

**BEFORE THE DECISION MAKING COMMITTEE
AT NEW PLYMOUTH**

IN THE MATTER of the Exclusive Economic Zone and Continental Shelf
(Environmental Effects) Act 2012

AND

IN THE MATTER of the Trans-Tasman Resources Limited iron sand
extraction and processing application

**BRIEF OF EVIDENCE OF KIRSTY WOODS
26 JANUARY 2017**

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Introduction

1. My name is Kirsty Woods. I am a Principal Advisor at Te Ohu Kai Moana Trustee Limited (**Te Ohu**). I have worked at Te Ohu for over 12 years; as a Senior Analyst, a Manager and a Principal Analyst.
2. I hold a Master of Science (Hons) in Resource Management from the University of Canterbury. I have over 20 years' experience in the natural resource management field, working for Manatu Māori (Ministry of Maori Affairs), the Parliamentary Commissioner for the Environment, the Ministry for the Environment and Te Ohu.
3. Te Ohu has made a submission on the 2016 application by Trans-Tasman Resources Ltd (**TTR**) for marine consents and marine discharge consents to extract and process iron sand within the South Taranaki Bight (the **Application**). Te Ohu also made a submission on TTR's 2013 application. I am authorised to give this evidence on Te Ohu's behalf.

Purpose of this evidence

4. The purpose of this evidence is to:
 - (a) confirm Te Ohu's position on the Application;
 - (b) provide additional information to the decision-making committee on the Māori Fisheries Settlement (the **Settlement**) including how rights are allocated to iwi under the Settlement;
 - (c) explain Te Ohu's role in the Settlement context;¹ and
 - (d) illustrate how iwi fishing rights could be affected by the proposed activity sought through the Application.

¹ This supplementary material was largely provided with Te Ohu's submission on the Application.

Te Ohu's position on the Application – summary statement

5. Te Ohu opposes the Application. Te Ohu has set out its reasons for its opposition in its submission; this evidence should be read alongside Te Ohu's submission on the Application.
6. Te Ohu has existing interests defined in section 4(d) and (e) of the EEZ Act, being persons with an interest in:²
 - (a) the settlement of a historical claim under the Treaty of Waitangi Act 1975:
 - (b) the settlement of a contemporary claim under the Treaty of Waitangi as provided in an Act, including the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992.
7. Te Ohu's primary concern is the uncertainty around the potential effects of the operation on fisheries and as a consequence, the fisheries settlement interests of iwi through the Settlement.
8. In short, allowing a new user to adversely affect the integrity of existing property rights is a serious matter. Where those property rights also form part of a Treaty of Waitangi settlement, which is the case with the Settlement, the Crown has an obligation to protect them.

Who are we?

9. Te Ohu is the corporate trustee of the Te Ohu Kai Moana Trust. We were established under section 33 of the Fisheries Act 2004 (the Māori Fisheries Act).

² Despite the drafting of the EEZ Act, the Maori fisheries settlement, through the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 settled **historical** claims to Maori customary fishing rights, not **contemporary** claims.

10. Te Ohu's purpose is to advance the interests of iwi individually and collectively, primarily in the development of fisheries, fishing, and fisheries-related activities,³ in order to:
 - (a) ultimately benefit the members of iwi and Māori generally;
 - (b) further the agreements made in the fisheries Deed of Settlement and to assist the Crown to discharge its obligations under the Deed of Settlement and the Treaty of Waitangi; and
 - (c) contribute to the achievement of an enduring settlement of the claims and grievances referred to in the Deed of Settlement.
11. To further its purpose Te Ohu may, in relation to fisheries, fishing, and fisheries-related activities, act to protect and enhance the interests of iwi and Māori in those activities (among other things).⁴ Te Ohu's obligations are to all iwi, individually and collectively, and Māori generally, pursuant to the Māori Fisheries Act.
12. Our duties include administering settlement assets and allocating and transferring those assets to iwi once satisfied that iwi have meet the criteria set out in the Act (section 34, Māori Fisheries Act 2004). While most of the settlement assets have now been allocated to iwi, we still hold some assets where iwi have yet to meet those requirements. We will outline these matters in more detail below. Some aquaculture settlement assets have also been allocated to iwi, however we are still engaging with the Crown on the settlement of its future obligations under the Settlement.
13. We also work actively with the wider seafood industry (both fisheries and aquaculture) and participate in industry organisations to protect the interests of iwi and Māori as the beneficiaries of the settlements. We wish to

³ MFA, section 32. This is "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; and contribute to the achievement of an enduring settlement of the claims and grievances referred to in the Deed of Settlement."

⁴ MFA, section 35(1)(b).

acknowledge that we are a member of Fisheries Inshore New Zealand (FINZ), who is also a submitter on the Application.

The Māori Fisheries Settlement

14. The Fisheries Settlement settles all Māori claims to fisheries, based on an agreement that the Crown would allocate particular assets (including quota, cash and shares in fishing companies) and implement regulations for customary food gathering. All Māori are beneficiaries.
15. The Settlement cleared the way for the Government to extend the Quota Management System (the **QMS**) to all New Zealand's commercial fisheries. There are currently 100 species (or species groupings) within the QMS, made up of 638 individual stocks.⁵ Each stock is managed individually within a quota management area to ensure the sustainability of the fishery. Commercial fishing rights for each of these stocks take the form of quota shares known as Individual Transferrable Quota (**ITQ**).
16. ITQ is a perpetual right which needs to be protected to create certainty for investment and incentives for good stewardship. The property rights that have been allocated as part of the Settlement include these same characteristics but have the additional significance of being part of a Treaty of Waitangi settlement. In that respect, the Crown has a duty to protect them.
17. The Crown also has duties in respect of Māori non-commercial fishing rights which continue to give rise to Treaty obligations on the Crown.⁶ The Fisheries Settlement requires the Crown, through the Minister, to develop policies to help recognise use and management practices of Māori in the exercise of non-commercial fishing rights.

Background to the Fisheries Settlement

⁵ fs.fish.govt.nz

⁶ See section 10 of the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992).

18. By the 1980s, the Crown's failure to recognise tribal authority and property in fisheries had to a large extent undermined the ability of Māori to develop effective ways to exercise their authority or protect their rights in a modern context. At the same time, Māori concerns about removal of their ability to participate and lack of recognition of their fishing rights came to a head when the QMS was introduced and ITQ allocated to private interests as a means of preventing further degradation of fisheries.
19. The QMS was introduced in 1 October 1986. In response, Māori obtained an injunction against the Crown to prevent further fish-stocks from being introduced into the QMS until the issue of ownership had been resolved.
20. In 1989, Māori and the Crown agreed to an interim settlement to resolve these claims. This settlement recognised that Māori customary interests in fisheries include commercial and non-commercial aspects. It provided for 10% of the quota for all fisheries in the QMS to be allocated to Māori. The Crown established the Māori Fisheries Commission to hold this quota and develop a process to allocate the quota. The Crown was not able to deliver 10% of the quota for some stocks and so it provided cash to the Commission in lieu of the outstanding quota. For this reason, the current settlement shares for many of these "pre-settlement" stocks are less than 10%.
21. In 1992, a final settlement of Māori fisheries claims was enshrined in the Fisheries Deed of Settlement and the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992. Under the settlement, the Crown:
 - (a) gave Māori funds to purchase 50% of Sealord Products Ltd;
 - (b) guaranteed to provide Māori with 20% of the quota for all species brought into the QMS after that time;
 - (c) restructured the Māori Fisheries Commission into the Treaty of Waitangi Fisheries Commission to increase its accountability to Māori; and
 - (d) agreed to regulate to allow self-management by Māori of fishing for subsistence and cultural purposes.

22. In return, Māori agreed:
- (a) that all Māori claims to commercial fishing rights and interests were settled;
 - (b) to stop litigation (including any Waitangi Tribunal claims) about Māori commercial fisheries;
 - (c) to support legislation to give effect to the settlement;
 - (d) to endorse the QMS; and
 - (e) that the Crown should regulate to provide for customary non-commercial fishing.
23. A key role for the Treaty of Waitangi Fisheries Commission was to develop proposals to allocate the various commercial assets and benefits arising from the settlement. It also had responsibility for stewardship of the assets until allocation was complete and to assist iwi/Māori into the “business and activity” of fishing.

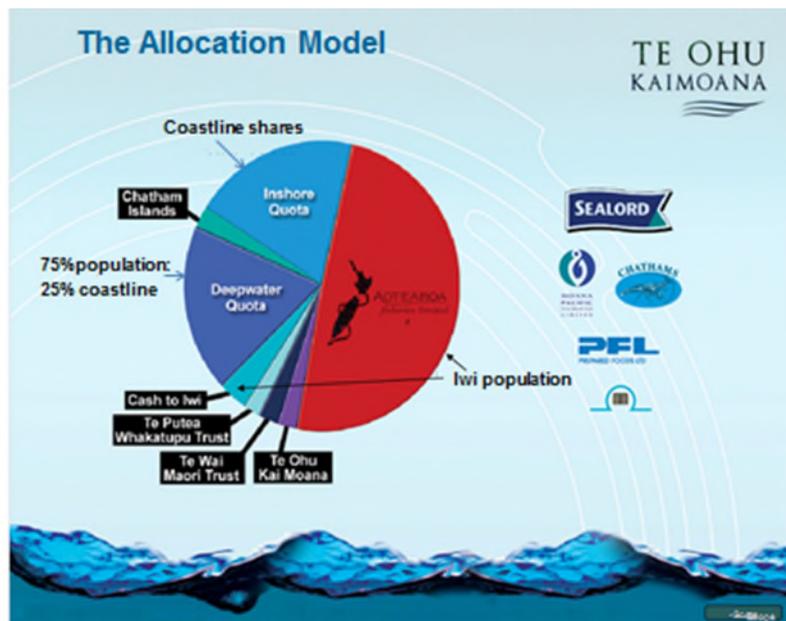
Beneficiaries of the Fisheries Settlement

24. The Settlement is intended to benefit all Māori. For twelve years following the settlement agreement, the Commission facilitated debate among Māori about how the commercial fisheries assets should be allocated. The debate focused on three main issues:
- (a) to whom should ownership of the assets be allocated, for instance how is an “iwi” defined and how would urban Māori be provided for?
 - (b) how would the assets be managed – centrally, through cooperation a national entity and individual iwi, or by each iwi individually?

- (c) how would full or beneficial ownership be allocated, for instance should it be based on the relative population of each iwi, or the extent of their coastline, or a combination of these factors?
25. By 2004, 96% of iwi agreed the final allocation model should advance into law. The model includes the following:
- (a) 75% of quota shares for stocks classified as “deepwater” stocks would be allocated according to an iwi’s population, while 25% would be allocated according to the percentage of coastline within the quota management area that iwi claim and agree with their neighbours;
 - (b) quota shares for stocks classified as “inshore” stocks would be allocated fully based on the percentage of coastline within the quota management area that iwi claim and agree with their neighbours;
 - (c) quota in freshwater fisheries would be allocated to iwi based on an agreement reached between iwi whose rohe falls within the relevant QMA. Where no agreement can be reached, the quota shares will be allocated based on the proportion that the population of each iwi living within the quota management area bears to the combined population of those iwi living within the quota management area;
 - (d) income shares in Aotearoa Fisheries Ltd (trading as Moana New Zealand) (which owns 50% of Sealord) are allocated to iwi based on their population.
26. This is now enshrined in the Māori Fisheries Act 2004, which also established Te Ohu. A key duty of Te Ohu is to administer, allocate and transfer the settlement assets. The allocation model identifies 57 iwi. Each iwi would receive assets based on:
- (a) satisfying strict governance and mandating rules; and
 - (b) a mix of an iwi’s population and coastline, as outlined above.

27. Figure 1 summarises the settlement assets and the basis for allocation. Fifty five of fifty seven iwi who have Mandated Iwi Organisations and Asset Holding Companies in place have received their “population based” assets (shares in deepwater stocks and income shares for Aotearoa Fisheries Ltd). Many iwi have also reached agreement on their coastline interests and have been allocated their inshore quota, and relevant percentage of their deepwater quota. Note there is a special allocation scheme for the Chatham Islands. The Wai Māori and Putea Whakatapu Trusts were also established.

Figure 1:



28. Te Ohu continues to retain ownership of quota for the relevant inshore and deepwater stocks where iwi are yet to finalise their governance arrangements or resolve coastline agreements. In the meantime, Te Ohu continues to make the appropriate Annual Catch Entitlement (**ACE**) available to those iwi. ACE is generated annually **and** is based on the share of the Total Allowable Commercial Catch (**TACC**) that quota holders are entitled to harvest. This entitlement can be freely traded.
29. At the same time it is important to note that while ACE can be traded by iwi, the provisions in the Māori Fisheries Act currently prevent the sale of settlement quota outside the entities involved in the allocation of the commercial settlement assets – iwi (through MIOs and AHCs) and the Te Ohu Kaimoana group (Te Ohu and AFL). This group as a whole must retain

ownership of settlement quota. If the value of quota is at risk, iwi cannot trade their settlement portions outside this group.

Māori Fisheries Settlement not clearly understood

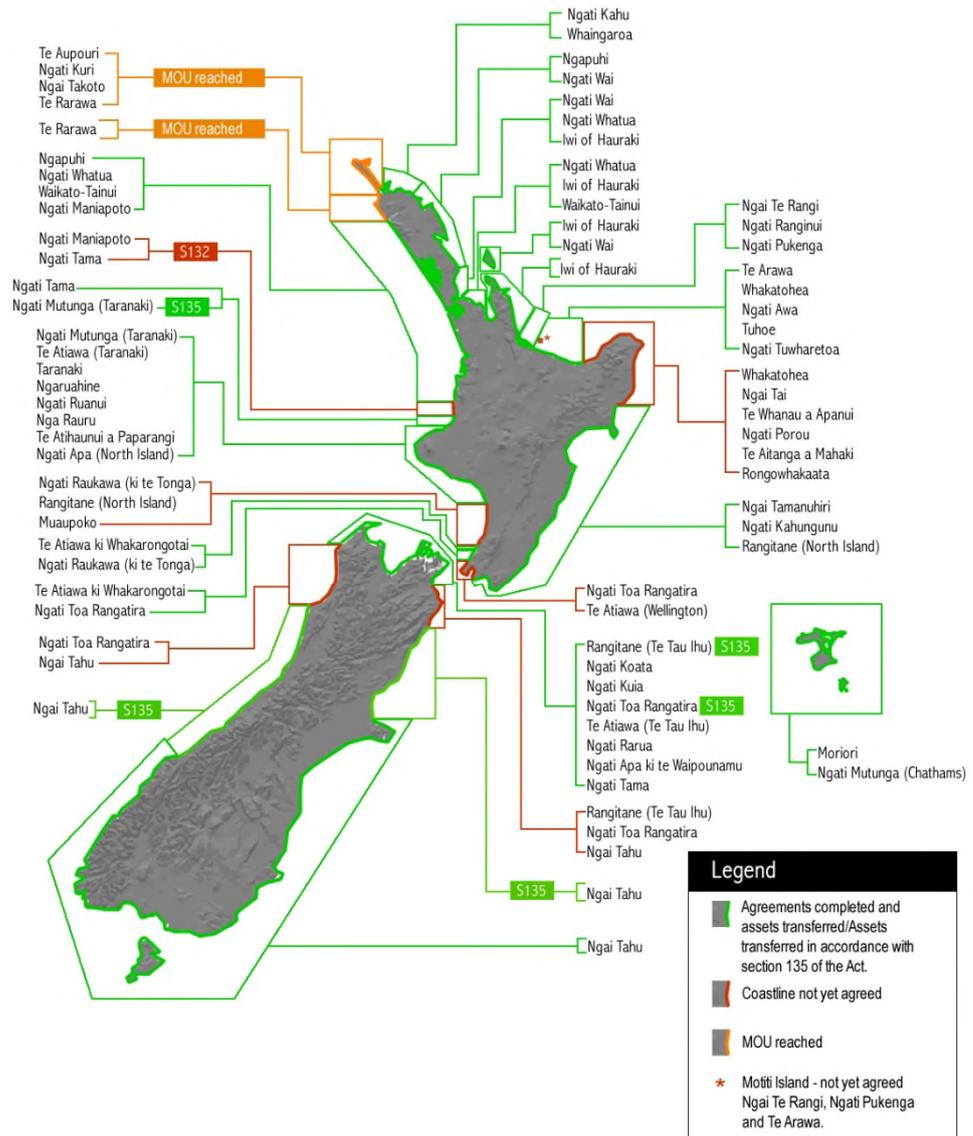
30. Iwi and Te Ohu together hold 10 - 20% of the quota shares for all fish-stocks.
31. An additional complication in the context of the Application is that the QMS areas do not encompass the same geographical area - some encompass relatively small areas while others extend over large areas. This means that the number of iwi who have an interest in a particular fish-stock will depend on the geographical extent of the quota management area, and whether the fishstock is classified as “deepwater” or “inshore” for allocation purposes under section 7 of the Māori Fisheries Act.
32. However it is not clear from the Application that the nature and extent of iwi interests under the Settlement are fully understood. In addition, given concerns that have been expressed about the potential effects of any sediment plume on aquaculture in the Marlborough and Tasman regions we also consider it important to signal that the interests of iwi under the Māori Commercial Aquaculture Settlement could be affected. We raised this concern in the context of our previous submission on TTR’s 2013 application but we remain concerned in the context of this Application.

Basis for identifying iwi interests in commercial fishing

33. Stocks managed within the Quota Management System are classified under section 7 of the Māori Fisheries Act as “deepwater” or “inshore”. The model for allocation to iwi is different for each and will determine how many iwi share in particular stocks and what proportion of the settlement quota each receives.
34. The population component of an iwi’s interests is set out under Schedule 3 of the Māori Fisheries Act. The coastline component is determined on the proportion of the total coastline within a quota management area that an iwi successfully claims. This proportion is generally resolved by iwi by agreement. There are some lengths of coastline that have yet to be agreed.

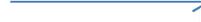
Figure 2 provides an overview of the coastline within which agreements have been reached as at January 2017, and those that have yet to be reached. These agreements are without prejudice.⁷

Figure 2: Snapshot of progress on coastline agreements for fisheries allocation purposes



⁷ There are five iwi who are landlocked and who do not claim coastline interests. They are: Ngati Hauiti, Ngati Maru, Ngati Whare, Ngati Manawa and Ngati Raukawa ki Waikato.

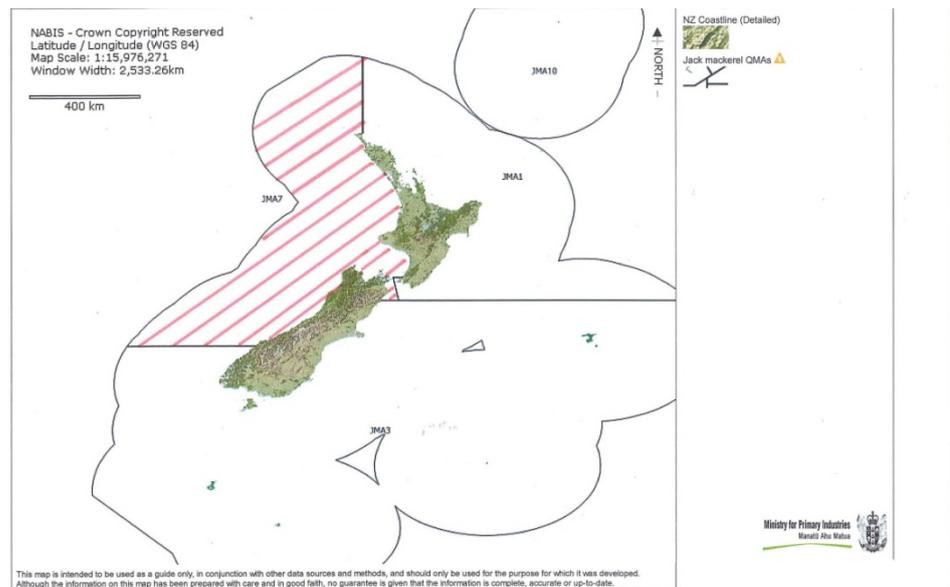
35. The steps for determining how settlement quota is allocated can be summarised as follows:

Steps	Allocation approach
What is the total amount of settlement shares for the fish-stock?	<ul style="list-style-type: none"> • 10% if introduced into the QMS before the final settlement • 20% if introduced into the QMS after the final settlement
<p>How is the stock classified and as a consequence what is the allocation approach?</p> <ul style="list-style-type: none"> • Deepwater  • Inshore  • Freshwater  	<p>Mix of population (75%) and coastline (25%)</p> <p>100% coastline</p> <p>By agreement between iwi whose rohe is in the QMA, or based on their relative resident populations</p>

Examples of the allocation model

36. Set out below, we use a selection of stocks whose quota management areas intersect with the proposed mining site to illustrate how the allocation model works. We have chosen a selection based on a mix of characteristics, including whether they are pre- or post the final settlement and whether they are classified as deepwater, inshore or freshwater stocks. We have also included a selection of stocks with different sized QMAs.
37. There are many other stocks whose QMAs intersect with the site. Please note these examples do not take into account the potential for the effects of the mining operation to extend into neighbouring QMAs.

JMA 7 (jack mackerel)



38. JMA7 was introduced into the quota management system before the interim fisheries settlement. Of the quota shares, 9.99% is derived from settlement quota.

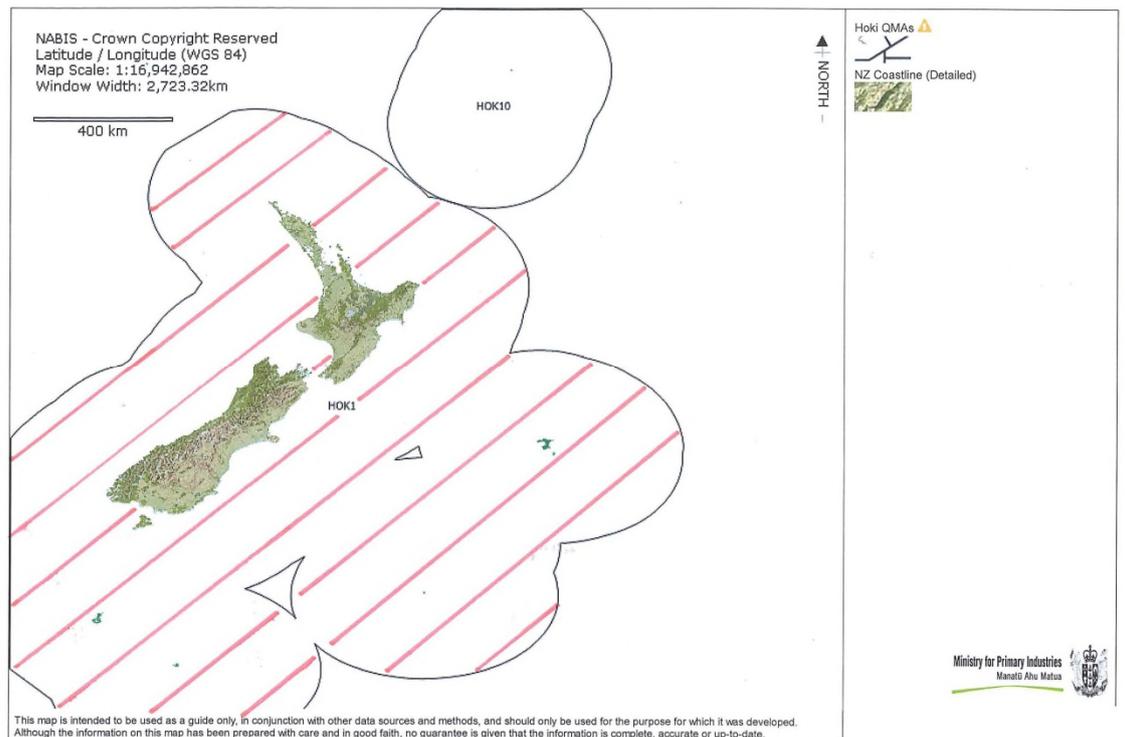
39. Under the Māori Fisheries Act, JMA7 is classified as a “deepwater” stock. That means 75% of the settlement quota is shared amongst all 57 iwi based on their population. Twenty five percent of the quota shares is allocated to those iwi whose coastline is included within the quota management area. Thus those iwi with interests in this stock include all 57 iwi based on their notional populations (see Appendix 1), plus iwi with coastline interests, who are:

- Te Aupouri
- Ngati Kuri
- Ngai Takoto
- Te Rarawa
- Ngapuhi
- Ngati Whatua
- Waikato-Tainui
- Ngati Maniapoto
- Ngati Tama
- Ngati Mutunga (Taranaki)
- Te Atiawa (Taranaki)
- Taranaki
- Ngaruhine
- Ngati Ruanui
- Nga Rauru
- Te Atihaunui a Paparangi
- Ngati Apa (North Island)

- Ngati Raukawa (ki te Tonga)
- Rangitane (North Island)
- Muaupoko
- Te Atiawa ki Whakarongotai
- Ngati Toa Rangatira
- Rangitane (Te Tau Ihu)
- Ngati Koata
- Ngati Kuia
- Te Atiawa (Te Tau Ihu)
- Ngati Rarua
- Ngati Apa ki te Waipounamu
- Ngati Tama (Te Tau Ihu)
- Ngai Tahu

40. Te Ohu continues to hold quota on behalf of those iwi who have yet to reach agreement on their coastline interests.

HOK1 (Hoki)

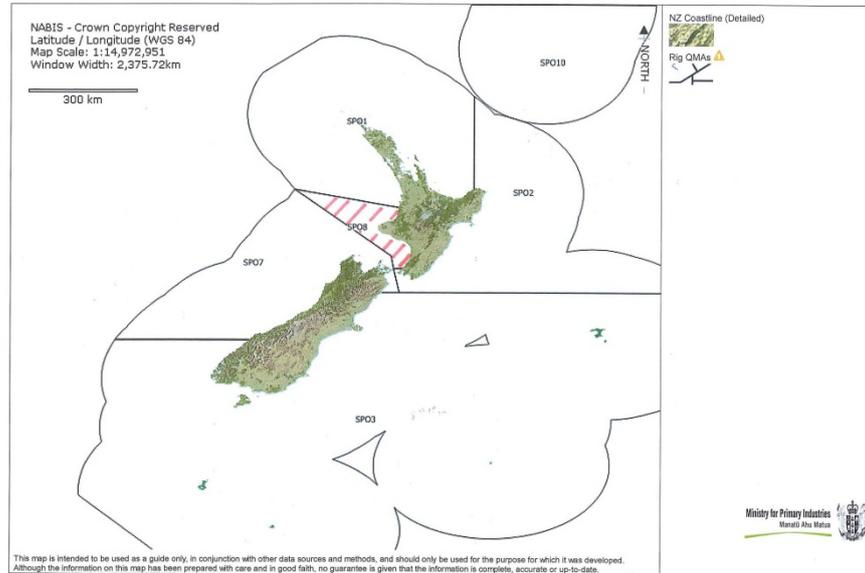


41. HOK1 was introduced into the quota management system before the interim fisheries settlement. Ten percent of the quota shares are derived from settlement quota.

42. Under the Māori Fisheries Act, HOK1 is classified as a “deepwater” stock. That means 75% of the settlement quota is shared amongst all 57 iwi based on their population. Twenty five percent of the quota shares are allocated

to those iwi whose coastline is included within the quota management area. In this case, 52 iwi share coastline for HOK1. The exceptions are those five iwi who do not claim coastline interests.

SPO8 (Rig)



43. Rig (SPO) was introduced into the quota management system before the interim fisheries settlement. SPO8 intersects the application area. Of the quota shares, 9.72% are derived from settlement quota.

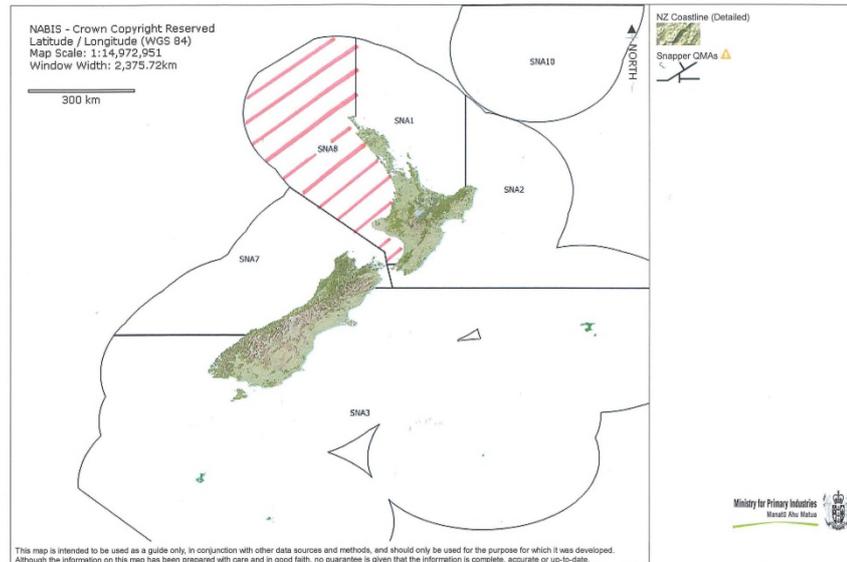
44. SPO8 is classified under the Māori Fisheries Act as an “inshore” stock. Its quota management area extends from North of Taranaki to the Southern West Coast of the North Island. All iwi with coastline that falls within this quota management area share the settlement quota. The iwi who have been, or are eligible to be allocated settlement quota are:
 - Ngati Maniapoto
 - Ngati Tama
 - Ngati Mutunga (Taranaki)
 - Te Atiawa (Taranaki)
 - Taranaki
 - Ngaruahine
 - Ngati Ruanui
 - Nga Rauru
 - Te Atihaunui a Paparangi
 - Ngati Apa (North Island)
 - Ngati Raukawa (ki te Tonga)

- Rangitane (North Island)
 - Muaupoko
 - Te Atiawa ki Whakarongotai
 - Ngati Toa Rangatira
45. Te Ohu continues to hold quota on behalf of those iwi who have yet to reach agreement on their coastline interests.

Surf clams – QMA8

46. Seven surf clam species were introduced into the quota management system after the final fisheries settlement was agreed. Each of these species is managed within 8 quota management areas. Twenty percent of the quota shares in each of the stocks are derived from settlement quota. QMA8 for each of these stocks intersects with the application area. In QMA8, these are: frilled venus shell (BYA8), trough shell (MDI8), large trough shell (MMI8), deepwater tuatua (PDO8), triangle shell (SAE8), ringed dosinia (DAN8), and silky dosinia (DSU8).
47. Te Ohu has made considerable efforts to work with iwi and Cloudy Bay Clams to develop options for developing this fishery. Despite TTR's further work on the models (and modelling scenarios), Te Ohu remain very concerned about these potential effects.
48. Surf clam stocks are classified under the Māori Fisheries Act as an "inshore" stock. Their quota management areas in this region cover the same area as SPO 8 above and the same group of iwi hold, or are eligible to receive settlement quota.

SNA 8 (Snapper 8, QMA 8)



49. SNA8 was introduced into the quota management system before the interim fisheries settlement. Of the quota shares, 8.46% are derived from settlement quota.

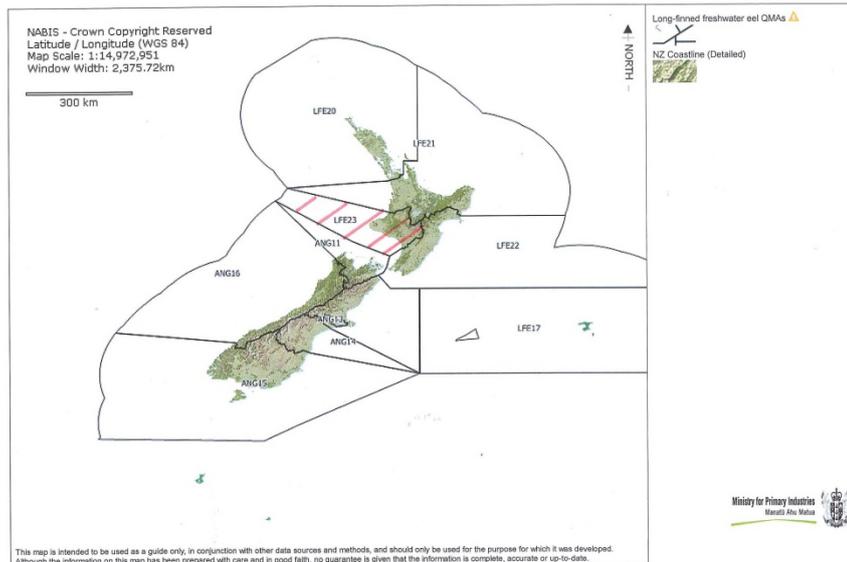
50. SNA8 is classified under the Māori Fisheries Act as an “inshore” stock. Its quota management area extends from the tip of the North Island to the Southern part of the North Island West Coast. Iwi with an interest in this coastline who hold or are eligible for allocation of settlement quota are:

- Te Aupouri
- Ngati Kuri
- Ngai Takoto
- Te Rarawa
- Ngapuhi
- Ngati Whatua
- Waikato-Tainui
- Ngati Maniapoto
- Ngati Tama
- Ngati Mutunga (Taranaki)
- Te Atiawa (Taranaki)
- Taranaki
- Ngaruahine
- Ngati Ruanui
- Nga Rauru
- Te Atihaunui a Paparangi
- Ngati Apa (North Island)
- Ngati Raukawa (ki te Tonga)
- Rangitane (North Island)
- Muaupoko

- Te Atiawa ki Whakarongotai
- Ngati Toa Rangatira

51. As is the case with other stocks, Te Ohu continues to hold quota on behalf of those iwi who have yet to reach agreement on their coastline interests.

LFE23/SFE23 (Long-finned/short-finned eel)



52. The long-finned and short-finned eel (LFE and SFE) were introduced into the quota management system after the final fisheries settlement was agreed. LFE23 is adjacent to the application area. Twenty percent of the quota shares are derived from settlement quota. The short-finned eel (SFE23) has the same quota management area and same number of settlement shares.

53. LFE23 and SFE23 are classified as freshwater stocks⁸. As noted earlier, the allocation model is based on agreements between iwi in the relevant QMA, otherwise failing that, the proportion that the population of each iwi living within the quota management area bears to the combined population of those iwi living within the quota management area.

⁸ ANG13 still exists until 1 Feb 2017 but all other South Island long and short-finned eel are now classified the same as the North Island i.e. LFE/SFE11, 12, 14, 15, 16. And LFE/SFE13 after 1 Feb.

54. Iwi whose rohe is wholly or partially included in LFE 23 are:

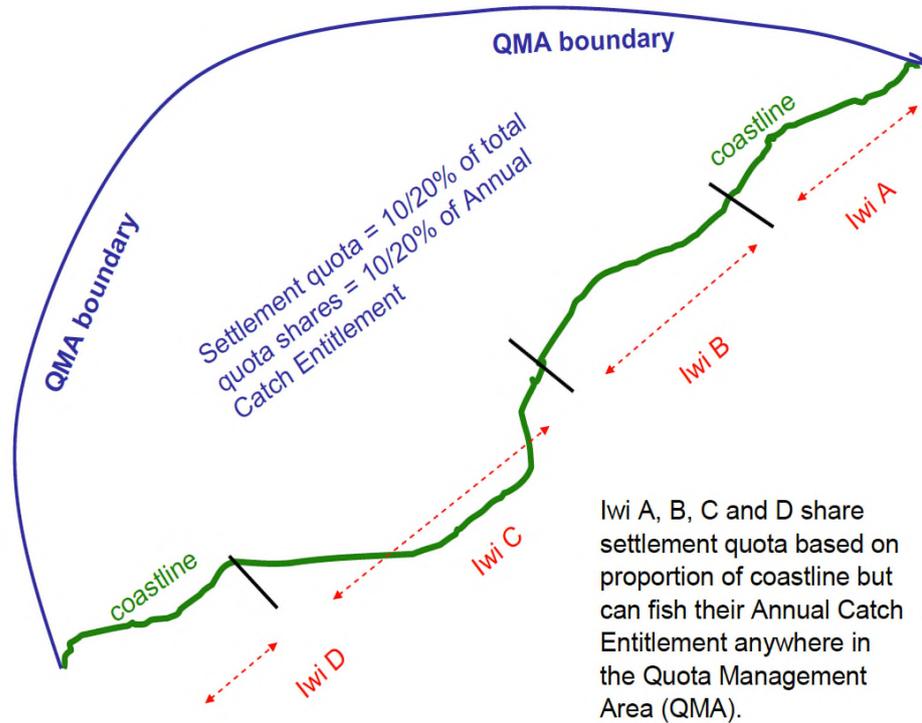
- Te Atiawa (Taranaki)
- Ngati Maru
- Ngati Mutunga
- Nga Rauru
- Ngaruahine
- Ngati Ruanui
- Ngati Tama (Taranaki)
- Taranaki
- Ngati Apa
- Te Atihaunui a Paparangi
- Ngati Hauiti
- Ngati Tuwharetoa
- Ngati Raukawa (ki te Tonga)

55. Settlement quota shares for this stock have yet to be allocated. The long-finned and short-finned eel migrate to sea to spawn. Glass eels return from the sea into freshwater catchments to grow until it is time to begin the cycle once again. It is not clear what effect the proposed activity might have on the life-cycle of these eel stocks.

Settlement quota entitlements can be fished throughout a quota management area

56. It is important to understand that iwi are not restricted to fishing their ACE within their own local coastline areas. Their ACE can be fished anywhere within the quota management area. Figure 3 illustrates this as it relates to inshore quota.

Figure 3: Iwi settlement quota within a QMA



57. Spatial exclusions or effects on the ecosystems that support fisheries can require a reduction in the Total Allowable Commercial Catch or reduce the amount of quality produce available – leading to a reduction in the value of quota. Such a result would affect all quota holders including iwi quota holders.

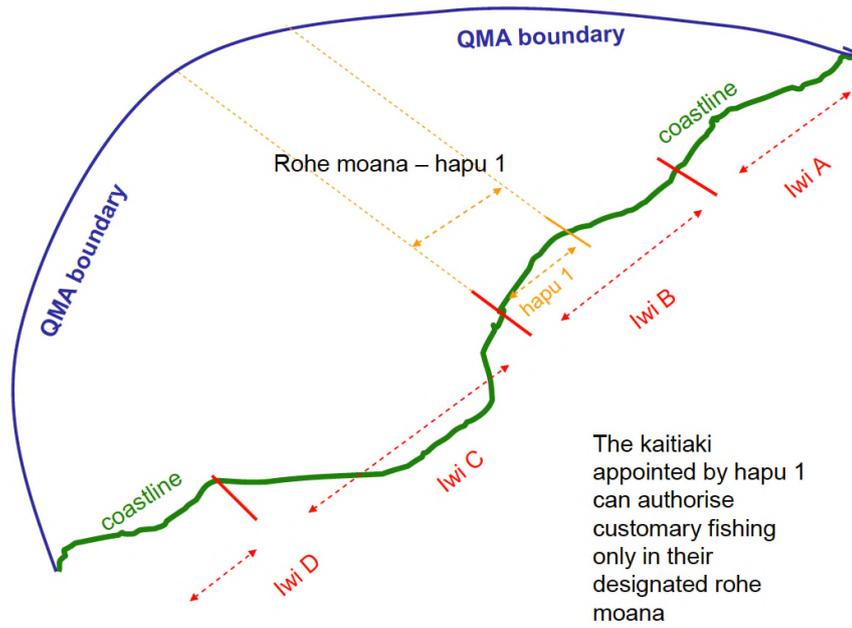
The customary non-commercial aspects of the Fisheries Settlement

58. While the commercial interests of iwi span an entire QMA, the customary non-commercial interests of iwi and their hapū are generally more locally based.
59. Customary non-commercial interests are provided for through the Fisheries (Amateur Fishing) Regulations 2013, the Fisheries (Kaimoana Customary Fishing) Regulations 1998, the Fisheries (South Island Customary Fishing) Regulations 1999 (which apply in South Island fisheries waters) and sections 186A & B of the Fisheries Act 1996. These provide access to seafood for customary non-commercial purposes, and for iwi and hapū to exercise management rights over customary fishing areas and fisheries resources.

60. Under the Fisheries (Kaimoana Customary Fishing) Regulations, tangata whenua can appoint kaitiaki to authorise customary non-commercial fishing within a defined “rohe moana”. Under the regulations, “tangata whenua”, in relation to a particular area, means the whanau, hapū, or iwi, being Māori that hold “manawhenua manamoana over that area”.⁹
61. The process of defining a rohe moana and appointing kaitiaki includes a public notification and objection process. Following the resolution of any disputes, the Minister of Fisheries confirms rohe moana boundaries and kaitiaki appointments, so that kaitiaki can authorise customary fishing within those boundaries.
62. Kaitiaki are empowered by the customary regulations to issue customary fishing authorisations only within their defined rohe moana. These areas are usually subareas – or “slivers” – of quota management areas (see Figure 4). Note that the designation of a rohe moana does not prevent commercial or recreational fishing in that area.
63. The interests of iwi are multi-layered. Since making our last submission, iwi who have coastline interests in the broader quota management area for JMA7 have been working together to designate an area from which they will all benefit from the customary non-commercial harvest of deepwater fisheries by a commercial vessel. The harvest would be authorised by kaitiaki appointed by agreement of all iwi concerned.

Figure 4: example of a rohe moana within a QMA

⁹ The Fisheries (South Island Customary Fishing) Regulations are more explicit about the relationship between whanau, hapū and iwi and specify the nine iwi organisations existing in the late 1990s who represent the whanau, hapū and iwi who hold manawhenua. These organisations are now Mandated Iwi Organisations.



These regulations are not yet fully implemented throughout New Zealand.

Transitional measures for customary non-commercial fishing

64. Regulation 50 of the Fisheries (Amateur Fishing) Regulations 2013 (formerly known as “Regulation 27” of the 1986 Fisheries Regulations), enables the gathering of seafood for hui and tangi. This regulation is a transitional measure and once the Fisheries (Kaimoana Customary Fishing) Regulations (or Fisheries (South Island Customary fishing) Regulations) are implemented in any area, Regulation 50 cannot be used for harvesting seafood.

Aquaculture

65. The Aquaculture Settlement mirrors the commercial aspects of the Fisheries Settlement. It delivers 20% of space approved for aquaculture since September 1992, out into the future, to iwi.
66. The Crown's obligations under this settlement can be settled by iwi receiving cash for space approved between September 1992 – December 2004, authorisations for space approved between January 2005 – September 2011 and a combination of authorisations, cash or other for space created after October 2011.

Kirsty Woods
Te Ohu Kai Moana Trustee Limited