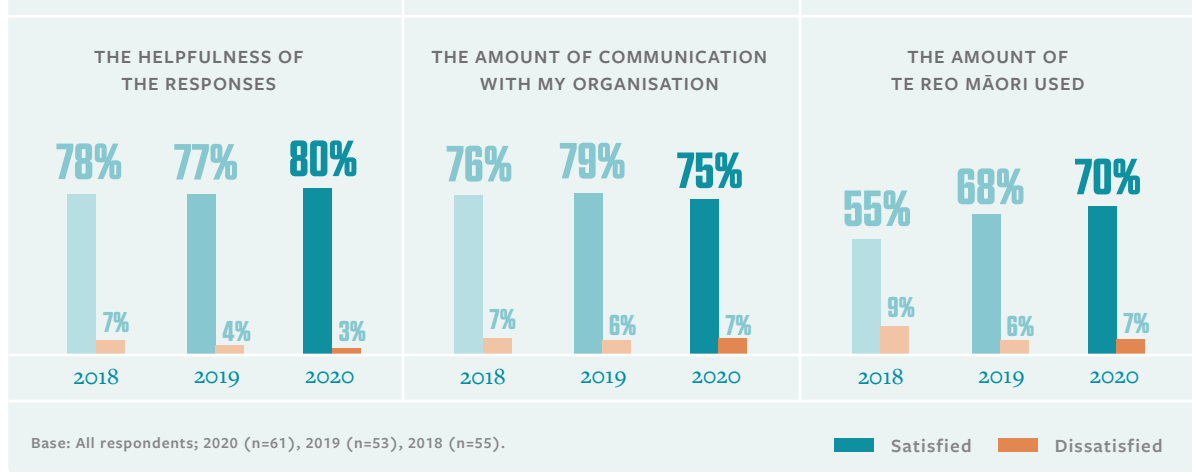
Relationship attributes – tracking

Q: Thinking about the relationship, trust and confidence with Te Ohu Kaimoana, how much do you agree that Te Ohu Kaimoana...



Satisfaction with engagement – tracking

Q: Thinking about engagement and communication with Te Ohu Kaimoana, how satisfied are you with the following statements?

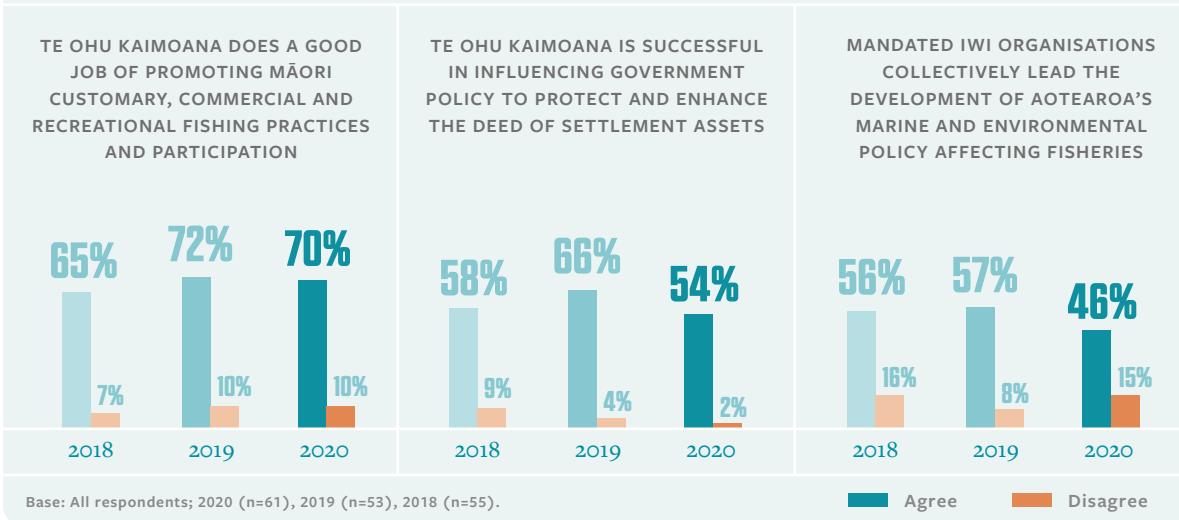




Statement agreement – tracking



How much do you agree with the following statements...



Areas for improvement

At about 1 out of 3, 'better communication' the most prominent areas for improvement identified by respondents (33%, up 7%).

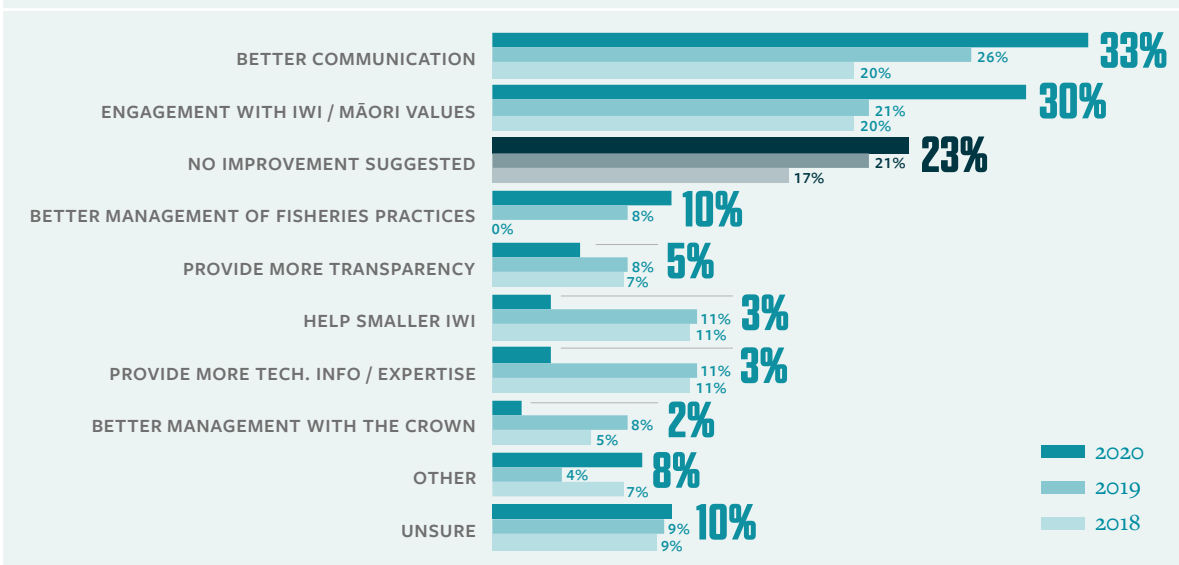
This was closely followed by improving 'engagement with iwi/Māori values' (30%, up 9%).

About 1 in 4 respondents did not suggest any particular area for improvement (23%, up 2%).

There were no statistically significant differences in the demographics.




If there was one area Te Ohu Kaimoana should focus on to improve its services, what would it be?



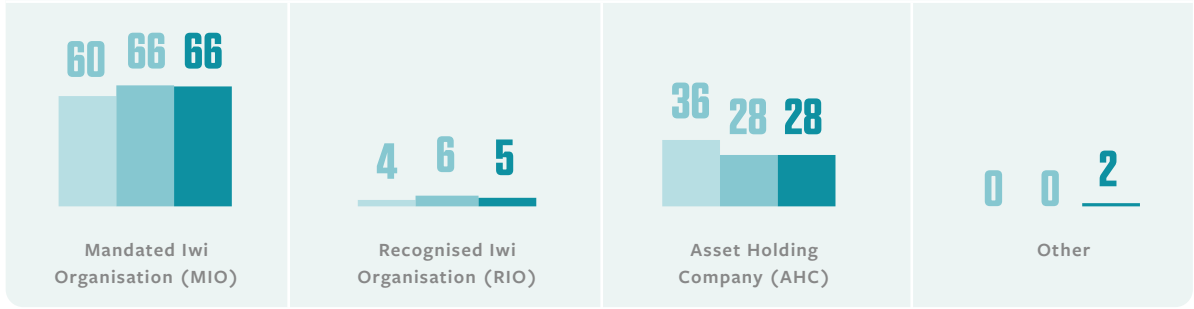
Note: Multiple response question. Prior to 2020 "Engagement with iwi/Māori values" was referred to as "Integrate/respect Māori values and people".
Base: All respondents; 2020 (n=61), 2019 (n=53), 2018 (n=55).

DEMOGRAPHIC SNAPSHOT

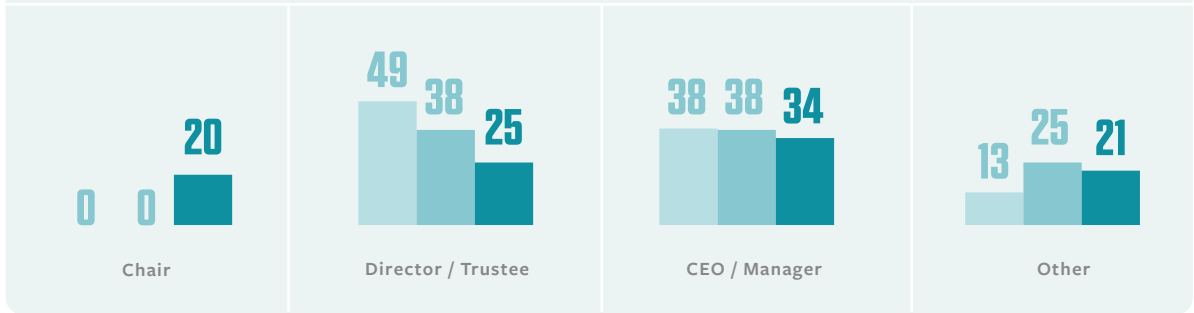


2018 2019 2020

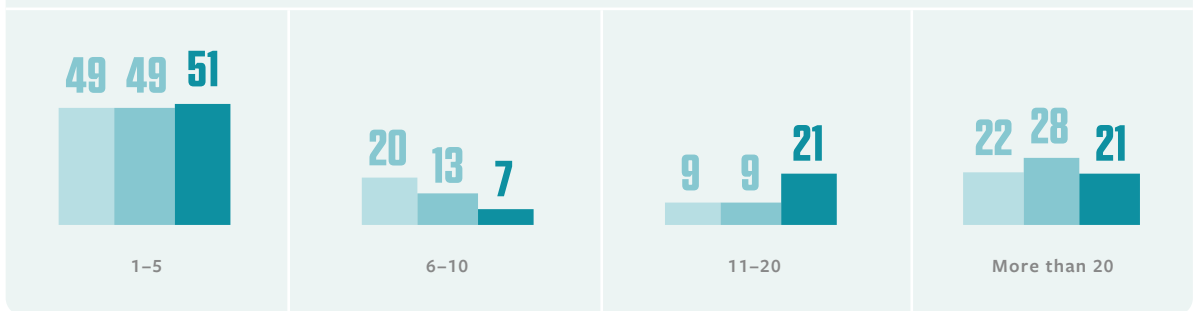
Organisation type



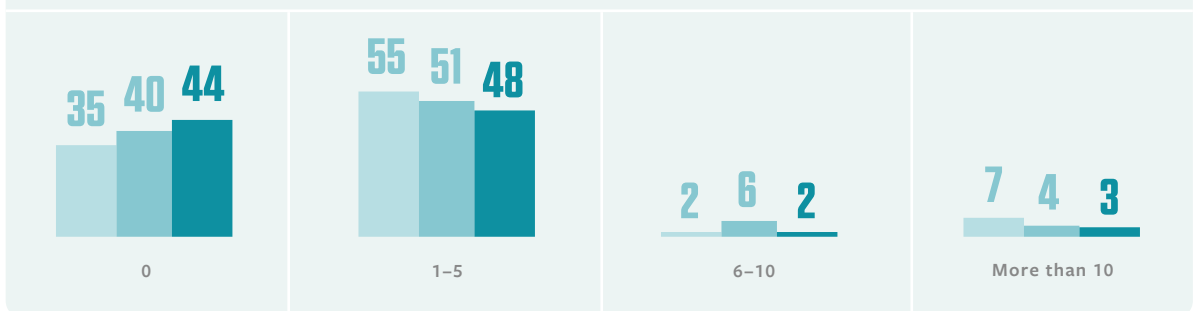
Position in organisation



Organisation size



Number of employees in fisheries or aquaculture



Base: All respondents 2020 (n=61)

Ka mate kai horo,
ka ora kai whakatonu

SUSTAINABILITY





WALL FISHERIES LTD
DUNN 9790710
LIGHTNING II
REG. No 63788

REPORT AGAINST THE ANNUAL PLAN

FISHERIES: ALLOCATION

OBJECTIVE 1: Assist iwi to gain/retain mandated iwi organisation (MIO) status and transfer population-based assets where relevant by 30 September 2020

- › Work with Ngāti Tama (Taranaki) and Te Whānau-ā-Apanui to help them gain MIO status by 30 September 2020; and
- › Assist iwi to transition their MIO status to a Post Settlement Governance Entity (PSGE) where required.

Te Rūnanga o Ngāti Tama have indicated they intend to seek to become ratified as the MIO for Ngāti Tama (Taranaki) in the first half of 2021. We will continue working with Te Rūnanga o Ngāti Tama to develop a project plan in the 2020/21 financial year.

Te Rūnanga o Te Whānau intend to become ratified as the MIO for Te Whānau-ā-Apanui through their historic Treaty of Waitangi settlement. We will continue to work with Te Rūnanga o Te Whānau on this matter in the 2020/21 financial year.

We provided advice to Te Arawhiti on the transfer of MIO status from the Maniapoto Māori Trust Board and the Whakatōhea Māori Trust Board to their respective future PSGEs.

OBJECTIVE 2: To allocate and transfer remaining settlement assets

- › Assist iwi to resolve coastline claims on remaining settlement assets by 30 September 2020. The process will be supported by facilitation services and other consultants (survey); and
- › Assist iwi to reach allocation agreements on eel quota or determine allocation under s 148 of the Maori Fisheries Act 2004 by 30 September 2020.

We worked with Wellington iwi to resolve their coastline dispute. We were able to transfer coastline entitlements for the area of coastline between Titahi Bay and Turakirae.

We supported iwi to work together towards reaching agreement on how to allocate fisheries settlement quota attributable to certain areas of coastline. We continue to assist iwi in northern Taranaki to resolve their respective entitlements to the area of coastline between Waipingau and the Mokau River. Conversations with the iwi are ongoing.

We continue to be engaged in discussions with iwi with interests in longfin eel and shortfin eel (LFE/SFE 20) about the allocation of that stock.

OBJECTIVE 3: Facilitate agreements using statutory processes under the Act (s 181 and 182) where required

- › Potential Māori Land Court applications in three areas to resolve coastline allocation disputes – in the Manawatū, Te Tau Ihu/ Canterbury and Te Tairāwhiti.

We applied to the Māori Land Court to seek that the Court determines the coastline entitlements of Manawatū iwi to the area of coastline between Kukutauaki to the Rangitikei River.

In other cases, we avoided the use of the statutory processes provided for in s 182 of the Act. Where coastline disputes exist, we are working closely with the relevant iwi to develop processes to resolve those disputes.

<p>OBJECTIVE 4: Make annual catch entitlement (ACE) available to iwi who have not received their settlement assets</p> <ul style="list-style-type: none"> › Manage October 2019 and April 2020 ACE rounds; and › Sell ACE on behalf of iwi in dispute over coastline allocations and hold proceeds in dispute under s 152 of the Maori Fisheries Act 2004. 	<p>We completed the October 2019 and April 2020 ACE round processes. We allocated ACE to iwi where agreements to do so exist. Where disputes exist, we carried out a tender process for the relevant ACE and placed the revenue of such sales on trust, to be held until agreement is reached.</p>
<p>OBJECTIVE 5: Allocate and transfer funds on trust:</p> <ul style="list-style-type: none"> › Continuously review funds held on trust and status of disputes. Where possible, facilitate agreements between parties and distribute funds. 	<p>The continuous review of funds held on trust and the status of disputes is ongoing. It was not possible to facilitate agreements between iwi during the 2019/20 financial year.</p>
<p>OBJECTIVE 6: MIO and Te Ohu Kaimoana compliance with the requirements of the Māori Fisheries Act:</p> <ul style="list-style-type: none"> › Ensure MIOs comply with the Maori Fisheries Act and any subsequent amendments or decisions of the Court with respect to the interpretation of the provisions of the Act. 	<p>Throughout the 2019/20 financial year, we engaged with two MIOs for whom issues of compliance with the requirements of the Maori Fisheries Act 2004 had arisen. We continue to support these MIOs to resolve the issues of non-compliance.</p>

FISHERIES: POLICY

MANAGEMENT SETTINGS

<p>OBJECTIVE 1: Improve managing and reporting the overall catch</p> <ul style="list-style-type: none"> › Influence development of more efficient processes for managing the overall catch and/or the commercial catch in key fisheries; and › Continue engagement in electronic reporting and global position reporting, onboard cameras and associated policy. 	<p>During the year, we focused on specific fisheries – including hoki, east coast tarakihi, orange roughy (ORH7A), southern scallops (SCA7), pāua (PAU3, PAU7), snapper (SNA7), and green-lipped mussels in Northland (GLM9) – as a way of improving management outcomes. We were involved in collaborative processes across sectors within each of these fisheries to assist with the design of enduring solutions to complex problems that had been raised during sustainability processes in previous years. In some instances, this involved participating in Fisheries New Zealand (FNZ) processes, while in others it entailed working directly with participants in the fisheries.</p>
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FISHERIES:
POLICY

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OBJECTIVE 2: Develop efficient policy tools for fisheries management

- › Continue developing and promoting a solution to legacy fisheries management issues: 28N rights, use of deemed values, shelving, cost recovery, allocation of the TAC and landings/ discards policies; and
- › Represent and provide input to the marine amateur fishers working group in order to ensure best available information is understood and developed with the assistance of Te Ohu Kaimoana.

With the conclusion of the working groups for both 28N rights and deemed values at the end of the 2018/19 fishing year, our focus shifted to exploring options for implementation. Resolution of these long-standing unresolved policy challenges will deliver wide ranging benefits for the management of Aotearoa's fisheries.

We successfully resolved the 28N rights in SKI7 with no loss to iwi settlement holdings.

FISH STOCK MANAGEMENT**OBJECTIVE 3: Protect Māori settlement interests through continuous engagement in fish stock kōrero**

- › Provide an ongoing central hub of expertise and technical support to Māori representatives elected to industry bodies so that Māori are positioned to take pivotal leadership roles in commercial stakeholder organisations (CSOs) and sector representative entities (SREs) or, where agreed by iwi, undertake those roles directly on behalf of iwi;
- › Support iwi to develop and implement fisheries plans to protect their settlement interests;
- › Continue engagement in annual general meetings (AGMs), working groups, industry meetings and other relevant meetings of different fish stocks for efficient fish stock management; and
- › Continue ensuring that Māori interests are protected, and iwi are well informed on matters affecting them in the commercial, customary and recreational sectors.

We were active in attending the AGMs for a range of pāua and rock lobster fisheries. This enabled us to stay informed about challenges in both fisheries and engage with a variety of participants across those industries.

We actively participated in the science industry's working group processes. Our participation in these groups enables us to provide input and gain a greater understanding of the stock assessments of a range of fisheries. This, in turn, assists us in advising on management strategies

- › We participated in the Southern Scallop Fishery working group in a supporting role to the Te Tau Ihu representatives. This working group has developed a strategy to support an opening regime for the fishery (which has been temporarily closed to all fishing). The strategy identifies key risks to sustainable utilisation and sets out appropriate mitigations, including those which require regulatory support.
- › We participated in Northern and Area 2 regional fisheries committee meetings. Our continued participation in these meetings enables us to better understand regional concerns when responding to issues with national impact and consequence.
- › We participated in FNZ/MPI's Highly Migratory Species Fish Plan Advisory Group and provided feedback on their proposed Key Focus Areas and 'business as usual' tasks for the Highly Migratory Species Annual Operation Plan for 2020/21. All members agreed with their proposals.

We actively engaged with SREs on a range of fisheries management issues, including attendance at the Commercial Fisheries Forum, as well as Deepwater Group and Seafood New Zealand Board meetings.

FISHERIES:
POLICY**OBJECTIVE 3 continued**

We responded to consultation on proposed sustainability and utilisation measures for kōura stocks aligned to the 1 April fishing year. We also engaged in a variety of additional areas specific to kōura:

- › We responded to FNZ’s consultation on a proposal to enable the carry-forward of uncaught rock lobster ACE as at 31 March 2020. The consultation arose because of pressures facing the rock lobster industry, relating to closure of the live rock lobster market in China due to the outbreak of COVID-19. The majority of the rock lobster industry advocated for a total carry-forward of all uncaught ACE. Following consultation with MIOs our recommendation was that up to 10% of ACE be carried forward as a one-off. That was also reflected in the Minister’s decision.
- › We responded to two applications to exceed aggregation limits for rock lobster – one application related to CRA1 and the other, to CRA3. We did not support either application.
- › We actively participated in the National Rock Lobster Management Group.
- › We convened a hui with iwi with interests in CRA3 to discuss differential minimum legal sizing in Gisborne and Mahia. We provided feedback from this hui to the National Rock Lobster Management Group.

We engaged in fisheries negotiations for the Pacific region. We joined the New Zealand delegation for the Science Committee Meetings for the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), the Western and Central Pacific Fisheries Commission (WCPFC) and the South Pacific Regional Fisheries Management Organisation (SPRFMO). The Science Committee meetings were held virtually due to travel restrictions with COVID-19. The Science Committee meetings impact our domestic settings and set the scene for how states manage their regional fisheries, most of which are taonga to iwi/Māori. Te Ohu Kaimoana will remain involved as these conversations continue into 2021.

We provided advice to the Minister of Fisheries on the review of sustainability measures and management controls for the 2020/21 fishing year beginning on 1 October. This advice was informed through discussions with Sealord, Moana, Iwi Collective Partnership and MIOs. The Minister’s decisions aligned with 47% of the advice we provided.

FISHERIES:
POLICY

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OBJECTIVE 3 continued

We gave advice to the Minister of Fisheries on the draft PAU3 Fisheries Plan and the proposed subdivision in that fishery. The Minister is yet to release a decision on this plan and the subdivision.

We provided a response to Te Korowai o te Tai o Marokura pre-consultation on the reopening of shellfish and seaweed fisheries from Conway River to Marfells Beach in the Marlborough region.

We responded to FNZ's draft Inshore Finfish Fisheries Plan, expressing our reservations about FNZ seeking statutory approval of this plan. In particular, we did not support the framework implied within it. The Minister is yet to release a decision on this plan.

We presented to an Australian workshop aimed at identifying management options to improve their fishery at the invitation of their Fisheries Research and Development Corporation.

We provided the MPI with feedback on their draft International Fisheries Strategy. We continue to work with officials on this strategy.

We are participating in a hoki genetics research project, which is led by Seafood Innovations Limited, Plant and Food Research and the Deepwater Group. We are working to develop a framework to manage/protect the data of this taonga consistent with iwi aspirations, and in line with the Māori/claimant-led response to Te Pae Tawhiti – WAI262.

Te Ohu Kaimoana and Te Wai Māori worked with FNZ and DOC on a National Tuna Strategy. We have concerns about FNZ's lack of resourcing to fund this initiative. We will continue to work with FNZ's senior leadership to better prioritise funding towards this kaupapa so that the development and implementation of the strategy is successful.

We provided a response to government on Pelco NZ's application to exceed aggregation limits in kahawai and blue mackerel fisheries. We supported their application based on the nature of their purse seine fishing operation, being a Māori whanau-run business, and their commitment to working with iwi/Māori. We also met with Pelco to discuss how they can further Māori interests in fisheries.

FISHERIES:
POLICY**OBJECTIVE 4: Develop efficient mechanisms to manage the effects of fishing on protected species while ensuring Māori fishing interests are protected**

- › Continue influencing the development of different management approaches to ensure the protection of sea lions, Hector's and Māui dolphins, seabirds and sharks while ensuring Māori fishing interests are not diminished.

We have been working on both domestic and international issues that arise from the release and implementation of the Hector's and Māui Dolphin Threat Management Plan.

- › Domestically, we have been working with FNZ and Fisheries Inshore New Zealand to transition fishers into new methods that fall outside the new restrictions within the Hector's and Māui Dolphin Threat Management Plan. We have also engaged with DOC on the toxoplasmosis action.
- › Internationally, Sea Shepherd Legal, Sea Shepherd New Zealand Ltd and Sea Shepherd Conservation Society petitioned the US Department of Commerce and the National Oceanic and Atmospheric Administration (NOAA) to ban importation of commercial fish or products from fish that have been caught with commercial fishing technology which results in incidental mortality or serious injury of Māui dolphin in excess of US standards. We provided a response to NOAA that focused on New Zealand's fisheries management system and the Government's legislative obligations in the context of Te Tiriti o Waitangi between the Crown and Māori. The petition was denied, based on New Zealand's measures being comparable to the US standards.

We provided feedback to FNZ on the research proposals for the 2020/21 Conservation Services Programme. Our advice detailed how we consider the process of procuring quota owner-funded research could be improved and better reflect the Treaty partner relationship. We continue to work with officials on this programme.

We also engaged with DOC on options for improving their research procurement processes.

We engaged with DOC's Conservation Services Research Advisory Group and FNZ's Aquatic Environment Working Group. These groups play an important role in ensuring that commissioned research addresses key information gaps on the effects of inshore fishing both on habitats and protected species.

FISHERIES:
POLICY

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OBJECTIVE 5: Ensure sustainability in fisheries while protecting Māori fishing interests

- › **Continue promoting improved approaches for ensuring sustainability in accordance with the purpose and principles of the Fisheries Act 1996. This includes increased focus on meeting environmental principles based on sound science and risk assessment.**

We engaged in global environmental negotiations. These included the United Nations Convention of Biological Diversity review of the Post 2020 Global Biodiversity Framework and the UN Treaty for the Conservation and Sustainable Use of Biodiversity Beyond National Jurisdiction. As a result of COVID-19, face-to-face negotiations have been postponed until mid-2021.

We responded to the Pacific Island Forum about the development of the 2050 Strategy for the Blue Pacific Continent – a long-term vision for the region based on collective action. Te Ohu Kaimoana was the only iwi/Māori organisation to provide a response to this consultation.

We provided advice to DOC on the development of the New Zealand Biodiversity Strategy.

We reviewed the draft Fisher Knowledge Guidelines developed by the International Union for Conservation of Nature. These guidelines have been developed to enable the use and recognition of local knowledge of fishers in fisheries policy and management at a global scale. As part of our review, we provided a case study of our IkaNet system.

We responded to Te Puni Kōkiri about their initial development of a whole-of-government approach to address the issues and recommendations raised by the Waitangi Tribunal in Ko Aotearoa Tēnei. While the Government's approach is being developed, our expectation is that Te Puni Kōkiri will work with agencies to assist them and ensure their various workstreams give effect to the recommendations made in Ko Aotearoa Tēnei (including those already underway such as the essential freshwater initiative and the development of a new national biodiversity strategy).

We worked on a joint proposal with the Centre for Indonesian Policy Studies to seek funding from the World Bank. The proposal aimed to strengthen capacity of government institutions, the private sector and local fishing communities to generate a pipeline of return-seeking responsible investments in Indonesian coastal fisheries. This research bid was unsuccessful.

We presented a guest lecture to 20 postgraduate students from the "Principles of Marine Conservation" course at Victoria University of Wellington about 'Māori perspectives of marine management and conservation'. Students primarily had a background in Marine Science and were from Aotearoa, US, Canada, Asia and Europe. This opportunity provided an indigenous perspective of marine conservation, which is currently missing within the course materials. The presentation was well received by the students.

We presented and participated in Hei Rātā Whakaruruahau – Te Tairāwhiti, a programme designed to grow the next generation of Māori leaders in Tairāwhiti. This initiative was organised and sponsored by Victoria University of Wellington, Te Pūtea Whakatupu Trust and the Federation of Māori Authorities. We presented the journey of Te Ohu Kaimoana and how te tino rangatiratanga of our people can be empowered through collaboration.

FISHERIES:
POLICY

MANAGING EFFECTS OF PROPOSALS ON MĀORI FISHERIES

OBJECTIVE 6: Protect Māori fishing rights from access threats

- › **Ensure settlement rights are respected and not reduced except through agreement with relevant settlement entities. This includes involvement in:**
 1. **The Resource Management Act 1991 (RMA) and Fisheries Act interface to ensure that access to fishing is not unnecessarily restricted;**
 2. **Engagement in Trans-Tasman Resources appeal; and**
 3. **Government development of marine protected areas (MPA) policy.**
- › **Participate in all precedent setting initiatives that would reduce access for fishing or aquaculture. Current issues for this year include:**
 1. **Rangitāhua/Kermadec Ocean Sanctuary;**
 2. **MPA proposals, including Campbell Island, South-East MPA and Seachange2; and**
 3. **Threat Management Plans for protected species.**
- › **Influence the Government position to ensure outcomes strengthen and support Māori fishing rights.**
- › **Understand how climate change, ocean warming and acidification could impact the moana and Māori fisheries' assets.**

We worked with officials from across the natural resource sector (NRS) to develop options for a national discussion paper on the establishment of MPAs in late 2020. We promoted a problem-based approach to marine protection as the starting point, where the risks of particular activities including fishing are identified and managed using appropriate tools (e.g. fisheries regulations under the Fisheries Act), rather than developing a policy that aims to implement a specific MPA tool.

We continued to meet with members of the Government on the Rangitāhua/Kermadec Ocean Sanctuary proposal. Our position is supported by a set of key principles and parameters developed with iwi in September 2019. These same principles will inform our response to any further MPA proposals, such as the one due to be consulted on for the east coast of the lower South Island.

We continued to participate in the Sustainable Seas Stakeholder Panel and Kāhui group to provide advice on research proposed for Phase II of the programme, in part to ensure Māori commercial and non-commercial rights under the Fisheries Settlement are respected. We have directed our efforts towards ensuring that the research is evidence based.

We responded to the 'Transforming the Resource Management System: Opportunities for Change – Issues and options' paper of the Resource Management Review Panel. We emphasised that our primary concern was the effect of any potential changes to the RMA on the Fisheries Settlement and the capacity of officials to understand their significance without working directly with us.

We worked with the Ministry for the Environment towards the development of an ocean acidification action plan to ensure that the plan weaves mātauranga Māori and science, guarantees meaningful representation of Māori, focuses on impacts to vulnerable taonga species and recognises settlement rights.

FISHERIES:
POLICY

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OBJECTIVE 6 continued

We engaged with MPI, FNZ and DOC officials on the SeaChange response. We continue to provide feedback on the information supplied and highlight where more details are required. In particular, we have stressed that the implementation of measures in the Hauraki Gulf should not diminish the ability of Māori to act out their customary fishing rights. We supported the tangata whenua nominees on the Ministerial Advisory Group for SeaChange and sought clarity from officials as to how the departmental and advisory group processes were intended to align.

We submitted a proposal with GNS Science and NIWA on a climate change adaptation project bid to the Ministry of Business, Innovation and Employment's (MBIE) Endeavour fund. The programme was called 'Te Moananui: our Blue Ocean's biological response to 2°C warming by 2100'. This bid was unsuccessful.

We provided advice to the Environment Committee on the COVID-19 Recovery (Fast-track Consenting) Bill 2020.

We gave advice to Auckland Council on a proposal to amend the Auckland Council Plan to enable the creation of a landfill near Kaipara Harbour. We are concerned the proposal would impact juvenile fish habitat.

We actively participated in the Aotearoa Circle marine domain project that developed scenarios under two key assumptions on the impacts of climate change.

We responded to DOC on the South-East MPA proposal and coordinated our response with Te Rūnanga o Ngāi Tahu.

We are participating in the MPI's Biosecurity Act Overhaul Māori Reference Group.

We met with representatives of Northland Regional Council to increase their understanding and awareness of the implications of the Mōtītī decision on the Fisheries Settlement.

We joined the proceedings brought by Bay of Islands Maritime Trust Inc. and Forest & Bird against the Northland Regional Plan. Forest & Bird have sought that new rules be inserted into the Plan to prohibit fishing in certain areas, and are supported by Te Uri o Hikihiki hapū and Ngāti Kuta. Both the Ngātiwai Trust Board and Te Rūnanga-ā-Iwi o Ngāpuhi have joined these proceedings as well. We sought to join the proceedings so as to preserve our right to appeal, in the event of an unfavourable decision for the Fisheries Settlement. The hearing is likely to be held in early 2021, following an unsuccessful mediation process.

FISHERIES:
POLICY

CUSTOMARY FISHING

OBJECTIVE 7: Ensure efficient, balanced and current management of customary fishing rights

- › Continue engaging in discussions around s 186 of the Fisheries Act and mātaihai establishments, including Cape Runaway mātaihai application, to ensure efficient management of customary interests and that customary interests are upheld and developed with iwi.
- › Continue ongoing delivery of the IkaNet – online reporting system for customary fishing management so that MIOs can support kaitiaki to improve management of their fisheries. This includes development workshops and supported training around the updated system.
- › Initiate a review of the customary fisheries regulations, identify opportunities and receive direction from MIOs on how Te Ohu Kaimoana can best provide support in this space.

Our review of the customary fisheries regulations/framework is ongoing. As a result of the postponement of the Māori Fisheries Conference and our MIOs/AHC workshop due to the COVID-19 pandemic, we were unable to hold our Customary Fishing Workshop as planned. Our intent with that workshop was to present key messages heard at Iwi Fisheries Forums and receive direction from MIOs on how Te Ohu Kaimoana can best support and contribute to work already underway.

In early March, we began discussions with the Iwi Chairs Forum delegates to discuss information, findings and resource for the review of the Kaimoana regulations.

We are assisting Ngāti Porou to establish a pātaka kai. Because of the requirements of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, any pātaka must be endorsed by hapū management committees. As we assist with these discussions, we are also encouraging kaitiaki within the rohe to sign up to IkaNet.

We supported an application by Ngāti Kuta/Patukeha ki Te Rawhiti to temporarily close Maunganui Bay, Bay of Islands, of all take except kina in accordance with s 186 of the Fisheries Act 1996. We note the area has been closed for the last few years.

AQUACULTURE: REGIONAL SETTLEMENTS AND ALLOCATION

NORTHLAND

1. Gain agreement between participating Iwi Aquaculture Organisations (IAOs) and the Crown on satisfying further new space settlement obligations in the Northland region;

- › Facilitate discussion between IAOs and the Crown on the extent and form of further settlement assets derived from the Crown's settlement obligations as a result of coastal permit applications for new species in the Northland region;

2. Gain agreement between Northland IAOs on the allocation of regional aquaculture settlement assets;

- › Facilitate discussions between IAOs on the allocation of pre-commencement and new space assets by September 2020.

We continued to work with the MPI to determine whether it is feasible to forecast and value the settlement obligations the Crown will owe if certain applications for spat-catching off Te Oneroa-a-Tōhē are granted.

We continued discussions with Northland iwi about the form they would like any further new space obligations to take. Iwi have expressed interest in taking those potential obligations in the form of space and the Crown responded to say it will explore the possibility of conducting surveys for suitable aquaculture space.

There is agreement between Northland IAOs on how to allocate the remaining aquaculture settlement assets we hold on their behalf, although an amendment to the Maori Commercial Aquaculture Claims Settlement Act 2004 (MCACSA) is necessary to enable that allocation to occur.

**AQUACULTURE:
REGIONAL SETTLEMENTS AND ALLOCATION**

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AUCKLAND**1. Gain agreement between regional IAOs and the Crown on when and how to satisfy further new space settlement obligations in the Auckland region (at next reconciliation or before);**

- › Gain agreement between regional IAOs and the Crown on when and how to satisfy further new space settlement obligations in the Auckland region (at next reconciliation or before);

2. Gain agreement between Auckland IAOs on the allocation of any additional regional aquaculture settlement assets;

- › Facilitate discussions between the IAOs on the allocation of the additional assets by September 2020.

The Crown owes further, and significant, new space settlement obligations to Auckland IAOs. Following early discussions with a number of the IAOs in the Auckland region about the form they would like their further new space settlement obligations to take, it is clear they would prefer for these assets to predominantly be in the form of cash. Work to satisfy these obligations will commence once the review of the New Space Plan is completed.

WAIKATO (EAST)**1. Progress the delivery of actions and transfer of assets under the Waikato East Regional Agreement between IAOs and the Crown for new space settlement obligations in the Waikato (East) region.**

- › Assist the Crown and Pare Hauraki iwi to ensure transfer of settlement assets in accordance with the Regional Agreement and understandings – this will involve either utilising the Minister’s powers under s360A of the Resource Management Act 1991 or varying the Regional Agreement.

We provided Pare Hauraki with draft text of an Addendum to the Waikato East Regional Agreement, through which the transfer of settlement assets will occur.

**AQUACULTURE:
REGIONAL SETTLEMENTS AND ALLOCATION**

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WAIKATO (WEST)**1. Gain agreement between IAOs and the Crown on satisfying new space settlement obligations in the Waikato (West) region;**

- › Facilitate discussions between IAOs and the Crown on the extent and form of new space settlement assets derived from the Crown's settlement obligations in the Waikato (West) region and progress towards a regional agreement between the IAOs, Crown and Te Ohu Kaimoana by February 2020.

2. Gain agreement between Waikato West IAOs on the allocation of regional aquaculture settlement assets.

- › Facilitate discussions between the IAOs on the allocation of the new space assets by September 2020.

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

We worked with Waikato West IAOs and the Crown to extend the deadline to settle the Crown's new space settlement obligations for the Waikato West region to 6 March 2022.

BAY OF PLENTY**1. Gain agreement between Bay of Plenty iwi and the Crown on satisfying new space settlement obligations in the Bay of Plenty region;**

- › Facilitate agreement on allocation of Bay of Plenty pre-commencement space and new space assets by working with IAOs and have them agree to a model for allocation of assets, with that agreement recorded in a Memorandum of Understanding signed by Bay of Plenty iwi by September 2020;

2. Gain agreement between Bay of Plenty IAOs (and Te Rūnanga o Te Whānau) on the allocation of regional aquaculture settlement assets.

- › Facilitate discussions between Bay of Plenty iwi and the Crown on the extent and form of new space settlement assets derived from the Crown's settlement obligations in the Bay of Plenty region and progress toward a regional agreement between Bay of Plenty iwi, the Crown and Te Ohu Kaimoana by September 2020.

We worked with Bay of Plenty iwi and the Crown to extend the deadline to enter into a new space agreement for the Bay of Plenty region to 30 June 2021.

We worked with Bay of Plenty iwi to agree appropriate sites at which to carry out investigations for suitable water space, as 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.

With the Crown, we commissioned EnviroStrat to investigate potential aquaculture opportunities in the Bay of Plenty. The first stage was completed in July and a hui was convened in August to discuss the findings of the report. These findings are being used to inform stages two and three which will eventually enable us to provide iwi with a review of realistic aquaculture ventures possible in the Bay of Plenty region.

WELLINGTON**1. Gain agreement between IAOs on the allocation of settlement assets in the Wellington region;**

Facilitate discussions between Wellington region IAOs on the allocation of aquaculture settlement assets by September 2020.

This work was paused until the allocation of Fisheries Settlement assets in the Wellington region is resolved. With that issue now resolved, work will resume on the allocation of Wellington aquaculture settlement assets in Q2 of the 2020/21 financial year.

**AQUACULTURE:
REGIONAL SETTLEMENTS AND ALLOCATION**

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TASMAN**1. Facilitate the allocation of settlement authorisations to jointly owned iwi companies in the Tasman region;**

- › Assist IAOs, through Maara Moana Limited, to rectify line-layout issues identified in March 2019. These layout issues must be resolved before applicants in AMA₁ can apply for resource consents to begin farming.

Maara Moana has now rectified the line-layout issues that were first identified in March 2019; this means the associated settlement areas have now been correctly identified and gazetted. We are pleased this item of work is now concluded.

MARLBOROUGH**1. Facilitate IAOs' participation in any processes to consider the proposal to relocate certain New Zealand King Salmon (NZKS) salmon farms pursuant to s 360A of the Resource Management Act 1991;**

- › Assist IAOs and the Crown to agree the form of additional settlement assets created if the relocation of certain NZKS salmon farms is approved.

We assisted Marlborough IAOs to consider a document package outlining the proposal developed by the Iwi Working Group and NZKS in response to the Panel's recommendations on the proposal that the Minister of Fisheries use his powers under s 360A of the RMA to alter the Marlborough Sounds Resource Management Plan to allow the relocation of particular salmon farms in the Marlborough Sounds. We were alerted to issues relating to the Marlborough Environment Plan that may impact on this proposal. We are working to understand, and resolve, those issues.

We submitted on NZKS's application to establish and operate new salmon farms within a 1,791-hectare site located between 5 kilometres and 12 kilometres due north of Cape Lambert.

2. Gain agreement between IAOs and the Crown on satisfying further new space settlement obligations in the Marlborough region;

- › Assist IAOs and the Crown to agree the form of additional settlement assets created if the relocation of certain NZKS salmon farms is approved.

3. Assist IAOs and the Crown to agree the form of additional settlement assets created as a result of open ocean salmon farms in the Marlborough region.

- › Assist IAOs to agree a method of allocation for any additional assets by September 2020.

SOUTHLAND**1. Gain agreement between Te Rūnanga o Ngāi Tahu and the Crown on satisfying new space settlement obligations in the Southland region;**

- › Facilitate discussions between Te Rūnanga o Ngāi Tahu and the Crown to ensure they, along with Te Ohu Kaimoana, enter a new space regional agreement by May 2020.

Owing to COVID-19 restrictions, the deadline to enter an agreement satisfying the Crown's new space obligations for the Southland region was extended to 31 August 2020.

We worked with the Crown and Te Rūnanga o Ngāi Tahu to gazette an aquaculture settlement area (ASA) in the Southland region. In August, the Minister of Fisheries gazetted Te Rūnanga o Ngāi Tahu's proposed ASA off the north-eastern coast of Rakiura/Stewart Island. At the same time the Minister extended the deadline to enter a new space agreement for the Southland region to 30 April 2021, to allow sufficient time to resolve outstanding issues ahead of the finalisation of the regional agreement.

**AQUACULTURE:
REGIONAL SETTLEMENTS AND ALLOCATION****NEW SPACE PLAN****1. Finalise the first statutory review of the Minister's New Space Plan.**

- › Participate in the statutory review of the Minister's New Space Plan for Aquaculture, including facilitating discussions between IAOs and iwi where the actual space consented in a five-year period exceeds that which was forecast in the national forecast models, and confirmed through regional settlements. Te Ohu Kaimoana will assist iwi in affected regions to agree on both the amount and the form of any further settlement assets from the Crown.

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

- › Where new forms of aquaculture become commercialised (e.g. finfish in the North Island), agreeing with the Crown on an appropriate monitoring regime to elicit the parameters needed to allow forecasting and valuation of space.

Together with FNZ we jointly commissioned an independent review of the benefits of the new space aquaculture settlement. The evaluation will help the Crown to understand whether there are improvements that can be made as to how the new space aquaculture settlement is delivered. We gave feedback to the independent evaluators as they refined their draft and we now await their final report. We have agreed with FNZ that the recommendations from the report will be implemented through the finalisation of the first review of the Minister's New Space Plan, due to be completed by March 2021.

TRANSITION

- › Assist iwi to transition their MIO/IAO status to a PSGE, or other entity, where required.

We provided advice to Te Arawhiti on the transfer of IAO status from the Maniapoto Māori Trust Board and the Whakatōhea Māori Trust Board to their respective future PSGEs.

MEET OTHER STATUTORY REQUIREMENTS

- › Develop, monitor and update the iwi aquaculture register; and
- › Maintain and update the Takutai website.

In accordance with our Funding Agreement with the Minister for Fisheries, we provided regular reports to the MPI outlining our activities undertaken throughout the year.

MAINTAIN ONGOING RELATIONSHIP WITH MPI OFFICIALS TO:

- › Regularly monitor any new approvals for pre-commencement space in all regions;
- › Value and transfer to Te Ohu Kaimoana any further pre-commencement space obligations, and work with relevant IAOs on their allocation.

We meet regularly, and work collaboratively, with MPI officials within the Aquaculture Unit in FNZ.

AQUACULTURE: POLICY

OBJECTIVE 1: Protect the interests of iwi in aquaculture by collaborating with iwi, the aquaculture industry and government to identify and address any threats to aquaculture

- › Participate as a director and support an iwi director on Aquaculture New Zealand.
- › Participate as a member of the Te Oneroa-a-Tōhē Spat Working Group.
- › Respond on behalf of iwi to any proposals to introduce coastal occupation charges.
- › Support an iwi aquaculture ‘think-tank’ to address key policy and operational issues in aquaculture for iwi.

We continue to participate in the Te Oneroa-Tōhē mussel spat working group. Restrictions owing to COVID-19 have made it difficult to meet in person, which has delayed the progress of the working group. Positively however, an agreed Code of Practice has been signed by all permit holders. The working group is now focused on forming a management committee that will monitor and enforce the Code of Practice while working on community and environmental initiatives.

We convened a national meeting of IAOs, a key focus of which was discussing the challenge of how to ensure continued access to spat and smolt while also covering the Government’s updated Aquaculture Strategy, the Review of the New Space Plan, the progress of the National Environmental Standards, and the proposed amendments to the MCACSA and open ocean aquaculture policy.

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.

OBJECTIVE 2: Open ocean aquaculture

- › Contribute to the design of a sensible policy framework to guide open ocean aquaculture developments.
- › Participate as a member of the working group convened to design a policy framework to guide open ocean aquaculture developments.
- › Work with the MPI and iwi to develop a sensible settlement framework to account for open ocean aquaculture developments.
- › Facilitate discussions between the Crown and iwi on the extent and form of settlement framework that should apply to any open ocean aquaculture development.

As a result of COVID-19, FNZ has narrowed its open ocean aquaculture policy programme to focus on assessing what regulatory and investment settings are required to efficiently accelerate sustainable open ocean aquaculture growth. We convened a meeting with iwi and FNZ in July where this reduced work programme was discussed and have used iwi feedback from that meeting to help FNZ shape its engagement policy for the coming months, and to feed into a briefing to the Minister.

We continued to participate in a working group convened by the MPI that is focused on the development of a policy framework to guide open ocean aquaculture development.

We provided advice to the Crown on how it should most sensibly organise itself and interested parties for meaningful discussions on open ocean aquaculture development in New Zealand. The Crown has decided to pause its existing working group processes focused on this topic and will now be holding design thinking workshops with iwi, the aquaculture industry and other business leaders.

We provided input into FNZ’s development of best practice monitoring guidelines for marine mammals, seabirds, water quality and benthic impacts on open ocean aquaculture farms.

OBJECTIVE 3: Work with MPI officials to ensure a Bill is introduced to Parliament to amend the Maori Commercial Aquaculture Claims Settlement Act 2004

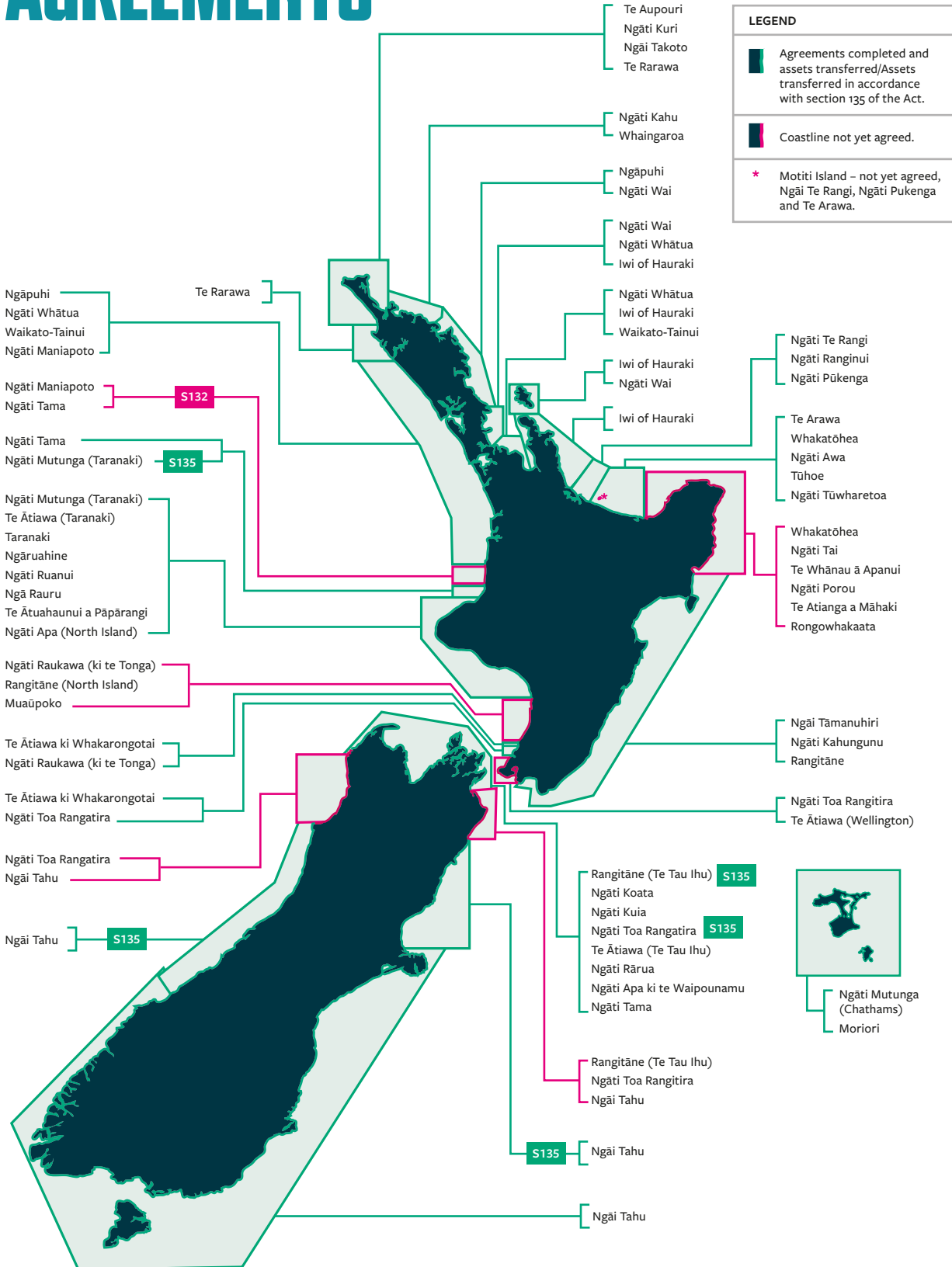
- › **Promote amendments to the Settlement Act to provide for an additional mechanism to assist iwi to reach agreement on the allocation, and transfer, of aquaculture settlement assets. This will involve technical engagement with Crown officials, and further consultation with IAOs.**

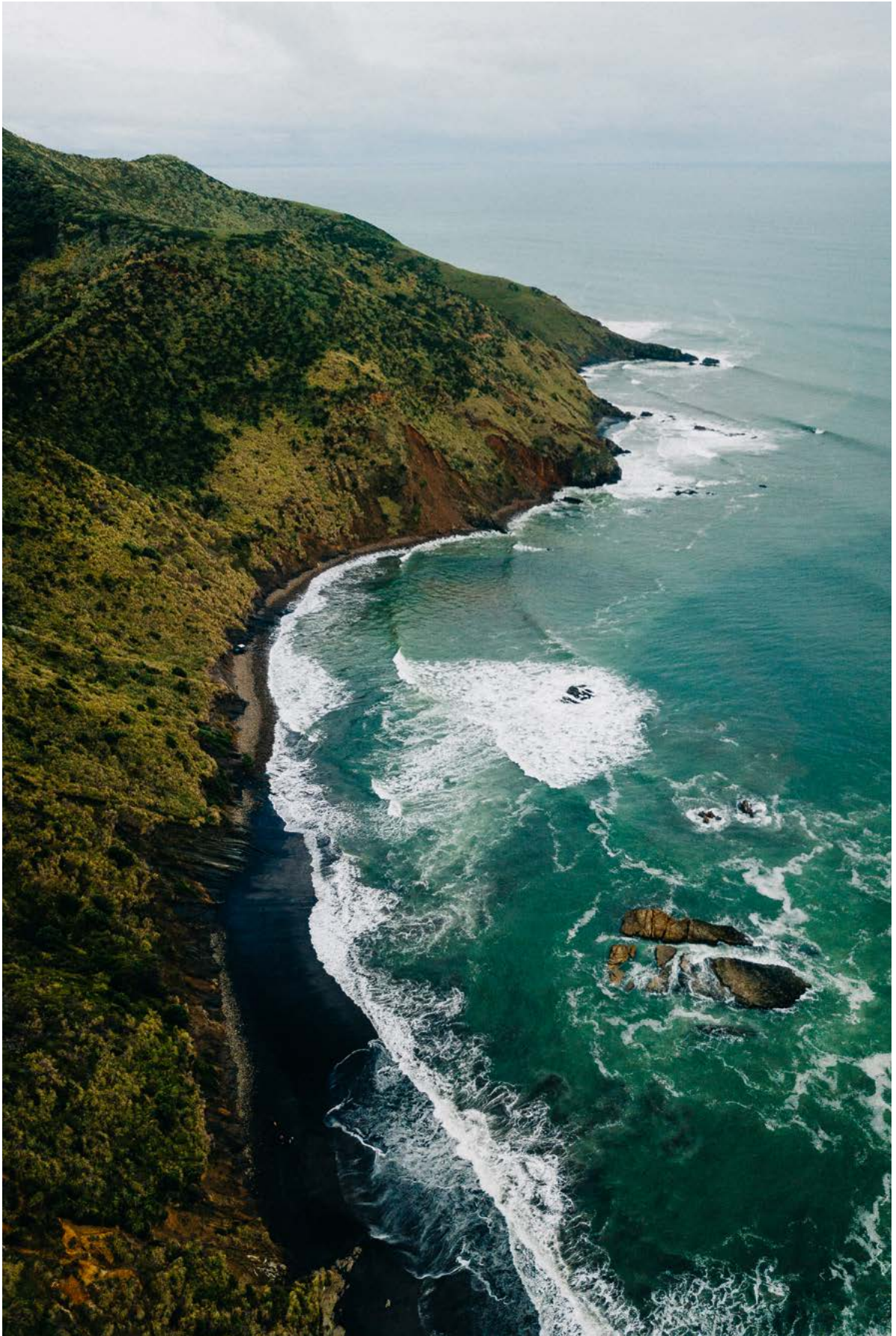
Consultation on FNZ's discussion document outlining options for improving the allocation and transfer process provided in the Maori Commercial Aquaculture Claims Settlement Act 2004 took place. FNZ received a strong direction that it should progress Option 3 – which would amend the Act to provide Te Ohu Kaimoana with greater flexibility to allocate and transfer aquaculture settlement assets.

The Minister of Fisheries introduced the Maori Commercial Aquaculture Claims Settlement Amendment Bill into Parliament. The Bill awaits its first reading.



COASTLINE AGREEMENTS







Lisa te Heuheu
Chair, Te Wai Māori Trust

TE WAI MĀORI TRUST REPORT



This report details the work of
Te Wai Māori Trust (Te Wai Māori)
for the 2019/20 financial year.

Governance

In February 2020, Ken Mair completed his second term as a Director and Chair of the Trust. Ken was Chair of the Te Wai Māori Trust for eight years following his appointment in March 2012. During that time, he provided excellent leadership to build the capacity and function of the Trust, and helped lead Te Wai Māori through the 2015 independent review of Maori Fisheries Act entities.

At their March 2020 meeting, the Board appointed myself as the new Chair of Te Wai Māori Trust.

Strategic Issues

As a product of the Maori Fisheries Act 2004, Te Wai Māori takes a proactive approach to ensure that agreements between Māori and the Crown as part of the Fisheries Settlement are recognised and upheld.

Over the year, Te Wai Māori has responded to a number of consultations by the Crown on matters affecting freshwater fisheries and their habitat, as outlined below.

Īnanga Review

The Trust responded to the Department of Conservation's proposed changes to regulations for whitebait management. The Trust was supportive of the high-level goal to "ensure healthy and restored whitebait populations and provide for a sustainable fishery";

however, the scope of the review was disappointing in that it only considered fishing regulations and excluded any matters relating to habitat, water quality, and setting catch limits.

During the year, the Trust sought to support iwi and hapū to respond to the review and drafted a response to the Crown based on the feedback we had received.



Resource Management System Review – Issues and options paper of the Resource Management Review Panel

In July 2019, the Government announced a comprehensive review of the resource management system to improve environmental outcomes and enable better and more timely urban development within environmental limits. In November 2019, the panel released its issues and options paper for public consultation.



Te Wai Māori contributed to Te Ohu Kaimoana's submission on the panel's issues and options paper and then attended a Ministry for the Environment hui for Treaty partners that included a session on the review attended by the independent panel. Te Wai Māori then submitted a further submission, building on the previous joint submission made with Te Ohu Kaimoana. This submission provided focused feedback on the proposed freshwater planning process; under-utilisation of existing RMA mechanisms intended to provide for Māori participation in resource management processes, lack of resourcing and accountability; use of Māori terms and concepts in legislation/instruments; protection of habitat of taonga species; allocation of freshwater; and on the lack of coherence in matters being consulted on by government.

National Policy Statement for Indigenous Biodiversity

Te Wai Māori responded to the Government's proposed National Policy Statement for Indigenous Biodiversity (NPS-IB) noting our concerns with the proposed approach, including inadequate recognition of Te Ao Māori and Treaty principles, inadequate consideration of impacts on Māori and lack of provision of support or role for iwi and hapū in the proposed process, among others.

National Climate Change Risk Assessment for Aotearoa New Zealand

In May, the Trust provided the Ministry for the Environment with feedback on the draft National Climate Change Risk Assessment (NCCRA), raising concerns that comprehensive consultation with iwi and hapū did not occur and that it gave inadequate recognition to Te Ao Māori, mātauranga Māori and the principles of the Treaty of Waitangi. The Trust recommended that the Ministry commission a further independent risk assessment report, co-designed with Māori.

Te Mana o Ngā Tuna

The Trust has supported the establishment of a national tuna body – Te Mana o Ngā Tuna. Te Mana o Ngā Tuna's purpose is to ensure "he reo tō te tuna". Led by their Chair (Ben Potaka) and Vice-Chair (Charlie Bluett), Te Mana o Ngā Tuna have progressed their terms of reference, solidified their structure as a formal advisory committee to the Trust, and outlined the fishing and non-fishing pressures on tuna.

The Trust has continued supporting Te Mana o Ngā Tuna by resourcing the group to be able to meet regularly, offering secretariat support to progress relevant matters and by working with Te Mana o Ngā Tuna to

craft a work programme that aligns with the purpose of the group in providing a voice for tuna and in doing so enabling better recognition and status for tuna.

Leading a national review of tuna, involving those agencies with responsibilities for the ‘management’ of tuna, to review the fishing and environmental impacts on tuna

The Trust has engaged and partnered with FNZ and others to create a working group. This group will be responsible for the development of a strategy that identifies and seeks to address the fishing and non-fishing pressures on tuna to protect the health and wellbeing of this taonga species, but also to provide for the ability of Māori to influence decisions related to the species and its habitat.

Developing a series of short documentaries to raise awareness of the pressures on tuna

The Trust has commissioned a series of mini documentaries highlighting the pressures tuna face in some waterways. With the cancellation of the Māori Fisheries Conference due to COVID-19 implications, the Trust was unable to launch the documentaries as originally intended. The Trust has since launched the first and second in a three-part series, *He Reo Whakamana*. Shot in Gisborne, Taranaki and Waikato, the mini documentaries premiered online with a physical presentation at Te Karaka Area School's whānau night where we celebrated the rangatahi who took part in the documentary.

Alongside the documentaries, an educational resource empowering whānau to assess the health and wellbeing of their waterways and taonga species within that waterway has been launched. This resource can be used by whānau to challenge decision-makers to do better in enhancing the mana of tuna.

Piharau/Kanakana

The Trust has drafted a communications strategy that identifies measures and actions to:

- a.) Increase the awareness of the species (Piharau/Kanakana).
- b.) Broaden the awareness of the species (Piharau/Kanakana) beyond its current audience
- c.) Establish with our audience that Piharau/Kanakana is a taonga species in Aotearoa
- d.) Educate our audience on the threats that Piharau/Kanakana face and what action can be taken to assist the protection and growth of the population.

In collaboration with the Iwi Steering Group, a project has been scoped and a funding agreement is in place with Southland kaitiaki to support their research on Kanakana in three catchments in Murihiku.

Freshwater Fisheries Conference

Preparations for the 2021 Te Wai Māori Freshwater Fisheries Conference have commenced to be held from Wednesday 21 to Friday 23 April 2021.

Wai Ora Fund

The Wai Ora Fund supports projects from iwi, Māori groups and individuals from around Aotearoa that contribute to the management and protection of freshwater fisheries and their habitat. To date, Te Wai Māori has supported over 50 projects through this fund, distributing close to \$2 million.

During the year, Te Wai Māori supported 11 projects that were approved in FY19/20, including:

- > Continued support for Tau Kōura monitoring in Lake Taupō with Ngāti Tūwharetoa Māori Trust Board,
- > Supporting Tau Kōura monitoring in Lake Okataina with Ngāti Tarawhai,
- > Supporting wānanga for whānau, hapū and iwi of Ngā Wairiki Ngāti Apa regarding the current state of the freshwater lakes and the development of a cultural health index,
- > Applying the Mauri compass to awa in Ngāti Mutunga rohe to assess the health of taonga species and their habitat,
- > Supporting wānanga and water monitoring between kura and marae/hapū for Te Whenua Tōmuri Trust,
- > Supporting the development of freshwater monitoring plans and awa monitoring for the Mahia Māori Committee,
- > Supporting wānanga and water monitoring between kura and marae/hapū for Muriwhenua kaitiaki.

Tiaki Wai Fund

Te Wai Māori Trust continues to support small projects through the Tiaki Wai Fund, to support iwi and hapū to undertake small scale projects that aim to address information gaps about taonga species and habitat, as identified in the *Understanding Taonga Freshwater Populations in Aotearoa New Zealand* publication.

During the year, Te Wai Māori supported four projects that were approved in FY19/20. These are summarised as:

- > Piharau research in the Mimitangiatua, Urenui and Onaero awa of the Ngāti Mutunga rohe,
- > A desktop study focused on extending mātauranga Māori techniques to protect taonga species for Ngāti Tūwharetoa Fisheries Charitable Trust,
- > Collecting baseline data on population abundance and distribution of taonga species on the Whanganui River with Ngāti Tuera and Ngāti Hinearo,
- > Wānanga to determine baseline population of kōura within the Whātaumā, Moutoa and Ōrongotea streams in Whanganui with Te Morehu Whenua.

Research

Effects of a changing climate

The Trust commissioned NIWA to undertake a jointly funded assessment of the vulnerability of key taonga species to the expected effects of climate change. NIWA were to undertake Climate Change Vulnerability Assessments (CCVA) for 17 taonga freshwater fish species; however, technical assessments were only able to be undertaken for 10 of those species, owing to a lack of information on certain species. The reports describe the assessment process, the numerous factors that influence a species' vulnerability (environmental, physiological considerations, etc.) and describe how at risk some of our taonga species are.

The research was launched via an online webinar on 9 September 2020.



Kohunui pilot project

Te Wai Māori has established a pilot study using a kaupapa Māori approach to freshwater assessment with a South Wairarapa marae group. As part of the project, researcher and Te Wānanga o Raukawa lecturer (Māori and Environmental Management) Caleb Royal (Ngāti Raukawa ki te Tonga) has been engaged to facilitate two two-day workshops that will focus on the development of a training programme for the monitoring of mahinga kai. This exercise will be centred around the collection and processing of tuna and a pest fish monitoring exercise. The project seeks to empower the marae group to undertake freshwater monitoring and assessment that speaks to their values. Another objective of the project is to assist the group in navigating regional planning processes including new requirements under the National Policy Statement for Freshwater Management 2020.

Financial Performance

Total operating revenue for the financial year amounted to \$720,730 (2019: \$1,417,929).

Total operating expenditure for the year amounted to \$775,996 (2019: \$892,415).

Ngā mihi,

Lisa te Heuheu
Chair
Te Wai Māori Trust



Kate Cherrington
Chair, Te Pūtea Whakatupu Trust



On behalf of Te Pūtea Whakatupu Trust (the Trust), I am pleased to present our 2019/2020 Annual Report.

As a result of COVID-19, the way we work, educate, learn, socialise, mourn, care and celebrate have changed and, globally at least, there is no foreseeable point at which reversion to 'normal' seems likely.¹

For whānau Māori, COVID-19 was seen as a threat to our whakapapa; a threat to our iwi and hapū, with our kaumatua and their mātaurangā at risk. Our strategic partners needed the flexibility to change tack where required and the Trust enabled this with positive outcomes for our partners and their communities.

As a result, our Trust moved swiftly before the March lockdown, negotiating contract variations with three long-term partners, Whānau Ora Commissioning Agency, Te Pūtahitanga and Moko Foundation, that saw their funding to 30 September 2020 released in April 2020. This funding supported each partner's COVID-19 response plan and enabled them to support their communities directly. By following good philanthropic practice of releasing funds earlier, and softening reporting while maintaining our strategic intent, we

1. Beyond COVID-19: the Māori Recovery Te Pūtea Whakatupu Trust – L Shorter

TE PŪTEA WHAKATUPU TRUST REPORT

Homai te waiora kia ahau e
Kia tū pāmaro. kia tū ngā tapuwae
E tū hāngai hoki ki te rangi āwhiowhio
Ka tūhau te tuanui ka pou pou tonu te rā
Ki te whenua, ki te ao mārama
Ka here tangata
Ka here whenua
Ka tū te pō
Ka tū te ao
Tihewa Mauri Ora

hopefully relieved some pressure on the most impactful first-response providers across our hāpori Māori.

The Trust also needed to demonstrate the same level of flexibility. The Taitamariki Development Fund was rested for the 2019/20 year. The Te Māhe Mātauranga School Science Competition is currently on hold.

The date of 30 September 2020 saw the departure of our General Manager, Karleen Everitt, the instigator of our bold and courageous Te Rautaki, who inspired and challenged the Trust to assert itself as an enduring entity in service to the aspiration of all Māori.

Karleen's eight years of service provided stability by way of resourcing the education and research aspirations of taitamariki across the motu to explore and grow into their own professions and lives of service to their communities. As the Trust settles into an enduring model of service with a wider network of strategic relationships and partners, we mihi to Karleen and her service to Te Pūtea Whakatupu Trust.

Our 2019/20 performance, outputs and outcomes reflect the impact of COVID-19 on the Trust's ability to implement year three of its strategy, Te Rautaki.

Te Taumata – our governance

Organisational Review

Since November 2019, the Trust has undertaken a process of reflection and review informed by ecosystem landscape research and a number of focus hui across Te Ohu Kaimoana Kāhui and Representative Maori Organisations.

The Trust is now transitioning to a new operating model; this includes a mix of employees and key partners. The intention of this approach is to build our internal capability, giving us the ability to be more responsive. These changes will support the Trust in the pursuit of our purpose: upholding the entitlements of beneficiaries’ opportunities for educational pursuits that enable the sustenance of Māori identity.

The Trust has completed the process of recruiting a kaihautū who will lead, with the Board, a programme of work to review Te Rautaki, and gather research and evidence to help inform our strategy from 2022/23 onwards.

The Trust continues to outsource back-office services with our parent body, Te Ohu Kaimoana. These services will include finance, HR, Legal and will be extended to include IT, communications and administration.

Alternate Directors

The 2019/20 financial year immediately saw the benefits from the appointment of the Alternate Directors, an example being the decisions made and the speed of implementation to support our strategic partners during and post COVID-19 lockdown. Because of social distancing protocols, the Board has only met in person twice during the financial year. All meetings were conducted remotely, and the implementation of board management software supported remote decision-making and ensured uninterrupted connectivity.

Te Rautaki – delivering on the strategy

The Trust has three core whaingā as part of Te Rautaki, our three-year strategy. The following report evaluates our work against the social impact statement and outcome measures associated with each whaingā for the 2019/20 financial year.

Programme delivery	2018/19 Actual	2019/20 Actual
Contract Numeracy/Literacy Services Contracted	2	2
Numeracy/Literacy Services to 90 tamariki Years 1 to 8	460	483
Māori Mentoring Programme to taitamariki	44	57
Taitamariki Development Fund Recipients 2020	52	10

Whaingā 1 – Ngā Uri Whakatupu: Future-proof the next generation for the 22nd century

Ngā Uri Whakatupu strives to increase literacy and numeracy among tamariki and promote engagement with their whānau. It aims to provide 1,000 tamariki with access to literacy services by 2022, and influence government policy in implementing kaupapa Māori-based strategies and increasing funding for tamariki access to literacy and numeracy services.

Literacy and numeracy delivery pivots in response to COVID-19

Following the lockdown in March 2020 Whānau Ora Commissioning Agency, Te Putahitangā and their strategic partners moved from delivering literacy and numeracy services exclusively, to deploying their resources to provide essential support to whānau.

In addition to this, some partners within the collective offered continuity of the literacy and numeracy programmes through online learning. This was extremely valuable to whānau and as a result there will be an emphasis on growing this platform for learning and ensuring whānau have access to the devices that enable their tamariki to succeed in their learning. An example of some of the outcomes from Te Putahitanga.

Tamariki Outcomes
> 259 tamariki involved
> 80% tamariki liked taking part
> 84% of tamariki learnt new things about words
> 73% of tamariki learnt new things about numbers
> 84% of tamariki learnt new reo

Whānau Outcomes

- › 518 whānau members involved
- › 83% mātua were satisfied with the initiative
- › 77% of mātua have seen an improvement in their tamariki attitude to learning
- › 71% of mātua are more involved in the kura
- › 78% of mātua understand more about how their tamariki learn

Time was taken to also review the outcomes of the overall literacy and numeracy programme Te Kete Aronui; in particular:

- › Established a virtual classroom
- › Reo Māori kaiako is now available on all sites
- › Run sessions at different times to accommodate all involved
- › Ability to report on outcomes for whānau as well as tamariki
- › Provision of wrap-around multidisciplinary support to the whole whānau.

Tamariki Outcomes

- › 8-month average catch up in levels every 4–5 months
- › School report tamariki more focused in class
- › 82% reported an improvement in reading levels

Whānau Outcomes

- › Whānau more interested in own education and learning
- › More able to understand reports and track their tamariki progress
- › Whānau reported an increased enjoyment in learning
- › Whānau more confident to ask questions at kura

Research about COVID-19’s impact on education

The Trust engaged Aiko Consultants and Vario to review two aspects resulting from the COVID-19 pandemic: first, the impact of COVID-19 on tamariki and whānau Māori regarding education; and second, the social and economic effect of the virus on Māori and what this will mean for Māori post COVID-19. These research papers are useful resources for the Trust, strategic partners and stakeholders.

The research also highlighted the paucity of kaupapa Māori-designed and -led research into the impacts of COVID-19 on Māori educational experiences, especially during lockdown. The educational inequities that existed pre-COVID were exacerbated and brought to the fore, particularly with regard to the digital divide and equitable access to devices and Wi-Fi connectivity. The impacts of COVID-19 will be acutely felt by rangātahi Māori who are over-represented in the jobs most affected by the pandemic, such as retail, manufacturing and tourism. These are also the jobs rangātahi who leave the education system would ordinarily step into as ‘first jobs’.²

Whaingā 2 – Ngā Ako: Mentoring and governance training for Māori

Ngā Ako underpins the Trust’s work to mentor the next generation of Māori leaders, growing strong and resilient taitamariki. It seeks to mentor the largest collective of young Māori in first-level leadership and governance roles across Māori organisations, NGOs, businesses and government and voluntary sectors.

The Moko Foundation

The Moko Foundation undertook measures to ensure whānau were safe. They managed an initiative that involved 35 volunteers, including mentees and Moko Foundation employees, in Kaitiāia, Auckland and Rotorua to source and distribute basic kai and care packages.

The Foundation continued to reach out to mentees with leadership live-streams, formed of a Youth Board to execute the Youth Engagement Strategy, and relaunched and delivered the Hawea Vercoe Leadership Programme from Alert Levels 2 and 1.

He Tukutuku Koiora – National Māori Mentoring and Associate Directorship Programme

The Trust engaged Dr Keri Milne to develop the National Māori Mentoring and Associate Directorship Programme. Rebranded as Te Rau o Titapu, this programme was presented to the Trust Board in September 2020.

There are two core programmes from Te Rau o Titapu:

- › He Tukutuku Koiora (Executive Director/Governance Programme)
- › He Mana Whakatupu (Leadership Programme)

2. The effects of COVID-19 on Māori education outcomes – Aiko Consultants

Te Rau o Titapu programmes are designed from a deep kaupapa Māori philosophy, where outcomes are deliberately connected to making a real difference for the benefit of Māori. Young people on the programmes will develop their personal cultural capability as well as their professional capacity, as we understand both are crucial in strong Māori leadership. These initiatives are intended to develop courageous leaders, who are future focused, prepared to not only learn but also contribute, and who understand their responsibility to whānau, hapū and iwi.

Whaingā 3 – Te Hononga ki ngā Rangi Hou: Blue skies horizon, innovation and research

Te Hononga ki ngā Rangi Hou aims to support proud and connected Māori, whether they are raised in or living away from their haukāinga. Part of this is about growing active connection with whānau, hapū and iwi.

Te Māhē Mātauranga

Designed by Te Pūtea Whatatupu Trust alumni, this initiative looks to incentivise Māori students to consider science as a potential career. The competition is open for Years 6 to 13 students with the research undertaken to fit within the specific criterion around rangi, awa and moana.

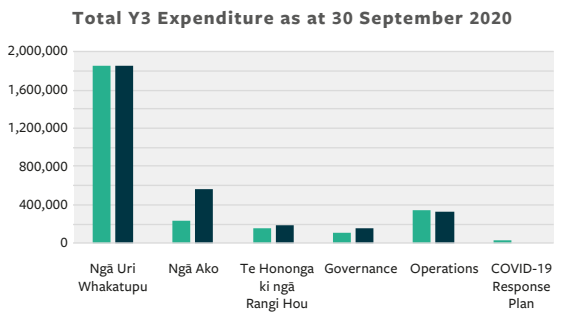
The Trust decided to put the Te Māhē Mātauranga programme on hold as a result of the COVID-19 lockdown. The final nine kura had already been selected to participate in this competition. The Trust paid the selected kura \$1,000 each in line with the original arrangement. A future timeline is yet to be finalised.

iHono

Launched in February 2020 iHono is a digital platform designed to help Maori connect to whakapapa, whenua, hapu and Maori organisations. The project undertook development work to support COVID-19 Lockdown Level 4. More work is to be completed before migration to business as usual. This includes development of the governance framework and implementation planning.

Te Pūtea Hei Whakatupu

Total Y3 expenditure as at 30 September 2020



Conclusion

Throughout the disruptions of this year, we have witnessed the resilience of our whānau, and the focus back to the principles that align with manaaki and whanaungatanga. We look forward to a year with our new kaihautū to lead our mahi in evaluating the impact of our investments across Te Rautaki, turning our attention to Māori fisheries’ workforce and people development, working with our strategic partners to advocate for change in the education sector, and developing a strategy in the 2021/22 financial year to help inform future industry-related workforce development needs.

In closing, I express, on behalf of Te Pūtea Whakatupu Trust, our appreciation to Te Kāhui o Te Ohu Kaimoana, spending time on early-morning Zoom meetings to share our challenges, successes and our learnings, to Te Ohu Kaimoana Chair, her fellow directors and her operational team, and of special note Te Mātārae Dion Tuuta, who has been a pou of support in our work.

“Titiro ki te taumata o te moana”

Nāku anō i te whakaiti,
noho ora mai rā,

Kate Cherrington
Chair
Te Pūtea Whakatupu Trust



Hinerangi Raumati-Tu'ua
Chair, Moana New Zealand

MOANA NEW ZEALAND REPORT



Performance

Moana New Zealand has produced a satisfactory result in the context of a very challenging year. Our business changed overnight due to COVID-19. Our 300 employees had to demonstrate resilience, flexibility and commitment to enable the business to continue to operate as an essential service.

As guardians of Māori fishing assets, Moana New Zealand's purpose is to contribute to the wellbeing of future generations. We recognise that improved future benefits will be delivered to iwi through increasing value rather than volume.

It is important to acknowledge and recognise the success of Moana New Zealand as a Māori organisation owned by all 58 iwi. Economic strength and independence support and strengthen iwi communities and help to maintain and enhance their social, cultural and environmental capital.

Moana New Zealand is a Māori-owned company underpinned by a strong tikanga of whakapapa, manaakitanga, kaitiakitanga and whakatipuranga. Now two years into our five-year aspirational plan, guided by Chief Executive Officer Steve Tarrant, Moana New Zealand continues our journey of asset diversification, exploration of new channels to market and strategic delivery. A dividend will be paid to iwi shareholders in December 2020.

Acknowledgements

Moana New Zealand is pleased to announce two new Directors, Mavis Mullins and Glenn Hawkins, who were appointed to succeed Jamie Tuuta and Whaimutu Dewes.

Jamie completed three terms on the Moana New Zealand Board and was a key contributor to both the audit and risk, and health and safety subcommittees.

Outgoing Chair Whaimutu, served three terms as Chair of Moana New Zealand. He tirelessly and loyally advocated for Māori in fisheries across more than three decades. Whai has been instrumental in guiding the sector through the Māori Fisheries Settlement with the Crown. Whai's legacy will continue as Chair of Sealord.

During their time with Moana New Zealand, Jamie and Whai oversaw significant investment in infrastructure for future generations and intelligent moves towards greater value extraction from our kaimoana and kai ora.

I was appointed as Chair in October 2020 having been a Director of Moana New Zealand since 2012 and a previous Director of Te Ohu Kaimoana.

Product privilege across markets

Moana New Zealand has the privilege of supplying healthy protein across our kaimoana and kai ora range. People are more aware than ever of eating healthily;



therefore, our organisation is continuously educating our markets about different species and their benefits.

While New Zealand’s quota management system is considered world-class, the way fisheries are managed is changing and provides a platform opportunity for industry to work with government to ensure tamariki and mokopuna can enjoy all that Tangaroa has to offer.

This year, Moana New Zealand explored new channels to market to introduce more consumers to the magic of kaimoana which is proudly farmed, harvested and processed with a lightness of touch.

The launch of our online store marks the company’s first direct-to-public offering. In addition to sales objectives, the digital storefront encourages engagement with premium kaimoana offerings, the Moana New

Zealand brand, and demonstrates ongoing efforts by the organisation to broaden our sales channels with public purchasing options.

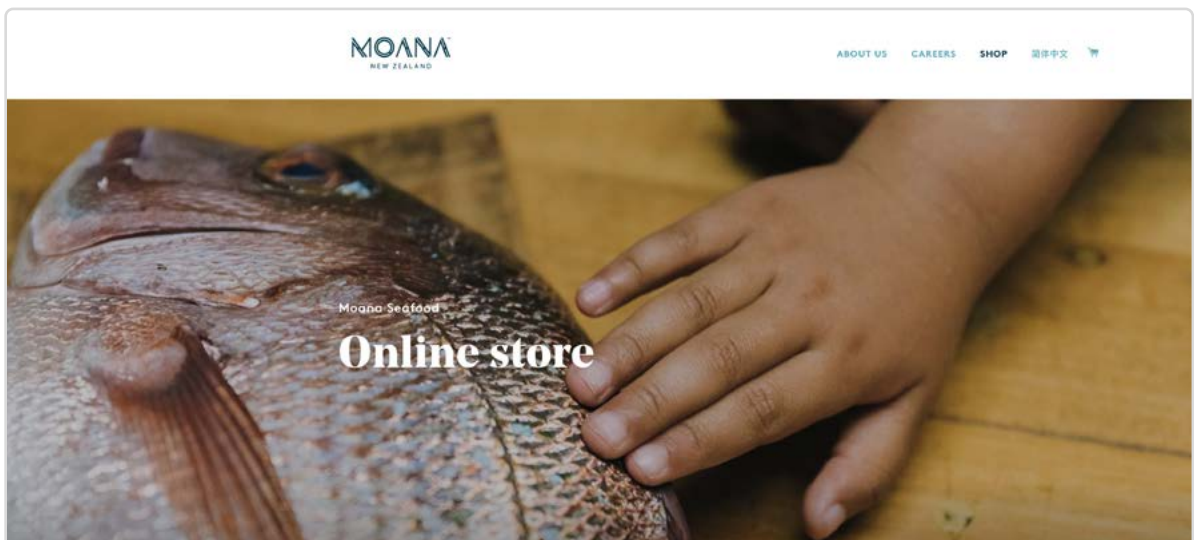
Across our three retail stores in Wellington, Moana New Zealand is in the process of implementing new instore branding which displays origin and sourcing information by kaimoana product. Inclusion of QR codes will direct shoppers to more details, helping inform their choice and better showcasing premium seafood. Price, weight and portion size guidelines will be incorporated into fresh design aimed at consumer demographics.

Moana New Zealand’s commitment to the areas in which we operate in response to COVID-19 is best demonstrated by our value of manaakitanga. Our ready-to-eat meal range – or RTEs – are normally supplied as part of humanitarian aid packages to feed refugees around the globe. During the COVID-19 response, Moana New Zealand made these shelf-stable meals available to all shareholders at cost.

Achievements

As outlined in our five-year aspirational plan, Moana New Zealand is targeting increased production of tio – oysters – from 1.2 million dozen to 2.0 million dozen. Investment will be used to assist with transforming our tio farms to ‘flip farm’ technology. The first phase will be the removal of historic infrastructure, purchasing and construction of ‘flip farm’ componentry, commissioning of contractors and conducting training.

Moana New Zealand has already run successful pilot programmes at our Whangaroa and Coromandel sites. Converting existing tio lines to flip farming will better utilise water space at Parengarenga, Whangaroa, Coromandel, Orongo and Kerikeri farms.





This investment will bring additional permanent, full-time employment to the regions in which Moana New Zealand operates. In the last financial year, we grew our tio business by 10%; this is an acknowledgement of our organisation's value of whakatipuranga – safeguarding fisheries for future generations.

Another highlight for Moana New Zealand this year has been the ongoing investment in smart harvesting and processing innovation like Precision Seafood Harvesting (PSH) technology used inshore for key species. PSH supports sustainability, improves quality, promotes manufacturing efficiency, and produces product and packaging solutions that customers want.

Future-focused industry support for sustainable species

Hoki

Moana New Zealand, Sealord and other members of the Deepwater Group will be reducing their collective hoki catch by 20,000 tonnes in 2020/21, as part of a mutual commitment to sustainable fishing and ensuring that New Zealand continues to have abundant fish populations.

The fishing companies including Sealord, which collectively own 93% of hoki quota, are taking this precautionary approach to speed up the rebuild of hoki stocks, even though scientists assess the current catches to be sustainable.

Tarakihi

Moana New Zealand's commitment to fisheries management and advocacy forums, which determine the future and sustainability of fisheries, is to be an active and influential participant.

We continue to strengthen our position on all key forums and have made solid progress in fishery sustainability measures, the tarakihi industry rebuild workstreams, and electronic monitoring on fishing vessels which we have been doing on all our trawlers for the past seven years.

Hinerangi Raumatī-Tu'ua
Chair
Moana New Zealand



Tangaroa kai atu,
Tangaroa kai mai

RECIPROCITY







FINANCIAL STATEMENTS

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104	The Maori Commercial Aquaculture Settlement Trust (Takutai Trust)



TE OHU KAI MOANA GROUP

Annual Report

For the year ended 30 September 2020

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TE OHU KAI MOANA GROUP

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TE OHU KAI MOANA DIRECTOR'S REPORT

for the year ended 30 September 2020

The Trustee for Te Ohu Kai Moana is:

Te Ohu Kai Moana Trustee Limited

Registered office

Level 4

The Woolstore Professional Centre

158 The Terrace

WELLINGTON

Purpose of Te Ohu Kai Moana

The purpose of Te Ohu Kai Moana is to advance the interests of iwi individually and collectively, primarily in the development of fisheries, fishing and fisheries-related activities to ultimately benefit the members of iwi and Māori generally; further the agreements made in the Deed of Settlement; assist the Crown to discharge its obligations under the Deed of Settlement and the Treaty of Waitangi; and contribute to the achievement of an enduring settlement of the claims and grievances referred to in the Deed of Settlement.

Activities of Te Ohu Kai Moana and associated trusts and entities

The activities of Te Ohu Kai Moana Trust are governed by Te Ohu Kai Moana Trustee Limited (the Trustee), the corporate trustee for Te Ohu Kai Moana Trust.

Te Ohu Kai Moana Trustee Limited also acts as the corporate trustee for the Takutai Trust (the Maori Commercial Aquaculture Settlement Trust), established under the Māori Commercial Aquaculture Claims Settlement Act 2004. The purpose of the Takutai Trust is to receive aquaculture settlement assets from the Crown or regional councils, allocate and transfer aquaculture settlement assets to iwi aquaculture organisations, hold assets pending their allocation to iwi, determine allocation entitlement, and to facilitate iwi to be recognised as iwi aquaculture organisations and other matters relating to the Aquaculture Settlement.

The Trustee appoints the directors of Aotearoa Fisheries Limited (AFL), Te Pūtea Whakatupu Trustee Limited and Te Wai Māori Trustee Limited.

Te Pūtea Whakatupu Trust and Te Wai Māori Trust annual reports are available on Te Ohu Kai Moana's website.

Financial reporting of Te Ohu Kai Moana and associated trusts and entities

This annual report is distributed to mandated iwi organisations, representative Māori organisations, recognised iwi organisations, as defined in the Maori Fisheries Act 2004, and the members of Te Kāwai Taumata. It is also available in digital format and can be downloaded from our website at www.teohu.maori.nz.

For and on behalf of Te Ohu Kai Moana Trustee Limited (the Trustee)


Director

1 December 2020

Date



Director

1 December 2020

Date

TE OHU KAI MOANA GROUP

TE OHU KAI MOANA GROUP
STATEMENT OF COMPREHENSIVE REVENUE AND EXPENSE

for the year ended 30 September 2020

	NOTES	Group 2020 \$000	Group 2019 \$000
Operating revenue from:			
Te Ohu Kai Moana Trust activities	3	492	1,012
Annual catch entitlement (ACE) round disputes held in trust	5c	380	713
Gains on investment portfolio	9	2,519	5,081
Dividend received – Aotearoa Fisheries Limited (AFL)	5d	2,254	1,713
Māori authority tax credits (MATCs) received (2019 AFL dividend)	5d	478	-
Dividend received from AFL and held in trust for iwi		150	114
MATCs received and held in trust for iwi		32	24
TOTAL OPERATING REVENUE		6,305	8,657
Operating expenditure	4	3,825	3,614
NET OPERATING SURPLUS		2,480	5,043
TOTAL COMPREHENSIVE INCOME FOR THE YEAR		2,480	5,043

The above statement of comprehensive revenue and expense should be read in conjunction with the accompanying notes on pages 71 to 92.

TE OHU KAI MOANA GROUP

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TE OHU KAI MOANA GROUP

STATEMENT OF CHANGES IN EQUITY

for the year ended 30 September 2020

	Trust capital \$000	AFL income shares – Te Ohu \$000	MFA reserves – Note 5a) \$000	GFS Trust – Note 5b) \$000	ACE round disputes – Note 5c) \$000	Te Ohu Kaimoana's share of AFL Dividend/ MATCs 5d) \$000	Total \$000
Balance at 1 October 2019	91,186	101,713	29,083	1,165	2,962	-	226,109
Net surplus and other comprehensive income for the year	2,480	-	-	-	-	-	2,480
Total comprehensive income for the year	2,480	-	-	-	-	-	2,480
Transfers to/(from) reserves	(3,347)	-	182	53	380	2,732	-
Transactions with beneficiaries:							
Settlement assets allocated to iwi	-	-	(2,689)	-	-	-	(2,689)
Distribution to iwi (Te Ohu Kai Moana share of Moana 2019 dividend)	-	-	47	-	-	(2,718)	(2,671)
Distributions to or on behalf of associated trusts	-	-	(1,000)	-	-	-	(1,000)
Balance at 30 September 2020	90,319	101,713	25,623	1,218	3,342	14	222,229

	Trust capital \$000	AFL Income Shares – Te Ohu \$000	MFA reserves – Note 5a) \$000	GFS Trust – Note 5b) \$000	ACE round disputes – Note 5c) \$000	Te Ohu Kaimoana's share of AFL Dividend/ MATCs 5d) \$000	Total \$000
Balance at 1 October 2018	87,067	101,713	31,122	1,117	2,813	-	223,832
Net surplus and other comprehensive income for the year	5,043	-	-	-	-	-	5,043
Total comprehensive income for the year	5,043	-	-	-	-	-	5,043
Transfers to/(from) reserves	(924)	-	148	63	713	-	-
Transactions with beneficiaries:							
Allocated to beneficiaries	-	-	-	-	-	-	-
Settlement assets allocated to iwi	-	-	(1,187)	-	(564)	-	(1,751)
Distributions to or on behalf of associated trusts	-	-	(1,000)	(15)	-	-	(1,015)
Balance at 30 September 2019	91,186	101,713	29,083	1,165	2,962	-	226,109

The above statement of changes in equity should be read in conjunction with the accompanying notes on pages 71 to 92.

TE OHU KAI MOANA GROUP

**TE OHU KAI MOANA GROUP
BALANCE SHEET**

As at 30 September 2020

	NOTES	Group 2020 \$000	Group 2019 \$000
EQUITY			
Trust capital and retained earnings		90,319	91,186
Assets held for distribution to iwi reserves		101,713	101,713
Maori Fisheries Act and other classified reserves	5	30,197	33,210
TOTAL EQUITY		222,229	226,109
Represented by:			
CURRENT ASSETS			
Cash and cash equivalents		5,136	5,351
Receivables and prepayments	6	222	242
Assets held for distribution to iwi	8	107,160	107,160
Total current assets		112,518	112,753
NON-CURRENT ASSETS			
Property, plant and equipment	13	563	651
Financial investments	9	92,340	93,021
Quota shares	10	17,705	20,344
Total non-current assets		110,608	114,016
TOTAL ASSETS		223,126	226,769
CURRENT LIABILITIES			
Payables and accruals	11	897	660
Total current liabilities		897	660
TOTAL LIABILITIES		897	660
NET ASSETS		222,229	226,109

For, and on behalf of, the Trustee, who approved and authorised these financial statements on 1 December 2020.


Rangimarie Hunia
Chairman

Bella Takiari-Brame
Director

The above balance sheet should be read in conjunction with the accompanying notes on pages 71 to 92.

TE OHU KAI MOANA GROUP

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TE OHU KAI MOANA GROUP

STATEMENT OF CASH FLOWS

for the year ended 30 September 2020

	NOTES	Group 2020 \$000	Group 2019 \$000
CASH FLOWS FROM OPERATING ACTIVITIES			
Cash provided from:			
Receipts from sale of ACE		475	478
Refund of MATCs		498	367
Receipts from ACE round disputes		369	714
AFL dividend received for Te Ohu Kai Moana		2,254	1,713
AFL dividend received for iwi share held in trust		188	114
Other		692	1,875
		4,476	5,261
Cash applied to:			
Payments to suppliers and employees		4,081	4,102
Net cash (outflow)/inflow from operating activities		395	1,159
CASH FLOWS FROM INVESTING ACTIVITIES			
Cash provided from:			
Cash draw-down from joint investment portfolio		3,200	2,500
		3,200	2,500
Cash applied to:			
Purchase of fixed assets		44	263
		44	263
Net cash inflow from investing activities		3,156	2,237
CASH FLOWS FROM FINANCING AND TRUST CAPITAL ACTIVITIES			
Cash applied to:			
Distributions to associated trusts		1,000	1,015
Distributions to iwi		2,766	659
		3,766	1,674
Net cash outflow from financing activities		(3,766)	(1,674)
NET INCREASE/(DECREASE) IN CASH AND CASH EQUIVALENTS		(215)	1,722
Opening cash and cash equivalents brought forward		5,351	3,629
CASH AND CASH EQUIVALENTS HELD AT YEAR-END		5,136	5,351
Represented by:			
CASH AND CASH EQUIVALENTS HELD AT YEAR-END		5,136	5,351
Total cash held at year-end		5,136	5,351

The above statement of cash flows should be read in conjunction with the accompanying notes on pages 71 to 92.

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTSTE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS

for the year ended 30 September 2020

NOTE 1 – REPORTING ENTITY

Te Ohu Kai Moana Trust (the Trust) was established under the Maori Fisheries Act 2004 (the Act). Te Ohu Kai Moana Group (the Group) consists of the Trust and its subsidiary, Charisma Developments Limited.

In accordance with the Act, the purpose of the Trust is to advance the interests of iwi, individually and collectively, in the development of fisheries, fishing and fisheries-related activities in order to:

- › ultimately benefit the members of iwi and Māori generally
- › further the agreements made in the Deed of Settlement
- › assist the Crown to discharge its obligations under the Deed of Settlement and the Treaty of Waitangi
- › contribute to the achievement of an enduring settlement of the claims and grievances referred to in the Deed of Settlement.

The Trust is domiciled in New Zealand.

Equity transferred 29 November 2004

On and from 29 November 2004, the appointed day, all existing undertakings, assets and liabilities of the Treaty of Waitangi Fisheries Commission were vested in Te Ohu Kai Moana Trustee Limited, acting as trustee of Te Ohu Kai Moana Trust.

NOTE 2 – SUMMARY OF SIGNIFICANT
ACCOUNTING POLICIES

The following specific accounting policies, which materially affect the measurement of financial performance, movements in equity, financial position and cash flows, have been established and consistently applied.

a) Statement of compliance and basis of preparation**(i) Statement of compliance**

The Group financial statements are presented in accordance with the Maori Fisheries Act 2004 and New Zealand generally accepted accounting practice (NZ GAAP). The financial statements comply with public benefit entity (“PBE”) standards. The financial statements have been prepared in accordance with Tier 2 PBE standards reduced disclosure regime.

(ii) Measurement base

The financial statements have been prepared on a historical cost basis, except for other financial assets held at fair value through profit or loss and assets held for distribution to iwi recognised at the lower of carrying amount and fair value less cost to distribute.

The financial statements are presented in New Zealand dollars, and all values are rounded to the nearest thousand dollars (\$000) unless otherwise stated.

b) Changes in accounting policy and disclosures

There have been no changes in the accounting policies for the year ended 30 September 2020. All accounting policies and disclosures are consistent with those applied by the Group in the previous financial year.

c) Use of estimates and judgements

The preparation of financial statements requires management to make judgements, estimates and assumptions that affect the reported amounts of revenues, expenses, assets and liabilities and the disclosure of contingent liabilities at the end of the reporting period. However, uncertainty surrounding these assumptions and estimates could result in outcomes that require a material adjustment to the carrying amount of a particular asset or liability in future periods.

In the process of applying the accounting policies, management has made the following significant judgements.

(i) Interest in Aotearoa Fisheries Limited

At the Special General Meeting on 4 June 2015, iwi voted unanimously to have all shares held by Te Ohu Kai Moana in Aotearoa Fisheries Limited (AFL) trading as Moana New Zealand transferred to iwi. At the March 2016 Hui-ā-Tau, it was agreed the redeemable preference shares (RPS) should be converted to ordinary shares and transferred to iwi with the other shares held by Te Ohu Kai Moana. These decisions by iwi had the effect of changing the status of these assets from being assets of Te Ohu Kai Moana in its own right to assets being held for distribution in the same way that other assets are held as part of the reserves detailed in the balance sheet under Maori Fisheries Act and other classified reserves. As these assets are now held for distribution to iwi, they are recognised at the lower of carrying amount and fair value less cost to distribute. Management has exercised judgement in determining the fair value less cost to distribute in relation to these assets as at 30 September 2020.

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS

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NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)**(ii) Classification of Maori Fisheries Act reserves**

Te Ohu Kai Moana Trust holds settlement assets in trust for iwi under the Act. In accordance with the Act, iwi are entitled to a share of those settlement assets upon achieving the status of a mandated iwi organisation (MIO) and subsequently on reaching coastline and harbour agreements with neighbouring iwi. Until MIO status is achieved, the Trust has no obligations to make settlements under the Act.

Management has concluded it is appropriate to classify the settlement assets as Trust equity until an iwi becomes entitled to receive them. Settlement assets allocated to an iwi are reclassified to liabilities until actual transfer of ownership occurs.

(iii) Quota shares

The Trust tests quota shares held by it, either in its own right or in trust for iwi, for impairment on an annual basis. For the purpose of testing assets for impairment, the Trust appoints external valuers to determine the fair value of all quota shares held at balance date. A valuation requires making various assumptions about the future including estimating present values of future cash flows by applying an appropriate discount rate to the cash flows receivable from the ownership or use of an asset. An impairment exists when the carrying value of an asset exceeds its fair value.

d) Basis of consolidation

Subsidiaries are entities in which the Trust has the capacity to control the financing and operating policies to obtain ownership benefits. The financial statements comprise the Trust and its subsidiary Charisma Developments Limited, which is an asset-holding company only and does not trade. Its assets are the RPS and a small amount of research quota. Both items have been incorporated into the Group's financial statements.

e) Equity and reserves

Equity is split into three sections to separately identify the equity accumulated in the Trust, the assets in AFL being held for distribution as a result of iwi resolutions following the review of s 114 of the Maori Fisheries Act and the reserves the Trust is required to maintain in accordance with the Act or other agreements or deeds, until the assets are allocated and transferred to MIOs, their asset-holding companies, or the beneficiaries identified in the other agreements or deeds.

The Act requires that the cash to iwi set aside under s 137 (1) (d) accumulates earnings attributable to it. Interest is attributed on a monthly basis at the interest rate applicable to funds held on call.

f) Allocation and transfer of assets to iwi per the Maori Fisheries Act 2004

Distributions of assets through allocation and transfer to mandated iwi organisations or their asset-holding companies are recorded at the carrying value of the applicable asset in the financial statements.

Assets allocated but not transferred are classified as liabilities in the balance sheet.

g) Taxation

The Trust and Charisma Development Limited are registered as charitable organisations with the Department of Internal Affairs and are therefore treated as exempt from income tax.

h) Goods and services tax (GST)

These financial statements have been prepared on a GST-exclusive basis with the exception of receivables and payables, which are stated inclusive of GST.

i) Financial assets and liabilities**(i) Receivables**

Trade receivables are classified as loans and receivables, which generally have standard commercial terms of trade and are recognised and carried at original invoice amount less an allowance for amounts assessed to be uncollectable. Collectability of trade receivables is reviewed on an ongoing basis. Individual debts that are known to be uncollectable are written off when identified.

(ii) Financial investments

The Group classifies its financial investments at fair value through profit and loss as the Group invests in these financial assets with a view to profiting from their total return in the form of interest or increases in the fair value.

Gains and losses arising from changes in the fair value of financial investments are recognised in the statement of comprehensive revenue and expense in the period in which they arise.

The Group has classified its financial investments as level 2 in the fair value hierarchy.

(iii) Payables

Trade payables are classified as financial liabilities measured at amortised cost with settlement of payments being on normal commercial terms.

j) Assets held for distribution to iwi

Assets held for distribution to iwi are recognised at the lower of their carrying amount and fair value less cost to distribute. The costs to distribute are the incremental costs directly attributable to the distribution.

The criteria for held for distribution classification is regarded as met only when the distribution is highly probable and the assets are available for immediate distribution in their present condition. Actions required to complete the distribution should indicate that it is unlikely that significant changes to the distribution will be made or that the distribution will be withdrawn. Management must be committed to the distribution expected within one year from the date of classification.

Assets held for distribution are presented separately as current assets in the balance sheet.

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS**NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)****k) Intangible assets**

Quota shares have an indefinite useful life and generate economic benefits beyond one year. Quota shares are held at deemed cost and tested annually for impairment. Any adjustments made to recognise impairment are reported in the statement of comprehensive revenue and expense.

Quota shares are held by the Group for and on behalf of iwi. They are not able to be sold by the Group.

New Zealand Units (NZUs) issued as part of the compensation to quota owners under the Fishing Allocation Plan allowed for in the Climate Change Response Act 2002 are held as intangible assets at a deemed cost of nil.

l) Impairment

The carrying amounts of assets are reviewed at each reporting date to determine whether there is any indication of impairment. An impairment loss is recognised whenever the carrying amount of an asset exceeds its recoverable amount. If it is not possible to estimate the recoverable amount of the individual asset, the Group determines the recoverable amount of the cash-generating unit to which the asset belongs. Impairment losses directly reduce the carrying amount of assets and are recognised in the statement of comprehensive revenue and expense.

m) Leases

The determination of whether an arrangement is or contains a lease is based on the substance of the arrangement and requires an assessment of whether the fulfilment of the arrangement is dependent on the use of a specific asset or assets and the arrangement conveys a right to use the asset.

The Group has entered into operating leases for certain fixed assets. Operating lease payments, where the lessors effectively retain substantially all the risks and benefits of ownership of the leased items, are charged to the statement of comprehensive revenue and expense in the periods in which they are incurred.

n) Revenue recognition

Revenue is recognised and measured at the fair value of the consideration received or receivable to the extent it is probable that the economic benefits will flow to the Group and the revenue can be reliably measured.

(i) Revenue from annual catch entitlement (ACE) sales

ACE is the annual right to catch a specific amount of a relevant fish stock within the quota management system. ACE is allocated on the first day of the fishing year to the owner of the quota shares from which it is generated.

ACE is sold by the Group to iwi organisations in accordance with s 152 of the Maori Fisheries Act 2004.

Invoices are raised in April and October each year to the relevant iwi organisations upon the commencement of the

relevant ACE round. The total amount invoiced is initially accrued as deferred income and subsequently amortised and recognised as income over the 12 months of the respective fishing years.

Proceeds from the sale of ACE to iwi are used to pay government and industry levies and costs incurred by the Group as owner of quota yet to be allocated and transferred to iwi. The balance of ACE sale proceeds contributes towards the costs of administering the ACE rounds and participating in fisheries management organisations.

(ii) Interest income

Interest income is recognised as the interest accrues using the effective interest method.

(iii) Dividends

Dividend income is recognised when the Trust's right to receive the payment is established. Revenue from dividends is recognised in the year they are declared and receivable.

At the Special General Meeting held on 3 July 2019, iwi voted unanimously to accept Te Ohu Kai Moana's decision to distribute Te Ohu Kai Moana's share of the Moana dividend for the year ending 30 September 2019 to MIOs. This distribution was based on the allocation methodology contained in the Maori Fisheries Act 2004.

o) Provisions

A provision is recognised if, as a result of a past event, the Group has a present legal or constructive obligation that can be estimated reliably and it is probable that an outflow of economic benefits will be required to settle the obligation.

Provisions made in respect of each obligation are based on management's best estimate of the expenditure required to settle the obligation at the reporting date.

p) Employee benefits

All short-term and long-term obligations relating to employee legal entitlements including annual leave are accrued and recognised in the balance sheet. The liability is equal to the present value of the estimated future cash outflows as a result of employee services provided at the reporting date.

Provisions made in respect of employee benefits expected to be settled within 12 months are measured at their nominal values using the remuneration rate expected to apply at the time of settlement.

q) Cash and cash equivalents

Cash and cash equivalents in the balance sheet are classified as loans and receivables, comprising cash on hand, call deposits and short-term deposits with an original maturity of three months or less.

r) Statement of cash flows

For the purpose of the statement of cash flows, cash consists of cash and cash equivalents as defined above.

The cash flows included in the statement of cash flows are stated on a gross basis.

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS

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NOTE 3 – OPERATING REVENUE FROM TE OHU KAI MOANA TRUST ACTIVITIES

	2020	2019
	\$000	\$000
Revenue from sale of ACE	475	478
Refund of Māori authority tax credits (MATCs)	-	363
Other	17	171
TOTAL	492	1,012

MATCs

MATCs represent refunds from Inland Revenue Department (IRD) of Māori authority tax credits attached to dividends and taxable bonus share issues received from Aotearoa Fisheries Limited.

Refund of MATC's in 2020 are shown separately in the Statement of Comprehensive Revenue and Expense. This has been distributed to iwi during the year (refer note 14c for breakdown).

NOTE 4 – OPERATING SURPLUS

Included in the operating surplus before taxation are the following operating expenses:

	NOTES	2020	2019
		\$000	\$000
Fees paid to auditor			
Audit of the financial statements		39	35
Other services		-	5
Facilities and rental		228	229
Travel and accommodation		114	274
Directors' remuneration	14f)	381	358
Remuneration of Te Kāwai Taumata members		-	28
Employee entitlements		2,133	1,846
Professional services		686	664
External reporting and communication		192	318
Quota-related fees and levies		292	283
Administration		97	98
Provision for 4-year audit		75	-
Provision for Moana valuation		75	-
Depreciation			
Fixtures and fittings		27	26
Leasehold improvements		36	27
Office equipment		1	1
IT hardware		36	30
Software		32	3
Costs recovered from associated entities		(619)	(610)
TOTAL OPERATING EXPENDITURE		3,825	3,614

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS

NOTE 5 – MAORI FISHERIES ACT AND OTHER CLASSIFIED RESERVES

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	NOTES	2020 \$000	2019 \$000
Maori Fisheries Act reserves	5a)	25,623	29,083
Global Fisheries Scholarship Trust	5b)	1,218	1,165
ACE round disputes held in trust	5c)	3,342	2,962
Te Ohu Kaimoana's share of AFL dividend/MATCs	5d)	14	-
Balance as at 30 September		30,197	33,210

a) Maori Fisheries Act reserves

The Maori Fisheries Act details the amounts set aside for allocation and transfer to iwi and associated trusts. The relevant sections of the Act are included with the name of each reserve in the table below.

	2020 \$000	2019 \$000
Quota shares to be allocated s140–s148	17,521	20,160
Aotearoa Fisheries Limited income shares held in trust for iwi – s 139	5,447	5,447
Dividend receivable on Aotearoa Fisheries Limited income shares held in trust for iwi – s 76(2)	1,055	868
MATCs received held in trust for iwi	635	595
Te Wai Māori Trust capital s 137(1)(b) and s 103(3)	-	1,000
Cash top-up for quota shortfall s 137(1)(c)	349	399
Cash to iwi s 137(1)(f)	616	614
TOTAL	25,623	29,083

(i) Te Wai Māori Trust

Te Ohu Kai Moana Trust has fulfilled its obligations under s 103(3) of the Act. A total sum of \$20 million has been transferred to Te Wai Māori Trust.

(ii) Settlement assets to be allocated

During 2019, no iwi was recognised as a mandated iwi organisation (MIO) by Te Ohu Kaimoana and therefore no population settlement assets were allocated (2018: nil).

One coastline agreement was completed during the year (2019: nil) and no harbour agreement was completed (2019: one).

(iii) Distribution of Te Ohu Kai Moana's share of Moana dividend

At the Special General Meeting held on 3 July 2019, iwi voted unanimously to accept Te Ohu Kai Moana's decision to distribute Te Ohu Kai Moana's share of the Moana dividend for the year ending 30 September 2019 to mandated iwi organisations. This distribution was based on the allocation methodology contained in the Maori Fisheries Act 2004. Mandated iwi organisations confirmed that their distribution would be set aside for fisheries purposes that are charitable. Funds are being held on behalf of three iwi (refer to note 5d).

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS

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NOTE 5 – MAORI FISHERIES ACT AND OTHER CLASSIFIED RESERVES (continued)**b) Global Fisheries Scholarship Trust**

The Global Fisheries Scholarship (GFS) Trust was created in 2008. The funds are invested as part of Te Ohu Kaimoana's investment portfolio and share on a proportional basis the income generated and valuation movements based on the percentage of the total fund held.

Administration is undertaken by Te Ohu Kai Moana Trustee Limited.

	2020	2019
	\$000	\$000
Balance as at 1 October	1,165	1,117
Income	53	63
Scholarship costs	-	(15)
Balance as at 30 September	1,218	1,165

c) ACE round disputes held in trust

These funds have arisen from disputes over representation and mandate issues relating to quota lease and annual catch entitlement distribution rounds. The funds are held on deposit awaiting resolution of each dispute. In some cases, the amounts cover disputes involving multiple lease and ACE round years.

	2020	2019
	\$000	\$000
Balance as at 1 October	2,962	2,813
Income from sale of ACE	376	692
Income from interest	17	41
Administration costs deducted	(13)	(20)
ACE round disputes held in trust	380	713
Settled disputes distributed	-	(564)
Balance as at 30 September	3,342	2,962

Details of iwi/disputes and funds held

	2020	2019
	\$000	\$000
Southern FMA8 iwi	1,443	1,281
Far North Rangaunu Harbour (Te Rarawa)	12	12
Coromandel Scallops	327	326
Whakatōhea	160	159
Ngāi Takoto	145	144
Mōtītī Island	345	307
CRA9 iwi	106	105
Ngāi Tahu and Ngāti Toa Rangatira	85	85
FMA7 (OYS7C)	39	39
Ngāitai	305	198
Ngāti Kahungunu (freshwater)	17	17
Ngāti Porou/Māhaki/Rongowhakaata	318	254
Rongomaiwahine/Ngāti Kahungunu	14	14
Ngāi Tahu/Te Tau Ihu	6	6
Far North Harbour	12	8
Te Ātiawa (Taranaki) (freshwater)	3	3
ORH7A (Ngāi Tahu, Rangitāne (Te Tau Ihu) and Ngāti Toa Rangatira)	2	2
Ngāti Pūkenga, Ngāi Tāmanuhiri, Ngāti Whare, Ngāti Ranginui (freshwater)	2	2
Ōhiwa Harbour	1	-
TOTAL	3,342	2,962

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS

NOTE 5 – MAORI FISHERIES ACT AND OTHER CLASSIFIED RESERVES (continued)

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d) Distribution of Te Ohu Kaimoana's share of Moana dividend

During the year Te Ohu Kaimoana distributed its share of Moana dividend to iwi. The table below represent the payments to iwi who returned signed Deeds of Undertaking.

IWI	\$000 DIVIDEND	\$000 MATCs	\$000 TOTAL
Hauraki	45	10	55
Moriori	2	0	2
Muaūpoko	6	1	7
Ngā Rauru	11	2	13
Ngāi Tahu	138	29	167
Ngāi Tāmanuhiri	4	1	5
Ngāi Tūhoe	99	21	120
Ngāiterangi	35	7	42
Ngāpuhi	356	75	431
Ngāruahine	11	2	13
Ngāti Apa (North Island)	8	2	10
Ngāti Apa ki te Rā Tō	2	0	2
Ngāti Awa	44	9	53
Ngāti Hauiti	3	1	4
Ngāti Kahu	24	5	29
Ngāti Kahungunu	177	38	215
Ngāti Koata	3	1	4
Ngāti Kuia	4	1	5
Ngāti Kurī	16	3	19
Ngāti Manawa	5	1	6
Ngāti Maniapoto	102	22	124
Ngāti Maru (Taranaki)	3	1	4
Ngāti Mutunga (o Wharekauri)	4	1	5
Ngāti Mutunga (Taranaki)	5	1	6
Ngāti Porou	211	45	256
Ngāti Pukenga	4	1	5
Ngāti Ranginui	22	5	27
Ngāti Rārua	3	1	4
Ngāti Raukawa (ki Waikato)	30	6	36
Ngāti Ruanui	19	4	23
Ngāti Tama (Te Tau Ihu)	2	0	2
Ngāti Toa Rangatira	17	4	21
Ngāti Tūwharetoa	114	24	138
Ngāti Whātua	44	9	53
Ngātiwai	14	3	17
Rangitāne (North Island)	11	2	13
Rangitāne o Wairau	4	1	5
Raukawa ki te Tonga	65	14	79
Rongowhakaata	12	3	15
Taranaki iwi	20	4	24
Te Aitanga a Mahaki	15	3	18
Te Arawa	135	29	164
Te Āti Awa ki Whakarongotai	2	0	2
Te Ātiawa (Taranaki)	47	10	57
Te Ātiawa (Te Tau Ihu)	7	1	8
Te Ātiawa (Wellington)	6	1	7
Te Atihaunui-ā-Papārangi	32	7	39
Te Aupōuri	27	6	33
Te Rarawa	40	8	48
Waikato-Tainui	154	33	187
Whaingaroa	7	1	8
Whakatōhea	33	8	41
SUBTOTAL	2,204	467	2,671

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS

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NOTE 5 – MAORI FISHERIES ACT AND OTHER CLASSIFIED RESERVES (continued)

The table below represents iwi dividend and MATCs that are held on trust awaiting MIO status.

	\$000	\$000	\$000
IWI – MIO status	DIVIDEND	MATCs	TOTAL
Ngāti Tama (Taranaki)	4	1	5
Te Whānau a Apanui	34	8	42
SUBTOTAL	38	9	47

The table below represents iwi dividends and MATCs that have been distributed but not transferred this year. Te Ohu Kai Moana will continue to hold these on behalf of iwi until deeds have been returned.

	\$000	\$000	\$000
IWI – Awaiting deeds	DIVIDEND	MATC's	TOTAL
Ngāi Tai	8	2	10
Ngāi Takoto	2	0	2
Ngāti Whare	2	0	2
SUBTOTAL	12	2	14

In summary, Te Ohu Kaimoana disbursed its share of Moana dividend as follows:

	\$000	\$000	\$000
IWI	DIVIDEND	MATCs	TOTAL
Payment	2,204	467	2,671
Held on Trust – MIO status	38	9	47
Held on Trust awaiting deeds	12	2	14
TOTAL	2,254	478	2,732

NOTE 6 – RECEIVABLES AND PREPAYMENTS

	2020	2019
	\$000	\$000
Trade receivables	161	149
Other receivables	–	46
Prepayments	61	47
TOTAL	222	242

Trade receivables are generated from the sale of ACE and recovery of costs from associated entities. Other receivables include goods and services tax receivable at reporting date. Both amounts are recorded at their estimated realisable value.

Prepayments are the unexpired portion of insurances paid in advance.

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS

NOTE 7 – INVESTMENT IN SUBSIDIARIES

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	Principal activity	Balance date	Percentage held	
			2020	2019
Charisma Developments Limited	Investment holding	30-Sep	100%	100%
Te Ohu Kai Moana Portfolio Management Services Limited	Portfolio management	30-Sep	100%	100%
Te Ohu Kai Moana Custodian Limited	Custodial services	30-Sep	100%	100%
Te Ohu Kai Moana Development Fisheries Limited	Non-trading	30-Sep	100%	100%
Te Pūtea Whakatupu Trustee Limited	Trustee	30-Sep	100%	100%
Te Wai Māori Trustee Limited	Trustee	30-Sep	100%	100%

The single share in Te Pūtea Whakatupu Trustee Limited and Te Wai Māori Trustee Limited is held jointly by the directors of Te Ohu Kai Moana Trustee Limited.

NOTE 8 – ASSETS HELD FOR DISTRIBUTION TO IWI

		2020	2019
		\$000	\$000
Te Ohu AFL shares	a)	81,713	81,713
AFL income shares held in trust for iwi	b)	5,447	5,447
Redeemable preference shares	c)	20,000	20,000
Balance as at 30 September		107,160	107,160

The Act states that the Trust must retain control of 100% of the 125,000 voting shares and 20% of the 250,000 income shares in AFL. The balance of the income shares is to be held in trust for iwi until they are allocated. See b) below.

On 4 June 2015, iwi resolved to make significant changes to the governance arrangements established under the Maori Fisheries Act 2004 (the Act), including the transfer to iwi of all shares held by Te Ohu Kai Moana in AFL. A report setting out the resolutions agreed by iwi arising from the s 114 review and detailing amendments required to the Act to implement the changes was prepared and delivered to the Minister for Primary Industries on 30 September 2016. A draft amended Act enabling the decisions to be implemented was subsequently delivered to the Minister by the end of 2016 for consideration and inclusion in the Government's legislative programme. The timing of the actual distribution to iwi is uncertain due to the need for future legislative amendments to be enacted. However, there is a clear intention to distribute the assets in accordance with the resolutions agreed by iwi.

At the Māori Fisheries Conference held in March 2019, the Minister of Fisheries addressed the attendees stating that Labour does not have sufficient coalition support to progress the amendments and no progress was made.

The outcome of the October 2020 election provides Te Ohu Kai Moana confidence that the Maori Fisheries Act 2004 will be reviewed within this parliamentary term.

a) Te Ohu AFL shares

Te Ohu Kai Moana's interest in AFL was previously recognised as an investment in an associate applying the equity accounting method. As a result of the resolutions passed by iwi Te Ohu Kai Moana's interest in AFL, including the RPS (see c) below), these shares were reclassified to assets held for distribution to iwi and recognised at the lower of their carrying amount and fair value less cost to distribute as at 30 September 2019.

The amount of equity within the Trust that represents the carrying value of the assets as at 30 September has been separated from the Trust capital and retained earnings and disclosed as a separate component of Trust equity.

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS

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NOTE 8 – ASSETS HELD FOR DISTRIBUTION TO IWI (continued)**b) AFL income shares held in trust for iwi**

	2020 \$000	2019 \$000
AFL income shares held in trust	5,447	5,447

The Act required the Trust to hold 80% of the income shares in AFL, received on the appointed day, 29 November 2004, for allocation and transfer to iwi. The Trust recorded the investment based on the net asset value of AFL at the appointed day.

Up to 30 September 2015, the movement in net assets reported by AFL each year was added to the value of the remaining income shares held in trust in the proportion that the number of shares held relates to the total income shares on issue. These assets continue to be classified within the Maori Fisheries Act reserves section in equity.

As at 30 September 2016, the Trust's share of the change in AFL's net assets is no longer added to the carrying value of the shares held in trust for iwi. The AFL income shares held in trust for iwi are recognised at the lower of carrying amount and fair value less cost to distribute.

The total number of shares held in trust as at 30 September 2020 is as follows:

Iwi	Number of shares held in trust	
	2020	2019
Te Whānau a Apanui	2,978	2,978
Ngāti Tama	354	354
TOTAL	3,332	3,332

The value of assets held in trust for iwi in relation to AFL income shares is:

	2020					2019		
	AFL income share value \$000	Dividends \$000	MATCs \$000	Share of Te Ohu Kaimoana's 2019 Dividend \$000	Share of Te Ohu Kaimoana's 2019 MATCs \$000	AFL income share value \$000	Dividends \$000	MATCs \$000
Iwi								
Te Whānau a Apanui	4,867	910	558	33	7	4,867	775	530
Ngāti Tama	580	108	65	4	1	580	92	63
Muaūpoko	-	-	2	-	-	-	-	2
TOTAL	5,447	1,018	625	37	8	5,447	867	595

Included in 2020 dividend and MATCs amount is the iwi share of Te Ohu Kai Moana's share of AFL Limited (Moana) 30 September 2020. Te Whānau a Apanui share of Te Ohu Kai Moana's dividend is \$33,563 and associated MATC is \$7,119. Ngāti Tama share of Te Ohu Kai Moana's dividend is \$3,986 and associated MATC is \$845.

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS**NOTE 8 – ASSETS HELD FOR DISTRIBUTION TO IWI (continued)****c) Redeemable preference shares (RPS)**

On 22 December 2004, the Trust received \$20 million face value of RPS issued by AFL Investments Limited (a wholly owned subsidiary of Aotearoa Fisheries Limited) in satisfaction of loans owed by AFL to the Trust. The RPS are supported by a guarantee from and a put option to AFL. The RPS were subsequently transferred to Charisma Developments Limited, a wholly owned subsidiary of the Trust.

The non-interest-bearing redeemable preference shares comprise 20 million shares with an issue price of \$1 per share. In the case of liquidation of AFL Investments Limited, the RPS will be repaid in priority to other classes of equity in AFL Investments Limited.

The RPS agreement allows the Trust to put the RPS to AFL at any date from 29 November 2011 to 29 November 2024. In 2019, a variation to the agreement was signed that extended the date from 8 years to 13 years to take into account the slow progress of the Maori Fisheries Act review. The redemption price is to be determined through negotiation between the parties but cannot exceed \$1 per share.

During the 2016 financial period, iwi resolved that the RPS held by Te Ohu Kai Moana should be cancelled, converted into ordinary shares and distributed to iwi at the same time as the voting and income shares.

	2020	2019
	\$000	\$000
Carrying value at reporting date	20,000	20,000

NOTE 9 – FINANCIAL INVESTMENTS

Under the Trust's investment structure, Te Ohu Kai Moana Portfolio Management Services Limited (Portfolio Management Services) was established to assume the overall administration and management of the joint investment portfolio for the Trust and its two associated trust entities, Te Pūtea Whakatupu and Te Wai Māori.

The Directors of Portfolio Management Services are currently members of Te Ohu Kaimoana Trust's Audit and Risk Committee and the Chair of Te Ohu Kai Moana Trustee Limited is an ex officio member.

The legal title of all investments in the joint portfolio is held in the name of Te Ohu Kai Moana Custodian Limited as custodian. The custodian has no beneficial interest in any of the assets registered in its name.

The Trust shares on a proportional basis the income generated and valuation movements based on the percentage held of the total portfolio.

	2020	2019
	\$000	\$000
Balance as at 1 October	93,021	90,440
Gains on investment portfolio	2,519	5,081
Withdrawals during the year	(3,200)	(2,500)
Balance as at 30 September	92,340	93,021

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS

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NOTE 10 – QUOTA SHARES

	2020	2019
	\$000	\$000
Year ended 30 September		
Opening net book amount	20,344	21,436
Allocated to iwi	(2,639)	(1,092)
Closing net book amount	17,705	20,344
Deemed cost	17,705	20,344
Net book value	17,705	20,344

Cost is represented by the fair value of the quota parcel vested in the Trust on 29 November 2004. The original fair value of the quota parcel was determined through an independent valuation process. The parcel remaining as at 30 September 2020 was tested for impairment by having the quota shares valued on 1 October 2020 by two independent valuers.

The market value of the portfolio of the quota shares held ranged from \$24.9 million to \$41.1 million after allowing for costs to sell. As the carrying value of the quota shares held was less than the market value, no impairment has occurred.

Included in the above total is \$184,000 (2019: \$184,000) of quota shares relating to the Trust's participation in development fisheries at the reporting date. These quota shares do not form part of the quota shares held in trust for allocation to iwi under the Act.

In September 2010, the Trust received an allocation of 25,628 New Zealand Units (NZUs) as part of the compensation to quota owners under the Fishing Allocation Plan allowed for in the Climate Change Response Act 2002. The NZUs will be allocated to iwi based on their proportionate share of the quota shares held by the Trust as at 24 September 2009. The total balance of NZUs for the Group as at 30 September 2020 is 11,926 units (2019: 11,926 units). No value was ascribed to the NZUs at balance date.

During the year, Te Ohu Kai Moana successfully resolved the 28N rights in SKI7 quota with no loss to iwi settlement holdings.

NOTE 11 – PAYABLES AND ACCRUALS

	2020	2019
	\$000	\$000
Trade payables	121	227
Employee entitlements	116	75
Income received in advance	63	58
Other payables	597	300
TOTAL	897	660

Income received in advance relates to the April 2020 ACE round. All income from the sale of ACE is accrued and amortised over the twelve months of the fishing year. The revenue is then matched to the levies, charges and overhead expenses incurred on a monthly basis. When shares are transferred to iwi during the year, the levies and charges for the remainder of the fishing year are refunded to iwi. The balance of income received in advance is the un-amortised income for the six months from 1 October 2020 to 31 March 2021.

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS**NOTE 12 – MAORI FISHERIES ACT ASSETS ALLOCATED BUT NOT TRANSFERRED**

There were no assets allocated but not transferred as at 30 September 2020 (2019: nil).

NOTE 13 – PROPERTY, PLANT AND EQUIPMENT

	Office equipment \$000	Fixtures and fittings \$000	IT hardware \$000	IT software \$000	Leasehold improvements \$000	Work in progress (WIP) \$000	TOTAL \$000
At 1 October 2018							
Cost or revaluation	118	300	230	63	760	15	1,486
Accumulated depreciation	(116)	(184)	(174)	(63)	(476)	-	(1,013)
Opening net book value	2	116	56	-	284	15	473
Year ended 30 September 2019							
Opening net book value	2	116	56	-	284	15	473
Additions	-	10	28	122	102	3	265
WIP allocated to asset categories	-	-	-	-	15	(15)	-
Depreciation charge	(1)	(26)	(30)	(3)	(27)	-	(87)
Closing net book value	1	100	54	119	374	3	651
At 30 September 2019							
Cost or revaluation	118	310	258	185	877	3	1,751
Accumulated depreciation	(117)	(210)	(204)	(66)	(503)	-	(1,100)
Closing net book value	1	100	54	119	374	3	651
Year ended 30 September 2020							
Opening net book value	1	100	54	119	374	3	651
Additions	-	4	20	20	0	0	44
WIP allocated to asset categories	-	-	-	3	0	(3)	-
Depreciation charge	(1)	(27)	(37)	(33)	(34)	-	(132)
Closing net book value	0	77	37	109	340	-	563
At 30 September 2020							
Cost or revaluation	118	314	278	208	877	-	1,795
Accumulated depreciation	(118)	(237)	(241)	(99)	(537)	-	(1,232)
Closing net book value	0	77	37	109	340	-	563

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS

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NOTE 14 – RELATED PARTY DISCLOSURE**a) Distributions of settlement assets to iwi**

2020	Quota shares \$000	Total cash \$000	Total \$000
Assets allocated and transferred			
Ngāti Toa	1,063	20	1,083
Te Ātiawa (Wellington)	1,576	30	1,606
Total assets allocated and transferred	2,639	50	2,689
<hr/>			
2019	Quota shares \$000	Total cash \$000	Total \$000
Assets allocated and transferred			
Te Rarawa	1,092	95	1,187
Total assets allocated and transferred	1,092	95	1,187

b) Distributions of settlement assets to associated trusts**Te Wai Māori Trust**

Te Ohu Kai Moana Trust transferred \$1 million to Te Wai Māori Trust in accordance with s 103(3) of the Maori Fisheries Act 2004 during the year (2019: \$1 million). Te Ohu Kai Moana have transferred \$20 million to Te Wai Māori and obligations under s 103(3) have been met.

c) Distributions of Te Ohu Share of Moana Dividend

At the Special General Meeting held on 3 July 2019, iwi voted unanimously to accept Te Ohu Kai Moana's decision to distribute Te Ohu Kai Moana's share of the Moana dividend for the year ending 30 September 2019 to mandated iwi organisations (MIOs). This distribution was made based on the allocation methodology contained in the Maori Fisheries Act 2004 and receipt of written undertakings from MIOs confirming that the distribution would be used for fisheries purposes that are charitable. Refer note 5d) for details of the distribution.

d) Revenue from sale of ACE

Each year, ACE generated from the quota shares held by the Trust is sold to iwi and their representative organisations. In the year ended 30 September 2020, \$0.475 million (2019: \$0.478 million) of invoices were issued to related parties for the October 2019/20 and April 2020/21 fishing years.

e) ACE round disputes held in trust

Sale of ACE from disputes arising in relation to the October 2019 and April 2020 ACE rounds required ACE to be sold to third parties at market value. Proceeds from these sales, after the deduction of costs, are held in trust for iwi until disputes are resolved.

	2020 \$000	2019 \$000
Balance as at 1 October	2,962	2,813
Income from sale of ACE	376	692
Income from interest	17	41
Administration costs incurred	(13)	(20)
Settled disputes distributed	-	(564)
Balance as at 30 September	3,342	2,962

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS

NOTE 14 – RELATED PARTY DISCLOSURE (continued)

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f) Payments to Te Ohu Kai Moana Directors

	\$000	\$000	\$000	\$000	\$000	\$000
Te Ohu Kai Moana Board Members	Board	Audit and Risk	Remuneration and Appointments	Portfolio Management Services	2020 Total	2019 Total
Jamie Tuuta (Chair to 5 Jul 2019)	-	-	-	-	-	57
Rangimarie Hunia (Chair from 16 Jul 2019)	75	1	3	1	80	47
Sir Mark Solomon (Deputy Chair)	52	6	5	13	76	63
Ken Mair	5	-	-	-	5	35
Hinerangi Raumati – Tu’ua	-	-	-	-	-	34
Selwyn Parata	35	-	3	-	38	38
Paki Rawiri	35	-	-	-	35	35
Bella Takiari-Brame	35	13	-	6	54	10
Pahia Turia	35	-	-	-	35	18
Alan Riwaka	30	-	-	-	30	-
Maru Samuels (alternate)	8	-	-	-	8	-
Kim Skelton (alternate)	12	-	-	-	12	12
	322	20	11	20	373	351

Independent Audit and Risk
Committee members and Directors
of Portfolio Management Services

Colleen Neville	-	-	-	-	-	1
Debra Birch	-	4	-	4	8	6
TOTAL	322	24	11	24	381	358

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS

86 **NOTE 14 – RELATED PARTY DISCLOSURE (continued)**

g) Te Ohu Kaimoana Director attendance at meetings

The Directors attended the following meetings during the year:

	Appointed	Retired	Board	Audit and Risk	Remuneration	Portfolio Management Services	Total meetings
Number of meetings held during the year			6	4	4	4	18
Te Ohu Kaimoana Board Members							
Sir Mark Solomon (Deputy Chair from 22 Dec 2015)	14 Feb 2013		5	4	4	4	17
Rangimarie Hunia (Chair from 16 Jul 2019)	10 Feb 2015		6	1	4	1	12
Selwyn Parata	1 Dec 2015		5	-	4	-	9
Paki Rawiri	1 Dec 2015		5	-	-	-	5
Kim Skelton	31 Jul 2018		6	-	-	-	6
Pahia Turia	31 Jul 2018		5	-	-	-	5
Bella Takiari-Brame	8 Jul 2018		6	4	-	4	14
Alan Riwaka	23 Nov 2019		6	-	-	-	6
Maru Samuels	10 Feb 2020		5	-	-	-	5
Independent Audit and Risk Committee members and Directors of Portfolio Management Services							
Debra Birch	6 Aug 2018	2 Jun 2020	-	3	-	3	6

h) Payments to Te Wai Māori Trustee Limited Directors from Te Wai Māori Trust

	Appointed	Retired	2020 \$000	2019 \$000
Directors				
Ken Mair (Chair)	17 Feb 2012	16 Feb 2020	10.5	27
Miria Pomare	2 Apr 2013		13.5	13.5
Lisa Te HeuHeu (Chair from 17 Feb 2020)	13 Apr 2017		20.8	13.5
Pahia Turia	17 Feb 2020		8.4	-
Donna Flavell (alternate)	9 May 2017		10	10
Ian Ruru (alternate)	25 Feb 2019		10	6
TOTAL			73	70

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS**NOTE 14 – RELATED PARTY DISCLOSURE (continued)**

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i) Payments to Te Pūtea Whakatupu Trustee Limited Directors from Te Pūtea Whakatupu Trust

	Appointed	Retired/Resigned	2020 \$000	2019 \$000
Directors				
Norman Dewes (Chair from 28 Nov 2017)	1 Mar 2017		14	18
Yvonne O'Brien	28 Nov 2017	26 Sep 2019	-	14
Kate Cherrington (Chair from 1 Feb 2018)	28 Nov 2017		31	26
Awerangi Tamihere	16 Jul 2019		13	1
Maria Ngawati (alternate)	16 Jul 2019		6	1
Tatiana Greening (alternate)	16 Jul 2019		6	1
TOTAL			70	61

j) Payments to Te Kāwai Taumata

	2020 \$000	2019 \$000
Sam Tamarapa	-	2.4
Kevin Robinson (Chair)	-	2.6
Heemi Biddle	-	2.4
Puhirake Ihaka	-	2.4
Joseph Thomas (Deputy Chair)	-	3
Judith MacDonald	-	2.4
Mike Paku	-	2.4
Glenn Tootill	-	2.4
Amiria Reriti	-	2.4
Rikirangi Gage	-	2.4
Sonny Tau	-	2.4
TOTAL	-	28.2

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS88 **NOTE 14 – RELATED PARTY DISCLOSURE (continued)****k) Subsidiaries, associates and other related parties**

The Trust's wholly owned subsidiary Charisma Developments Limited and all other entities that are established under the Maori Fisheries Act 2004 are considered to be related parties of the Trust.

	2020		2019	
	Income received/ cost recoveries \$000	Expenses paid \$000	Income received/ cost recoveries \$000	Expenses paid \$000
Aotearoa Fisheries Limited	59	36	53	14
Sealord Group	162	27	114	-
Te Pūtea Whakatupu Trust	183	4	163	-
Te Wai Māori Trust	544	12	447	15
Takutai Trust	258	-	328	14
TOTAL	1,206	79	1,105	43

l) Key management remuneration

			2020	2019
	From	To	Total no.	Total no.
Salaries and employee benefits	\$100,001	\$150,000	3	2
	\$150,001	\$200,000	3	2
	\$200,001	\$250,000	-	-
	\$250,001	\$300,000	1	1
			7	5

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS**NOTE 14 – RELATED PARTY DISCLOSURE
(continued)****m) Directors' interests**

The Trust holds a register of interests for all Directors of Te Ohu Kai Moana Trustee Limited and Te Ohu Kai Moana Portfolio Management Services Limited.

As at 30 September 2020, the Directors have the following interests:

Rangimarie Hunia (Chair)

Manaiakalani Education Trust (Trustee)
Tupu Toa Charitable Trust (Co-Chair)
Ngāti Whātua Ōrākei Whai Maia Limited
(Chief Executive)
Westpac Sustainability Panel (Panelist)

Sir Mark Solomon

Oaro M Incorporation (Member)
Ngāti Ruanui Holdings (Director)
He Toki ki te Rika / ki te Mahi (Patron)
Deep South National Science Challenge
Governance Board (Member)
Sustainable Seas National Science Challenge
Governance Board (Member)
Liquid Media Operations Limited (Shareholder)
Te Ohu Kai Moana Portfolio Management Services
Limited (Director)
Pure Advantage (Trustee)
Taranaki Capital Partners (Director)
New Zealand Police Commissioner's Māori Focus
Forum (Member)
Kaikōura Marine Guardians (Member)
Te Korowai o Te Tai o Marokura (Member)
Seed Limited (Chairman)
QuakeCoRE (Member)
Māori Carbon Foundation (Chair)
Te Pūtahitanga o Te Waipounamu (Chair)

Paki Rawiri

Ngāti Tūwharetoa Asset Holding Company Limited
(Director)
University of Waikato Council (Member)

Selwyn Parata

Te Rūnanganui o Ngāti Porou (Chairman)
Whareponga Marae (Chairman of Marae Committee
and Trustee)
Hiruharama Marae (Chairman of Marae Committee
and Trustee)

Pākihiroa Farms Limited (Chairman/Director)
Ngāti Porou Whānui Forests Limited (Director)
Pōhutu Incorporation (Chairman)
Te Matatini (Chairman)
New Zealand Police Commissioner Māori Focus
Forum (Member)
Iwi Chairs Forum (Member)
Te Pihopatanga o Aotearoa Trust Board (Chairman)
Hikurangi Takiwā (Trustee)

Pahia Turia

Te Rūnanga o Ngā Wairiki/Ngāti Apa (Chair)
Whānau Ora Commissioning Agency (Director)
Tūhono Limited (Member)
Te Hou Farms Limited (Chair)
Regional Economic Growth Strategy Leadership
Group Accelerate 25 (Member)
Te Roopu Ahi Kaa, Rangitikei District Council,
Iwi Relationship Board (Chair)
Te Manu Atatū Māori Business Network
(Deputy Chair)
Whanganui & Partners Economic Development
Agency (Director)
Māori Economic Strategy Group, Te Pai Tawhiti
(Chairman)
Iwi Chairs Forum, Coordination Group (Member)
Taipak Limited (Director)
Appliance Repair Care Limited (Director)
Taipak Properties Limited (Director)
Taipak Developments Limited (Director)
PART4U Limited (Director)
Ngā Wairiki Ngāti Apa Developments Limited
(Director)
Te Kūmete o Paerangi, Ngāti Rangī AHC (Director)

Bella Takiari-Brame

Maniapoto Māori Trust Board (Trustee and interim
Chief Executive)
Te Wānanga o Aotearoa (Council Member)
Hamilton Christian Night Shelter Trust (Trustee)
North King Country Development Trust (Trustee)
The Lines Company (Director)
Waikato Tainui Group Audit and Risk Committee
(Independent Member)
Crown Infrastructure Partners Limited (Director)
Maniapoto Fisheries Trust (Trustee)
Luana Limited (Managing Director)
Braemar Hospital Limited (Trustee)
Takiari-Brame Family Trust (Trustee)
Portfolio Management Services Limited (Director)

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS

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**NOTE 14 – RELATED PARTY DISCLOSURE
(continued)**

Alan Riwaka

Te Runanga o Ngāti Whātua (Manahautu)
Raukau Holdings (Director)
Amokura (Director)

Kim Skelton

Te Kotahitanga o Te Ātiawa Trust (Trustee)
Te Ātiawa Iwi Holdings Ltd Partnership (Director)
Te Ātiawa (Taranaki) Holdings Limited (Director)
Wellington Water Committee (Member)
Poutama Trust (Trustee)

Maru Samuels

Iwi Collective Partnership (ICP General Partner Limited)
(General Manager)
Joint Venture General Partner Limited (Director)
Deepwater Group (Director)
Trident Systems Limited (Director)
Te Mana o Ngā Tuna (Member)
Port Nicholson Facilities General Partner Limited
(Director)
Kōura Inc. General Partner Limited (Director)
Ngāti Maru (Taranaki) Fishing Limited (Director)
Northern Inshore Committee (Member)
Ngā Tapuwae a Maui (Chair)

Debbie Birch

THR General Partner Limited (Director)
Ngāti Awa Group Holdings Limited and subsidiaries
(Director)
Taupō Moana Investments Limited and subsidiaries
(Director)
Te Pūia Tāpapa GP Limited (Director)
Tourism Holdings Limited (Director)
Raukawa ki Te Tonga AHC Limited – (Director)
New Zealand Growth Capital Partners Limited (Director)

n) Employees' interests

The Trust holds a register of relevant interests for all employees.

As at 30 September 2020, senior employees have the following relevant interests:

Dion Tuuta

Te Ohu Kai Moana Custodian Limited (Director)
Port Nicholson Facilities General Partner Limited
(Director)

Kōura Inc. General Partner Limited (Director)
TSB Bank (Director)
Parinihi ki Waitōtara Incorporation
(Committee Member)
PKW Farms General Partner Limited (Director)
Seafood New Zealand Limited (Director)
Southern Seabird Solution Trust (Director)

Kim Drummond

Deepwater Group Limited (Director)
Seafood New Zealand Limited (Alternate Director)

Kirsty Woods

Potaka Whānau Trust (Trustee)
Te Wehi o Te Rangi Trust (Trustee)
Deepwater Group Limited (Alternate Director)
Aquaculture New Zealand Limited (Alternate Director)

Graeme Hastilow

Hongoeka 6A Trust (Trustee)
Kāpiti Island Strategic Advisory Committee
(Ngāti Toa Representative)
Te Rūnanga o Raukawa Whāiti (Alternate
Representative for Parewahawaha Marae)

Desiree Reynolds

Te Ohu Kai Moana Custodian Limited (Director)

Te Taiawatea Moko-Mead

Mokorina Whānau Trust (Trustee)
Federation of Māori Authorities (Committee Member)

**o) Aotearoa Fisheries Limited Directors (trading
as Moana New Zealand) appointed by Te Ohu Kai
Moana Trustee Limited**

**Directors of Aotearoa Fisheries Limited
(trading as Moana New Zealand Limited)**

Directors	Appointed/retired
Whaimutu Kent Dewes	Appointed 1 Oct 2011
Alan Gourdie	Appointed 1 Nov 2013
Anthony Hannon	Appointed 1 Nov 2013
Hinerangi Raumati	Appointed 29 Nov 2012
Jamie Tuuta	Retired 15 Jul 2020
Elizabeth Ward	Appointed 1 Nov 2013
Gregory Summerton	Appointed 1 May 2019
Jason Witehira	Appointed 1 Dec 2018
Mavis Mullins	Appointed 1 Aug 2020

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS**NOTE 15 – COMMITMENTS****p) Operating lease commitments**

	2020 \$000	2019 \$000
Future minimum rentals payable under non-cancellable operating lease as at 30 September are as follows:		
Payable within 1 year	131	131
1 to 2 years	131	131
2 to 5 years	121	244
Beyond 5 years	-	-
	383	503

The Trust has entered into commercial operating leases on an office building and certain office equipment.

These leases have an average life of between one and six years with no renewal option included in the contracts, except for the office building which has two rights of renewal of three years each. There are no restrictions placed upon the lessee by entering into these leases.

(ii) Capital commitments

There are no capital commitments as at 30 September 2020 (2019: nil).

NOTE 16 – FINANCIAL RISK MANAGEMENT

The Trust's principal financial instruments comprise cash and call, a share in the joint investment portfolio, receivables and payables.

The Trust contracts Te Ohu Kai Moana Portfolio Management Services Limited to manage its share in the joint investment portfolio including its exposure to key financial risks, particularly the credit and interest rate risk in accordance with the statement of investment policies and objectives. The objective of the policy is to support the delivery of the Trust's financial targets while protecting future financial security.

Exposure to credit and interest rate risks arise in the normal course of the Trust's business. The Trust is risk averse and has policies that seek to minimise its risk exposure from its treasury activities.

Liquidity risk

The Trust maintains prudent liquidity risk management which includes maintaining sufficient cash in accordance with its cash flow forecast and an investment portfolio that includes instruments that are readily convertible to cash.

All payables recorded within the Trust financial statements are current liabilities. Maori Fisheries Act assets allocated but not transferred are dependent upon the respective iwi completing certain formalities required under the Act to receive those assets and this process may take longer than 12 months. The Group has no long-term debt.

The amounts identified as Maori Fisheries Act classified reserves are held in trust until the respective iwi are either mandated in accordance with the Act or reach agreement on the distribution of assets in relation to their respective coastlines or harbours. Any cash amounts included among these reserves are included in cash flow forecasts as soon as the likelihood of any payment being required is identified.

Credit risk

Credit risk is the risk that a third party will default on its obligation to the Trust, causing the Trust to incur a loss. It arises from the financial assets of the Trust, which comprise cash, call and term deposits, trade and other receivables and financial assets at fair value through profit and loss.

The Trust's exposure to credit risk arises from potential default of the counterparty, with a maximum exposure equal to the carrying amounts of these instruments. The carrying amounts of these instruments that are presented in the balance sheet are the maximum exposure at reporting date.

The Trust does not hold any credit derivatives to offset its credit exposure.

The Trust does not require any collateral or security to support transactions with financial institutions. The counterparties used for banking and finance activities are financial institutions with high credit ratings and sovereign bodies.

The Trust limits the amount of credit exposure to any one financial institution.

TE OHU KAI MOANA GROUP
NOTES TO THE FINANCIAL STATEMENTS

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**NOTE 16 – FINANCIAL RISK
MANAGEMENT (Continued)****Fair values**

The carrying value of the financial instruments as detailed in Note 9 and as disclosed in the balance sheet is the fair value.

Credit facilities

The Trust has a Business MasterCard Facility limit of \$17,000 (2019: \$15,000) and a Payroll Letter of Credit Facility limit of \$100,000 (2019: \$100,000).

**NOTE 17 – EVENTS SUBSEQUENT TO
BALANCE DATE****Te Ohu Share of Moana dividend**

Te Ohu Kai Moana announced at the annual general meeting held 28 May 2020 that Te Ohu Kai Moana would again distribute Te Ohu Kai Moana's share of the Moana dividend for the year ending 30 September 2020. The Trust will send out written undertakings to mandated iwi organisations (MIOs) to confirm that the distribution will be used for fisheries purposes that are charitable. The response from MIOs is due by 21 January 2021.

Impact of COVID-19

On 11 March 2020 the World Health Organization declared the outbreak of COVID-19 a global pandemic. Two weeks later the New Zealand Government declared a state of national emergency. Since 26 March 2020 the country has been through various Alert Levels, commencing with a complete lockdown period at Alert Level 4 from 26 March to 27 April 2020.

COVID-19 negatively impacted the performance of global investment markets. This resulted in a reduction in investment return during March and April 2020. Investment returns have subsequently returned to levels experienced prior to the outbreak. COVID-19 may continue to affect the investment returns going forward; however, at this time it is not practicable to provide a quantitative or qualitative estimate of the potential impact.

Independent auditor's report to the Beneficiaries of Te Ohu Kai Moana Group Report on the audit of the financial statements

Opinion

We have audited the financial statements of Te Ohu Kai Moana Group ("the Group") on pages 67 to 92, which comprise the balance sheet of the Group as at 30 September 2020, and the statement of comprehensive revenue and expense, statement of changes in equity and statement of cash flows for the year then ended of the Group, and the notes to the financial statements including a summary of significant accounting policies.

In our opinion, the financial statements on pages 67 to 92 present fairly, in all material respects, the financial position of the Group as at 30 September 2020 and its financial performance and cash flows for the year then ended in accordance with Public Benefit Entity Standards Reduced Disclosure Regime.

This report is made solely to the Group's beneficiaries as a body. Our audit has been undertaken so that we might state to the Group's beneficiaries those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Group and the Group's beneficiaries as a body, for our audit work, for this report, or for the opinions we have formed.

Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (New Zealand). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report.

We are independent of the Group in accordance with Professional and Ethical Standard 1 International Code of Ethics for Assurance Practitioners (including International Independence Standards) (New Zealand) issued by the New Zealand Auditing and Assurance Standards Board, and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Ernst & Young provides other assurance services to the Group. Partners and employees of our firm may deal with the Group on normal terms within the ordinary course of trading activities of the business of the Group. We have no other relationship with, or interest in, the Group.

Information other than the financial statements and auditor's report

Those charged with governance are responsible for the Annual Report, which includes information other than the financial statements and auditor's report which is expected to be made available to us after this auditor's report.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained during the audit, or otherwise appears to be materially misstated.

Those charged with governance responsibilities for the financial statements

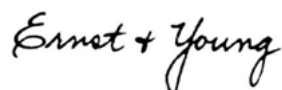
Those charged with Governance are responsible, on behalf of the entity, for the preparation and fair presentation of the financial statements in accordance with Public Benefit Entity Standards Reduced Disclosure Regime, and for such internal control as those charged with governance determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, those charged with governance are responsible for assessing on behalf of the entity the Group's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless those charged with governance either intend to liquidate the Group or cease operations, or have no realistic alternative but to do so.

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with International Standards on Auditing (New Zealand) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of our responsibilities for the audit of the financial statements is located at the External Reporting Board website: <https://www.xrb.govt.nz/standards-for-assurance-practitioners/auditors-responsibilities/audit-report-7/>. This description forms part of our auditor's report.



Chartered Accountants
Wellington
1 December 2020



TE OHU KAI MOANA TRUSTEE LIMITED

Performance Report

For the year ended 30 September 2020

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TE OHU KAI MOANA TRUSTEE LIMITED

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TE OHU KAI MOANA TRUSTEE LIMITED DIRECTORS' REPORT
for the year ended 30 September 2020

The Directors for Te Ohu Kai Moana Trustee Limited for the year covered by this report were:

Rangimarie Hunia (Chair)	Appointed 1 Dec 2015
Sir Mark Solomon (Deputy Chair)	Appointed Director 14 Feb 2013
Ken Mair	Appointed 23 Nov 2011 – Retired 22 Nov 2019
Selwyn Parata	Appointed 1 Dec 2015
Paki Rawiri	Appointed 1 Dec 2015
Bella Takiari-Brame	Appointed 8 Jul 2019
Pahia Turia	Appointed 8 Jul 2019
Alan Riwaka	Appointed 23 Nov 2019
Kim Skelton (Alternate)	Appointed 31 Jul 2018
Maru Samuels (Alternate)	Appointed 10 Feb 2020

Share capital

One ordinary share

Joint shareholders

All Directors are joint shareholders of the company.

Registered office

Level 4, The Woolstore Professional Centre
158 The Terrace
Wellington 6011

Principal activities:

The company's activities are limited to acting as Trustee for Te Ohu Kaimoana Trust and the Maori Commercial Aquaculture Settlement Trust (Takutai Trust).

For and on behalf of the Board


Director

1 December 2020

Date

TE OHU KAI MOANA TRUSTEE LIMITED

TE OHU KAI MOANA TRUSTEE LIMITED ANNUAL REPORT
for the year ended 30 September 2020

The Board of Directors present their annual report including the performance report of the company for the year ended 30 September 2020.

The shareholder of the company has exercised its right under section 211 (3) of the Companies Act 1993 and agreed that this annual report need not comply with any of the paragraphs (a) and (e) to (j) of subsection (1) of section 211 of the Act.

For and on behalf of the Board



Director

1 December 2020

Date



Director

1 December 2020

Date

TE OHU KAI MOANA TRUSTEE LIMITED

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TE OHU KAI MOANA TRUSTEE LIMITED
STATEMENT OF FINANCIAL PERFORMANCE

for the year ended 30 September 2020

	2020	2019
	\$	\$
Expenses recovered from Te Ohu Kai Moana Trust and Takutai Trust	-	-
Gross income	-	-
Trustee expenses	-	-
Total expenses	-	-
Net surplus/(loss)	-	-
Tax expense	-	-
Net surplus/(loss) after tax	-	-

The above statement of financial performance should be read in conjunction with the accompanying notes on page 101.

TE OHU KAI MOANA TRUSTEE LIMITED

TE OHU KAI MOANA TRUSTEE LIMITED
STATEMENT OF CHANGES IN EQUITY

for the year ended 30 September 2020

	Capital	Retained Earnings	Total
	\$	\$	\$
Balance at 1 October 2019	-	-	-
Net surplus for the year	-	-	-
Total comprehensive income for the year	-	-	-
Balance at 30 September 2020	-	-	-

	Capital	Retained Earnings	Total
	\$	\$	\$
Balance at 1 October 2018	-	-	-
Net surplus for the year	-	-	-
Total comprehensive income for the year	-	-	-
Balance at 30 September 2019	-	-	-

The above statement of changes in equity should be read in conjunction with the accompanying notes on page 101.

TE OHU KAI MOANA TRUSTEE LIMITED

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**TE OHU KAI MOANA TRUSTEE LIMITED
BALANCE SHEET**

as at 30 September 2020

	2020 \$	2019 \$
Total capital	-	-

Represented by:

Net assets	-	-
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The above balance sheet should be read in conjunction with the accompanying notes on page 101.

Signed on behalf of the Board of Directors who authorised these financial statements for issue on 1 December 2020.



Director



Director

TE OHU KAI MOANA TRUSTEE LIMITED
NOTES TO THE FINANCIAL STATEMENTS**TE OHU KAI MOANA TRUSTEE LIMITED
NOTES TO THE FINANCIAL STATEMENTS**

for the year ended 30 September 2020

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NOTE 1 – REPORTING ENTITY

Te Ohu Kai Moana Trustee Limited (the Trustee) is a company registered under the Companies Act 1993 and was incorporated on 26 November 2004.

The activities of the company are restricted by the Maori Fisheries Act 2004 and the Maori Commercial Aquaculture Claims Settlement Act 2004 to acting as the trustees of Te Ohu Kai Moana Trust and the Maori Commercial Aquaculture Settlement Trust (Takutai Trust) respectively.

The Board of Te Ohu Kai Moana Trustee Limited also holds a single share in Te Pūtea Whakatapu Trustee Limited and Te Wai Māori Trustee Limited.

In 2009, the Trustee became the single shareholder in Te Ohu Kaimoana Portfolio Management Services Limited and Te Ohu Kai Moana Custodian Limited respectively.

Apart from that, the company undertakes no other activities.

The Trustee is reimbursed from each trust's fund for all costs it incurs in its capacity as trustee.

The company is domiciled in New Zealand.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The following specific accounting policy, which materially affect the measurement of financial performance, movements in equity and financial position, has been established and consistently applied.

a) Basis of preparation

The company is permitted by law to apply Public Benefit Entity Simple Format Reporting – Cash (Not-For-Profit) (PBE SFR-C (NFP)) and has elected to do so. All transactions are reported on a cash basis.

NOTE 3 – RELATED PARTY DISCLOSURE

The Trustee administers both Te Ohu Kai Moana Trust and Takutai Trust and is reimbursed by these trusts for all trustee expenses.

NOTE 4 – EVENTS SUBSEQUENT TO BALANCE DATE

There were no events subsequent to balance date requiring reassessment of estimates made at reporting date or disclosure in these financial statements.



Independent auditor's report to the Shareholders of Te Ohu Kai Moana Trustee Limited

Opinion

We have audited the financial statements of Te Ohu Kai Moana Trustee Limited ("the Company") on pages 98 to 101, which comprise the balance sheet of the Company as at 30 September 2020, and the statement of financial performance and statement of changes in equity for the year then ended of the Company, and the notes to the financial statements including a summary of significant accounting policies.

In our opinion, the financial statements on pages 98 to 101 present fairly, in all material respects, the financial position of the Company as at 30 September 2020 and its financial performance for the year then ended in accordance with Public Benefit Entity Simple Format Reporting - Cash (Not-For-Profit) issued by the New Zealand Accounting Standards Board.

This report is made solely to the Company's shareholders, as a body. Our audit has been undertaken so that we might state to the Company's shareholders those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Company and the Company's shareholders, as a body, for our audit work, for this report, or for the opinions we have formed.

Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (New Zealand). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report.

We are independent of the Company in accordance with Professional and Ethical Standard 1 *International Code of Ethics for Assurance Practitioners (including International Independence Standards) (New Zealand)* issued by the New Zealand Auditing and Assurance Standards Board, and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Other than in our capacity as auditor we have no relationship with, or interest in, the Company.

Information other than the financial statements and auditor's report

The directors of the Company are responsible for the Annual Report, which includes information other than the financial statements and auditor's report.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained during the audit, or otherwise appears to be materially misstated.



Directors' responsibilities for the financial statements

The directors are responsible, on behalf of the Company, for the preparation and fair presentation of the financial statements in accordance with Public Benefit Entity Simple Format Reporting - Cash (Not-For-Profit), and for such internal control as the directors determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the directors are responsible for assessing on behalf of the entity the Company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the Company or cease operations, or have no realistic alternative but to do so.

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with International Standards on Auditing (New Zealand) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of our responsibilities for the audit of the financial statements is located at the External Reporting Board website: <https://www.xrb.govt.nz/standards-for-assurance-practitioners/auditors-responsibilities/audit-report-8/>. This description forms part of our auditor's report.

The logo for Ernst & Young, featuring the company name in a stylized, cursive script.

Chartered Accountants
Wellington
1 December 2020



THE MAORI COMMERCIAL AQUACULTURE SETTLEMENT TRUST (TAKUTAI TRUST)

Financial Statements

For the year ended 30 September 2020

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TAKUTAI TRUST

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**TAKUTAI TRUST
TRUSTEE'S REPORT**

for the year ended 30 September 2020

Legal name of entityMaori Commercial Aquaculture Settlement Trust
(Takutai)**Other name of entity (if any)**

Takutai Trust

Type of entity and legal basis

Registered charity – charity number CC33531

Entity's purpose or mission

The Trust was established pursuant to the Māori Commercial Aquaculture Claims Settlement Act 2004 (the Act). In accordance with the Act, the objectives of Takutai Trust involve representing Māori interests in relation to the aquaculture settlement and holding and transferring to iwi settlement assets received from the Crown and regional councils.

Entity structure

The Act appointed Te Ohu Kai Moana Trustee Limited (the Trustee) to act as corporate trustee and provides for the reasonable costs and expenses of the Trustee in carrying out its duties to be met from money appropriated by Parliament. That money is provided to the Trustee in accordance with a funding agreement between Te Ohu Kai Moana Trustee and the Crown.

Main sources of the entity's cash and resources

On 5 August 2005, a funding agreement was signed with the Ministry for Primary Industries (MPI) to cover services provided and costs recovered by Te Ohu Kai Moana Trustee Limited on behalf of Takutai Trust. In each year, funding from the MPI will, from money appropriated by Parliament for that purpose, meet the reasonable costs and expenses of the Trustee in performing its duties under section 38(1) as required by the Act. The Trustee will neither profit nor itself bear any of those costs or expenses as a result of carrying out those duties. The Ministry provides funding in accordance with an agreed budget each year.

At year-end, actual variances against the budget are either refunded to the Ministry or topped up if required.

Main methods used by the entity to raise funds

Takutai Trust does not raise funds.

Entity's reliance on volunteers and donated goods or services

Takutai Trust does not rely on volunteers and donated goods or services to raise funds.

Physical Address

Level 4, The Woolstore
Professional Centre
158 The Terrace
Wellington 6011

Postal Address

PO Box 3277
Wellington 6140

For and on behalf of the Trustee


Director

1 December 2020

Date

TAKUTAI TRUST

TAKUTAI TRUST
STATEMENT OF SERVICE PERFORMANCE

for the year ended 30 September 2020

TRUST OUTCOMES

Te Ohu Kai Moana Trustee Limited (Te Ohu Kaimoana) is the corporate trustee of the Maori Commercial Aquaculture Settlement Trust, known as Takutai Trust (the Trust). The purpose of the Trust is to:

- › facilitate regional aquaculture settlements between iwi aquaculture organisations (IAOs) of a region and the Crown;
- › receive regional aquaculture settlement assets;
- › hold and maintain those settlement assets; and
- › facilitate the allocation and transfer of those regional aquaculture settlement assets to relevant iwi.

TRUST OUTPUTS

Priorities for 2019/20 year

Note that for each regional new space and pre-commencement space settlement, there are two agreements required: a regional agreement signed between iwi and the Crown outlining the details of the settlement; and an allocation agreement signed between all iwi in the region, which is an agreement on how the settlement assets will be shared between them. The tables below outline progress made toward both the regional settlement with the Crown and the allocation of assets to iwi.

Pre-commencement space settlements

Iwi in the Bay of Plenty and Wellington and Northland regions sign allocation agreements for regional pre-commencement space settlement assets and Te Ohu Kaimoana transfers those assets in accordance with those agreements.

Region	Regional agreement	Date of regional agreement	Allocation agreement	Date of allocation agreement
Bay of Plenty	Regional agreement signed	2014	The assets cannot be allocated and transferred without an amendment to the Maori Commercial Aquaculture Claims Settlement Act 2004 (the Act).	On 6 August 2020 the Minister for Fisheries introduced a Bill to Parliament to amend the Maori Commercial Aquaculture Claims Settlement Act 2004. The Bill has not yet had its first reading.
Wellington	The Crown transferred the remaining settlement pre-commencement assets for Wellington to Te Ohu Kaimoana using the financial equivalent method.	March 2017	Allocation discussions between all six Wellington IAOs were paused while some of these same iwi carry out separate conversations between themselves regarding allocation of Fisheries Settlement assets. Once an outcome is reached in terms of those discussions, then discussions on allocation of the remaining settlement pre-commencement assets will resume.	In July 2020, Ngāti Toa and Te Ātiawa (Wellington) reached an agreement between themselves regarding allocation of certain Fisheries Settlement assets. With that issue now resolved, staff will re-engage with all six Wellington IAOs about allocation of Wellington region aquaculture settlement assets in the 2020–21 financial year.

TAKUTAI TRUST

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Northland	The Crown transferred the remaining settlement pre-commencement assets for Northland to Te Ohu Kaimoana using the financial equivalent method.	March 2017	The remaining assets cannot be allocated and transferred without an amendment to the Maori Commercial Aquaculture Claims Settlement Act 2004 (the Act).	On 6 August 2020 the Minister for Fisheries introduced a Bill to Parliament to amend the Maori Commercial Aquaculture Claims Settlement Act 2004. The Bill has not yet had its first reading.
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New space settlements

Iwi in the Southland, Bay of Plenty and Waikato West regions sign regional agreements with the Crown to satisfy the Crown's regional new space obligations.

Iwi in the Northland, Wellington, Southland, Bay of Plenty and Waikato West regions sign allocation agreements and Te Ohu Kaimoana transfers assets in accordance with those agreements.

Region	Regional agreement	Date of regional agreement	Allocation agreement	Date of allocation agreement
Southland	In progress – deadline extended to 30 April 2021	-	-	-
Bay of Plenty	In progress – deadline extended to 30 June 2021	-	-	-
Waikato West	In progress – deadline extended to 6 March 2022	-	-	-
Northland	S11(5) 'default' transfer of assets to Te Ohu Kaimoana	December 2015	Schedule 1 Coastline Allocation Entitlement Claims submitted by some IAOs (not all) for a portion of the assets. The remaining assets cannot be allocated and transferred without an amendment to the Act.	Schedule 1 Claims submitted in August 2019. Work to achieve an Allocation Agreement is ongoing.
Wellington	S11(5) 'default' transfer of assets to Te Ohu Kaimoana	July 2016	Allocation discussions between all six Wellington IAOs have been paused while some of these same iwi carry out separate conversations between themselves regarding allocation of Fisheries Settlement assets. Once an outcome is reached in terms of those discussions, then discussions on allocation of the remaining settlement pre-commencement assets will resume.	In July 2020, Ngāti Toa and Te Ātiawa (Wellington) reached an agreement between themselves regarding allocation of certain Fisheries Settlement assets. With that issue now resolved, staff will re-engage with all six Wellington IAOs about allocation of Wellington region aquaculture settlement assets in the 2020–21 financial year.

TAKUTAI TRUST

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In addition:

- › We worked with the Minister of Fisheries and his officials to progress our proposal to amend the Act.
- › We worked with Fisheries New Zealand to jointly commission an independent evaluation of the benefits of the delivery of the new space settlement.
- › We worked with Fisheries New Zealand to progress the review of the Minister's New Space plan.
- › We continued to participate in a working group established to review the 2011 GLM9 Management Plan and its associated operations, including the code of conduct to apply to any spat harvesting on Te Oneroa-a-Tōhē (90 Mile Beach).
- › We continued to engage with iwi, the Crown and industry about the potential for open ocean aquaculture development in New Zealand. This involved participating in a series of MPI-convened workshops focused on the development of a policy framework to guide open ocean aquaculture development. We also convened separate workshops with iwi.
- › On 21 August 2020 an aquaculture settlement area (ASA) was gazetted off the north-eastern coast of Rakiura. An authorisation to develop the ASA is intended to be transferred to Ngāi Tahu as part of the Southland New Space regional agreement.
- › We continued to participate as a Director of Aquaculture New Zealand.

TAKUTAI TRUST

TAKUTAI TRUST
STATEMENT OF FINANCIAL PERFORMANCE
 for the year ended 30 September 2020

	Note	2020 \$000	2019 \$000
Revenue			
Interest received on settlement assets held by Trustee		84	253
Funding received from Ministry for Primary Industries		561	597
Total revenue		645	850
Expenses			
Administration		2	3
Fees paid to auditor – financial statements		6	5
Fees paid to auditor – funding agreement review		4	4
Apportioned Trustee overheads	6	182	217
Professional services	6	323	310
External reporting and communication		2	17
Travel and accommodation		42	41
Allocations to settlement assets held on behalf of iwi		84	253
Total expenses		645	850
Net surplus/(deficit) for the year		-	-

The above statement of financial performance should be read in conjunction with the accompanying notes on pages 113–117.

TAKUTAI TRUST

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TAKUTAI TRUST
STATEMENT OF CHANGES IN EQUITY

for the year ended 30 September 2020

	Trust Capital \$000	Retained Earnings \$000	Total \$000
Balance at 1 October 2019	-	-	-
Settlement assets received from the Crown	-	-	-
Net surplus for the year	-	-	-
Total comprehensive income for the year	-	-	-
Allocation of settlement assets to iwi	-	-	-
Balance at 30 September 2020	-	-	-

	Trust Capital \$000	Retained Earnings \$000	Total \$000
Balance at 1 October 2018	-	-	-
Settlement assets received from the Crown	-	-	-
Net surplus for the year	-	-	-
Total comprehensive income for the year	-	-	-
Allocation of settlement assets to iwi	-	-	-
Balance at 30 September 2019	-	-	-

The above statement of changes in equity should be read in conjunction with the accompanying notes on pages 113–117.

TAKUTAI TRUST

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TAKUTAI TRUST
STATEMENT OF FINANCIAL POSITION

for the year ended 30 September 2020

	Note	2020 \$000	2019 \$000
Equity			
Retained earnings		-	-
Total equity		-	-
Represented by:			
Current assets			
Bank accounts and cash	7	4,349	5,717
GST receivable		64	13
Receivables		-	16
Total assets		4,413	5,746
Current liabilities			
Settlement assets held on behalf of iwi			
Pre-commencement settlements	4	3,050	2,982
New space settlements	5	704	2,228
Ministry for Primary Industries		105	179
Other current liabilities	7	554	357
Total liabilities		4,413	5,746
Net assets		-	-

The above balance sheet should be read in conjunction with the accompanying notes on pages 113–117.

Signed on behalf of the Trustee who authorised these financial statements for issue on 1 December 2020.



Director



Director

TAKUTAI TRUST
NOTES TO THE FINANCIAL STATEMENTS

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TAKUTAI TRUST
STATEMENT OF CASH FLOW
for the year ended 30 September 2020

	2020	2019
	\$000	\$000
Cash flows from operating activities		
Cash was received from:		
Funding from Ministry for Primary Industries	559	597
Interest, dividends and other investment receipts	89	253
Cash was applied to:		
Payments to suppliers and employees	465	291
Distributions to iwi	1,551	3,885
Net cash flows applied to operating activities	(1,368)	(3,326)
Net decrease in cash	(1,368)	(3,326)
Opening cash	5,717	9,043
Closing cash	4,349	5,717
This is represented by:		
Bank accounts and cash	4,349	5,717

TAKUTAI TRUST
NOTES TO THE FINANCIAL STATEMENTSTAKUTAI TRUST
NOTES TO THE FINANCIAL STATEMENTS

for the year ended 30 September 2020

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NOTE 1 – REPORTING ENTITY

The Maori Commercial Aquaculture Settlement Trust (Takutai Trust) was established pursuant to the Maori Commercial Claims Settlement Act 2004 (the Act). In accordance with the Act, the objectives of Takutai Trust involve representing Māori interests in relation to the aquaculture settlement and holding, maintaining and transferring to iwi settlement assets received from the Crown and regional councils. Takutai Trust is domiciled in New Zealand.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The following specific accounting policies, which materially affect the measurement of financial performance, movements in equity and financial position, have been established and consistently applied.

Basis of preparation

Takutai Trust has elected to apply Public Benefit Entity Simple Format Reporting – Accrual (Not-For-Profit) (PBE SFR-A (NFP)) on the basis that it does not have public accountability and has total annual expenses of equal to or less than \$2 million. All transactions in the performance report are reported using the accrual basis of accounting. The performance report is prepared under the assumption that the entity will continue to operate in the foreseeable future.

Basis of measurement

The measurement and reporting of financial performance, movements in equity, financial position and cash flows is based on historical cost. Takutai Trust is considered a going concern.

Taxation

Takutai Trust is registered as a charitable organisation with the Department of Internal Affairs and is therefore treated as exempt from income tax.

Goods and services tax (GST)

These financial statements have been prepared on a GST-exclusive basis with the exception of receivables and payables, which are stated inclusive of GST.

Bank accounts and cash

Bank accounts and cash in the statement of cash flows comprise cash balances held with Westpac.

Receivables

Receivables, which generally have standard commercial terms of trade, are recognised and are carried at original invoice amount or less an allowance for amounts to be uncollectible.

Impairment

The carrying amounts of Takutai Trust's assets are reviewed at each reporting date to determine whether there is any indication of impairment. An impairment loss is recognised whenever the carrying amount of an asset exceeds its recoverable amount. If it is not possible to estimate the recoverable amount of the individual asset, Takutai Trust determines the recoverable amount of the cash-generating unit to which the asset belongs.

Revenue recognition

Revenue is recognised and measured at the fair value of the consideration received or receivable to the extent it is probable that the economic benefits will flow to Takutai Trust and the revenue can be reliably measured.

Settlement liabilities

Regional agreements finalised and agreed between the Crown and iwi are held as current liabilities in the balance sheet until such time as iwi in the relevant region are able to agree on the share of assets.

Changes in accounting policies

There have been no changes in accounting policies during the financial year (2019: nil).

NOTE 3 – RELATED PARTY DISCLOSURE

The operations of Takutai Trust are administered by Te Ohu Kai Moana Trustee Limited. This year, costs were \$229,000 (2019: \$217,000). Cost incurred by the Trustee on behalf of the Trust of \$47,000 (2019: \$112,000) are reimbursed by the Trust as they are incurred.

Directors' costs are recovered by Te Ohu Kai Moana Trustee Limited through the reimbursement process.

TAKUTAI TRUST
NOTES TO THE FINANCIAL STATEMENTS

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NOTE 4 – PRE-COMMENCEMENT SETTLEMENTS HELD ON BEHALF OF IWI

	2020	2019
	\$000	\$000
Pre-commencement settlements		
Bay of Plenty regional coastline and Ōhiwa Harbour	2,561	2,498
Wellington	39	38
Northland	450	446
Pre-commencement settlements held on behalf of iwi	3,050	2,982
Pre-commencement settlement assets received and distributed		
Opening balance at 1 October	2,982	2,892
Interest received while funds held by Trustee	68	90
Total settlements received	3,050	2,982
Distributions of settlement assets to:		
Total settlements distributed	-	-
Pre-commencement settlement funds held on behalf of iwi as at 30 September	3,050	2,982

TAKUTAI TRUST
NOTES TO THE FINANCIAL STATEMENTS

NOTE 5 – NEW SPACE SETTLEMENTS

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	2020	2019
	\$000	\$000
New space settlements		
Northland	694	2,218
Wellington	10	10
New space settlements held on behalf of iwi	704	2,228
New space settlement assets received and distributed		
Opening balance at 1 October	2,228	7,225
Interest received while funds held by Trustee	15	162
Total settlements received	2,243	7,388
Distributions of settlement assets to:		
Canterbury region		
Te Rūnanga o Ngāi Tahu	-	(1,263)
Northland region		
Ngātiwai Trust Board	-	(1,096)
Te Rūnanga o Te Rarawa	-	(585)
Ngā Taonga o Ngāi Takoto Trust	-	(515)
Te Rūnanga o Ngāti Whātua	-	(808)
Te Rūnanga-Ā-Iwi o Ngāpuhi	-	(880)
Te Aupouri Commercial Development Limited	(506)	-
Ngāti Kuri Trust Board	(515)	-
Te Rūnanga O Whaingaroa	(508)	-
Resident withholding tax	(10)	(12)
Total settlements distributed	(1,539)	(5,159)
New space settlement assets held on behalf of iwi as at 30 September	704	2,228

NOTE 6 – ANALYSIS OF EXPENSES

Expense item	Analysis	2020 \$000	2019 \$000
Apportioned Trustee overheads	Infrastructure	50	72
	HR charge	132	145
Total		182	217

Expense item	Analysis	2020 \$000	2019 \$000
Professional services	Consultant	275	284
	Legal	48	26
Total		323	310

NOTE 7 – ANALYSIS OF ASSETS AND LIABILITIES

Asset item	Analysis	2020 \$000	2019 \$000
Bank accounts and cash	Westpac cheque account	27	2,239
	Westpac call account	1,065	980
	Westpac term deposit	3,257	2,498
Total		4,349	5,717

Liability item	Analysis	2020 \$000	2019 \$000
Other current liabilities	Accounts payable	489	85
	Accruals	65	272
Total		554	357

NOTE 8 – EVENTS SUBSEQUENT TO REPORTING DATE

There were no events that have occurred after the balance date that would have a material impact on the performance report (2019: nil).

NOTE 9 – IMPACT OF COVID-19

On 11 March 2020 the World Health Organization declared the outbreak of COVID-19 a global pandemic. Two weeks later the New Zealand Government declared a state of national emergency. Since 26 March 2020 the country has been through various Alert Levels, commencing with a complete lockdown period at Alert Level 4 from 26 March to 27 April 2020. Takutai Trust's operations have been uninterrupted since 26 March 2020.

For the year ended 30 September 2020, COVID-19 has not had a significant impact on Takutai Trust's financial performance or position. COVID-19 may continue to affect the Trust going forward; however, at this time it is not practicable to provide a quantitative or qualitative estimate of the potential impact.

Independent Auditor's Report

To the Beneficiaries of the Maori Commercial Aquaculture Settlement Trust

Report on the Performance Report

We have audited the performance report of the Maori Commercial Aquaculture Settlement Trust (the "Trust") on pages 105 to 117, which comprises the Trustee's report, the statement of service performance, the statement of financial performance, the statement of changes in equity and statement of cash flows for the year ended 30 September 2020, the statement of financial position of the Trust as at 30 September 2020, and the statement of accounting policies and other explanatory information.

In our opinion:

- ▶ the reported outcomes and outputs, and quantification of the outputs to the extent practicable, in the statement of service performance are suitable;
- ▶ the accompanying performance report on pages 105 to 117 presents fairly, in all material respects
 - ▶ the Trustee's report information for the year ended 30 September 2020;
 - ▶ the service performance for the year then ended; and
 - ▶ the financial position of the Trust as at 30 September 2020, and its financial performance, and cash flows for the year then ended

in accordance with Public Benefit Entity Simple Format Reporting - Accrual (Not-For-Profit) issued by the New Zealand Accounting Standards Board.

This report is made solely to the members of the Trust, as a body. Our audit has been undertaken so that we might state to the Trust's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Trust and the Trust's members as a body, for our audit work, for this report, or for the opinions we have formed.

Basis for Opinion

We conducted our audit of the statement of financial performance, statement of financial position, statement of cash flows, statement of accounting policies and notes to the performance report in accordance with International Standards on Auditing (New Zealand), and the audit of the Trust information and statement of service performance in accordance with the International Standard on Assurance Engagements (New Zealand) ISAE (NZ) 3000 (Revised). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Performance Report section of our report.

We are independent of the Trust in accordance with Professional and Ethical Standard 1 *International Code of Ethics for Assurance Practitioners (including International Independence Standards) (New Zealand)* issued by the New Zealand Auditing and Assurance Standards Board, and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

We provide other assurance services to the Trust. We have no other relationship with, or interest in, the Trust.

Trustee's Responsibility for the Performance Report

The Trustee is responsible on behalf of the Trust for:

- ▶ Identifying outcomes and outputs, and quantifying the outputs to the extent practicable, that are relevant, reliable, comparable and understandable, to report in the statement of service performance;
- ▶ the preparation and fair presentation of the performance report on behalf of the entity which comprises:
 - ▶ the Trust information;
 - ▶ the statement of service performance; and
 - ▶ the statement of financial performance, statement of financial position, statement of cash flows, statement of accounting policies and notes to the performance report

in accordance with Public Benefit Entity Simple Format Reporting - Accrual (Not-For-Profit) issued in New Zealand by the New Zealand Accounting Standards Board, and

- ▶ for such internal control as the Trustee determines is necessary to enable the preparation of the performance report that is free from material misstatement, whether due to fraud or error.

In preparing the performance report, the Trustee is responsible on behalf of Trust for assessing the Trust's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Trustee either intends to liquidate the Trust or cease operations, or have no realistic alternative but to do so.

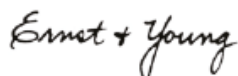
Auditor's Responsibility

Our objectives are to obtain reasonable assurance about whether the performance report is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (NZ) and ISAE (NZ) 3000 (Revised) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this performance report.

As part of an audit in accordance with ISAs (NZ) and ISAE (NZ) 3000 (Revised), we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- ▶ Identify and assess the risks of material misstatement of the performance report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- ▶ Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control.
- ▶ Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- ▶ Conclude on the appropriateness of the use of the going concern basis of accounting by the Trustee and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Trust's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the performance report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Trust to cease to continue as a going concern.
- ▶ Evaluate the overall presentation, structure and content of the performance report, including the disclosures, and whether the performance report represents the underlying transactions and events in a manner that achieves fair presentation.
- ▶ Perform procedures to obtain evidence about and evaluate whether the reported outcomes and outputs, and quantification of the outputs to the extent practicable, are relevant, reliable, comparable and understandable.

We communicate with the Trustee regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.



Chartered Accountants
Wellington
1 December 2020



Annual General Meeting Minutes
Te Ohu Kaimoana Annual General Meeting
28 May 2020, Zoom video conference

Present: Rangimarie Hunia, Tā Mark Solomon, Alan Riwaka, Pahia Turia, Selwyn Parata, Maru Samuels (Alternate) and Kim Skelton (Alternate), Bella Takiari-Brame

Management: Dion Tuuta, Kim Drummond, Desiree Reynolds, Charlie MacKay, Bede Dwyer, Graeme Hastilow

Mihi/Karakia: Pahia Turia and Selwyn Parata

Chair's presentation – Rangimarie Hunia

Rangimarie Hunia (Chair) began Te Ohu Kaimoana's AGM presentation with an acknowledgement of the challenges presenting an AGM as a webinar. She outlined the agenda for the hui and explained how questions and answers would work via Zoom webinar.

Rangimarie spoke about the challenges presented by COVID-19, and opportunities to live out Te Hā o Tangaroa kia ora ai tāua. Rangimarie acknowledged all board members of Te Ohu Kaimoana and the wider Kāhui o Te Ohu Kaimoana.

The Chair reported on the following matters as part of an update from Te Ohu Kaimoana:

- > **Governance and succession:**
 - Hinerangi Raumatī Tu'ua, Ken Mair and Jamie Tuuta retired from the Te Ohu Kaimoana Board. Bella Takiari-Brame, Pahia Tura, Alan Riwaka appointed as Directors, Maru Samuels as Alternate Director and herself as Chair.
 - Ken Mair retired as Chair of Te Wai Māori Trust and Lisa Te Heuheu was appointed as Chair.

TE OHU KAIMOANA TRUSTEE LIMITED

- Te Pūtea Whakatupu accepted the resignation of Evie O'Brien, and appointed Awerangi Tamihere as Director and Tatiana Greening and Maria Ngawati as Alternate Directors.
- Jamie Tuuta and Whaimutu Dewes reach their full terms serving on the Moana New Zealand Board in the coming year; Steve Yung's departure from Sealord with the appointment of Doug Paulin as incoming CEO also acknowledged.
- > **Iwi and Crown partnership in fisheries management:** Reflecting on the vision of the Māori Fishing Strategy which speaks to the partnership between iwi and Crown, despite good work, the Government continues to view Treaty relationship in a different light to Māori. This remains challenging. The goal of collective iwi action to lead fisheries management remains. COVID-19 has demonstrated the way iwi can do this to address wider challenges.
- > **2019/20 financial year:** Final year of the three-year strategy following the statutory review process. The goal was to reorganise Te Ohu Kaimoana to add value to iwi and fisheries by embarking on a refreshed strategy process together with the Kāhui and reinstating four-yearly independent (temporarily suspended during statutory review process).

- > **Strategic overview:**
 - **Legislative overview:** Progress on Maori Fisheries Act (MFA) amendments stymied in coalition government despite struggle and effort to get recommendations across the line. Awaiting the 2020 election results to see what progress can be made. On a positive note, good progress on amendments to the Aquaculture Claims Settlement Bill which is expected to be introduced into the House this year. Te Ohu Kaimoana also passed through the Moana New Zealand dividend, resolved subject to solvency requirements until the MFA passed.
 - **Rights protection:** Significant policy work undertaken around rights protection including Rangitāhua/Kermadecs and Marine Protected Area policy with Ministry of Primary Industries and Department of Conservation.
 - **S28N rights:** Iwi have lost \$14 million through silent reallocations; continue to press officials to extinguish S28N rights.
 - **High seas:** The team is active in advocating Māori fisheries' interests, Te hā o Tangaroa, and recognition of settlement, including participation in international meetings on marine and resource use policies.
- > **Aquaculture:** Progressing the Maori Commercial Aquaculture Settlement Act, authorisations for Akaroa Harbour and Northland for new space assets, and open ocean aquaculture policy development, particularly in light of the post-COVID-19 rebuild.
- > **Financials:** Granted the numbers are now some eight months old.
 - Income was down compared to previous years due to lower returns from investment portfolio. This was expected and likely to continue in current environment. There will be further change in the fund moving forward through COVID-19 and income will be down as we pass the Moana dividend through to iwi.
 - Expenses for last year in line with previous year, at \$3.6 million. Recently approved Q2 report will give a more updated picture.
 - Te Ohu Kaimoana share of investment fund at \$93 million. Te Ohu Kaimoana share down to \$88 million as at end of March 2020, although some bounce-back after March 2020.
 - Request to calculate the relative operating costs from Special General Meeting last year extremely difficult to carry out. Much depends on walking the fine line between policy vs litigation. Currently, we believe we can continue to do our work within cost envelope at the moment. Capital sum we need around \$4 million per annum.
 - Takutai funding is sourced from the Government. Funding of \$850,000, which was matched by our costs. Aquaculture settlement assets still held on trust – \$5.2 million of assets after distributions in March 2019.

Chief Executive's presentation – Dion Tuuta

Dion Tuuta presented his report.

- > **Policy:** Acknowledgement of iwi investment into policy work – an investment in people and next generation of Māori fisheries' leaders. Iwi investment has made Te Ohu Kaimoana the largest fisheries policy unit outside of government with 24 technical responses to government on varied marine and climate change matters.
- > **Customary fisheries:** Undertook an upgrade of IkaNet, customary fishing management tool, designed to help manage customary fishing, both inshore and deepwater pātaka through Sealord.
- > **Allocation work:** This remains slow; both Te Whānau a Apanui and Ngāti Tama still working to achieve MIO status. Coastline settlement shares settled for Te Rarawa, Ngāti Mutunga and Moriori in accordance with agreements.

Concludes operational overview. Happy to take questions at the end.

Looking ahead – Rangimarie Hunia

Looking ahead as to what the year will bring.

- > **2020 elections:** Aotearoa will head to the polls, which will have impact on passage of Maori Fisheries Act (MFA) amendments. The lead up will also politicise fisheries. Government is expected to circulate Marine Protected Area policy documents. Board met with Ministers Nash and Sage; noted some big concerns with manner of DOC engagement and will be providing strong review on material prior to it going public.
- > **Te Kāhui o Te Ohu Kaimoana:** We are stronger together. Effort to bring together Kahui (Te Wai Māori Trust, Te Pūtea Whakatupu Trust, Moana NZ and Sealord) to ensure our thinking and commitment are aligned. Working on developing a collective, bringing together priorities over the next five years.
- > **s105 of the MFA:** Initiate an audit for evaluation of our performance of 2016 to 2020. It's sensible timing as last year of three-year strategy.

Acknowledged the efforts of Dion and the team.

Te Wai Māori Trustee Limited – Lisa Te Heuheu

Lisa Te Heuheu (Chair) presented the Te Wai Māori Trust report. She opened with acknowledgements and mihi:

- > Noted the difficult journey under COVID-19 and hard work that continued for Te Wai Māori and advocating for freshwater fisheries on behalf of iwi.
- > Expressed thanks to Ken for his work for Te Wai Māori Trust.
- > Acknowledged Ian Ruru and Pahia Turia coming on as Directors, and herself as Chair.

Report for AGM is to focus on 2018 period to 2019 to make sure iwi know what the Trust has been doing and plans going forward. Key workstreams include:

- > **Policy engagement and responses:** Centred around the Conservation Amendment Bill and whitebait review.

- > **Te Mana o Ngā Tuna:** 2017 Tuna Conference confirmed a unanimous decision by iwi to establish a national body for tuna. Created a group to look at tuna and legislative importance but also a suite of mechanisms to have a rightful voice in that process.
- > **Freshwater Fisheries Conference:** Focused on a turn of face towards climate change. The Trust commissioned NIWA to carry out own research that looks at other pieces of research in the broader sphere of climate change and creates own data and information stream for our taonga freshwater species. Next Freshwater Fisheries Conference, in 2021, will be hosted in Taupō by Ngāti Tūwharetoa.
- > **Piharau/Kanakana:** Supported iwi steering group to develop strategy, and working with researchers in Murihiku.
- > **Wai Ora Fund:** Continued to do mahi on Wai Ora Fund; difficulties to implement research objectives with COVID-19. The Wai Ora Fund continues to be a key part of our programme; sponsored 35 projects with \$1.5 million.
- > **Tiaki Fund:** A smaller fund to support whānau with riparian planting projects.

Te Pūtea Whakatupu Trust – Kate Cherrington

Kate Cherrington (Chair) presented the Te Pūtea Whakatupu report. She opened with karakia and mihi.

Kate provided an overview of purpose 'the sustenance of Māori identity' which directed strategic work for the 2018/19 financial year.

- > **Governance changes:** Acknowledged Evie O'Brien, who resigned as a Director due to her international role.
- > **Strategic Framework:** The focus areas are rangatahi development and mātauranga Māori pūtaiao, and leadership. There is also a focus on succession planning, recognising talent for iwi and Māori.
- > **Funding strategy:** As a learning organisation, adopted a kaitiaki model to protect investment in perpetuity. Implemented a specific funding strategy to make distributions with several types of philanthropic funding, which gives the ability to apply different funding approaches.

- **Transaction philanthropy:** Created taitamariki development fund and given up to \$200,000 for rangatahi for an idea to pursue, and support schooling across the motu.
- **Strategic philanthropy:** multi-year strategic partners to support literacy and numeracy work with Whānau Ora commissioning agencies. Work alongside Moko Foundation and others for developing rangatahi leadership and mentoring, and new initiatives – Tukutuku Koiora (Leadership Development Continuum), and Te Māhē Mātauranga (school science programme).
- **Venture philanthropy:** New digital platform, iHono, to connect whānau across the motu with their iwi/hapū.
- **Impact investment:** Future opportunity to investigate.
- › **COVID-19 response:** Above programmes have been rested for the year while focus shifted to support our strategic partners, closer alignment to support with water, fishing industry around training, development and research.

Kate finished with a video from He Piringa, hononga hui outlining the purpose of the Trust.

Questions and answers

Question – Maria Ngawati: Would like to know how Kāhui will come together, especially going into conversations with government. Can you elaborate a little bit more about what that might look like?

Response – Rangimarie Hunia: We've got to find time and space to be together. We have brought together all the Directors to develop an enduring strategy underpinned by a Māori world view. In the past that's been done separately. From a governance perspective, more regular meetings, as we did during COVID-19. Our management team is also working more closely across structure. Te Pūtea Whakatupu Trust is doing a lot of research and we want to grow more Māori presence across the entities. Want to see more Māori employed across the organisations.

Resolutions

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The Chair put forward the following resolutions:

1. Approve the minutes of the 2019 Annual General Meeting
2. Approve minutes of 2019 Special General Meeting
3. Approve Annual Report of TOKM Trustee Limited
4. Approve auditors and authorise Directors to agree auditor's remuneration.

Mover: Ngāti Mutunga (Jamie Tuuta)

Seconded: Ngāti Maniapoto (Keith Ikin)

Carried

Meeting closed.



Te Ohu Kai Moana Trustee Limited
and Aotearoa Fisheries Limited
(trading as Moana New Zealand)
Hui-ā-Tau, Thursday 25 March 2021,
via Zoom webinar (online).

NOTICE OF HUI-Ā-TAU/ ANNUAL GENERAL MEETING

Agenda (may be subject to change)

- 9.00am** Mihi whakatau
- 9.15am** Te Ohu Kai Moana Trustee Limited Annual General Meeting Te Ohu Kai Moana Report (including the Takutai Trust)
- 10.00am** Te Wai Māori Trust Report
- 10.15am** Te Pūtea Whakatupu Trust Report
- 10.30am** Te Ohu Kai Moana resolutions put to the meeting to:
1. Approve the minutes of the 2020 Annual General Meeting (Hui-ā-Tau)
 2. Approve the minutes of the 2020 Special General Meeting
 3. Approve the annual report of Te Ohu Kai Moana Trustee Limited
 4. Approve the appointment of auditors and authorise the Directors to agree the auditor's remuneration
- 10.35am** Aotearoa Fisheries Limited (trading as Moana New Zealand) Annual General Meeting
1. Moana New Zealand business overview
 2. Sealord Group Limited business overview
- 11.45am** Moana New Zealand's resolutions put to the meeting to approve the annual report and appoint auditors
- 11.50am** Meeting concludes

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