

## NEWSLETTER 8 - Jan 2011

# Kia Ora Koutou, Happy New Year!

We hope you and your family have had a great Christmas and a wonderful safe New Year. If you have been fortunate enough to visit our beautiful place and enjoyed our coastline then we hope you have done so in a safe and sustainable way – we hope you have only taken from Tangaroa what you can eat today and have left plenty in the ocean for tomorrow - for the next time you visit us and for those that come after you! ☺

### WHERE ARE WE UP TO?

Last year was a very very busy year for members of Te Korowai. Members met twice a month working through the following areas of our strategy:

#### TE KOROWAI O TE TAI O MAROKURA STRATEGIC PLAN

- Goal A      Protecting Our Treasures
- Goal B      Sustaining Customary Practices
- Goal C      Living Sustainably
- Goal D      Fishing for Abundance
- Goal E      Engaging Understanding
- Sections:   Implementation, Monitoring, Research & Education

We were getting very close to releasing a draft strategy but unfortunately this was held up due to bad weather conditions and slips on State Highway One and of course the big shakes in Canterbury.

The group has been considering the use of a variety of marine protection tools, some of which are explained further below. We spent a very useful day visiting potential sites, which helped us see how some of these tools could work in our area.

Over the last year, Te Korowai members have had the opportunity to present to, talk to, and meet with individuals and groups both within Kaikoura and also in the wider area. In addition to group members going out into the community, a number of presentations have been made at the public sessions of Te Korowai meetings. We have enjoyed and appreciated the contributions of those people who took advantage of these sessions to share their ideas. This two way communication is invaluable. All of this consultation has helped us to get a mandate from our community and coastal user groups, to continue to develop a strategy for the protection and future sustainability of our fantastic marine resource.

Please pass this  
Newsletter on  
to your own  
contacts.

We need to consider all parties involved; tangata whenua, commercial and recreational fishermen, conservation interests, marine tourism, residents and visitors. How can we protect and enhance the coastline now and into the future, while ensuring the livelihoods, recreational activities and traditional practices of those who currently use the coast? The process of gifts and gains has led to number of agreements but there are still some areas to be worked through.

We are very close to presenting a variety of protection tools (and measures) via our strategy and will be seeking feedback from all interested parties including the Rūnanga, Kaikoura community and user groups, both local and further afield.

Throughout this process, we must remind ourselves constantly of our purpose and our vision and this was summed up superbly recently, by one of our members (Tony Brett).

***"Remember the gifts come before the gains and the gains may not always be immediately apparent!"***

This timely reminder puts into perspective what Te Korowai sets out to achieve and that in order to protect our resources for future generations, we must look to what is best for everyone, put aside individual partiality (the gift), so that all will benefit in the future (the gain).

**THANK YOU!!!**

Members of Te Korowai are very appreciative to Neil Pablecheque at the Lobster Inn who donated the Lobster Inn Bus and Driver to our group to enable us to visit various areas along our coastline. Neil's help and support is very much appreciated.

Over the last year we have been pleased that some members of our community have either come to our meetings to share their views and ideas on our coastline or contacted and spoken to some of our members. This information has been very valuable and will be taken into consideration when drafting our strategy. Thank you much.

The following organizations have provided funding to Te Korowai o Te Tai o Marokura. Without this funding we would not have been able to have done the work we have to date. We are very grateful and appreciative:

- ✓ Department of Conservation
- ✓ Ministry for the Environment
- ✓ Kaikoura District Council
- ✓ Environment Canterbury
- ✓ Canterbury Community Trust
- ✓ NZ Post

**GREAT NEWS: NEW MINISTRY OF FISHERIES OFFICE  
HAS OPENED IN KAIKOURA!**

The Ministry of Fisheries recently opened their new office in Kaikoura late last year. We have 2 full time Fishery Officers permanently located in the town supported by between 8 and 10 Honorary Fishery Officers. Fishery Officers can't do it all on their own, so as community lets unite and support good fishing practices. Don't hesitate to call 0800 4 POACHER if you suspect illegal activity in Kaikoura or in any of our other favourite fishing spots.



## OTHER USEFUL INFORMATION

### MĀTAITAI

A mātaimai prohibits commercial fishing within its boundaries. However, the Minister may allow for commercial fishing in the mātaimai through regulations should Tāngata Tiaki/Kaitiaki (on behalf of Tāngata Whenua) indicate that this is desirable. For example, Tāngata Whenua may request the Minister to allow for commercial fishing of certain species within the mātaimai in such quantities and for such times as may be consistent with the management objectives.

The mātaimai provisions are set out in regulations 17-29 of the South Island Customary Regulations. The only persons who are able to apply for a mātaimai are the Tāngata Whenua or their Tāngata Tiaki/Kaitiaki.

A mātaimai identifies an area that is a place of importance for customary food gathering and allows the Tāngata Whenua to manage these areas. Mātaimai can be established over any area of the New Zealand fisheries waters of the South Island, including freshwater and tauranga ika.

Tāngata Tiaki/Kaitiaki are nominated by the Tāngata Whenua to manage mātaimai. Bylaws may be established by Tāngata Tiaki/Kaitiaki to assist with the management of the mātaimai.

Mātaimai bylaws are similar to taiāpure regulations – they can only be used to make specific laws relating to fishing, or fishing activities.

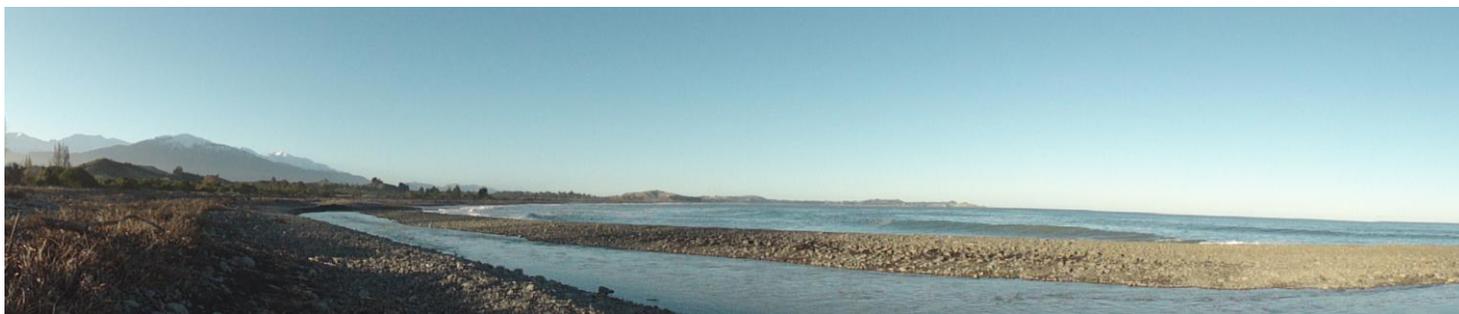
Bylaws may relate to:

- (a) The species of fish, aquatic life, or seaweed that may be taken;
- (b) The quantity of each species that may be taken;
- (c) The dates or seasons that each species may be taken;
- (d) Size limits relating to each species to be taken;
- (e) The method by which each species may be taken;
- (f) The area or areas in which each species may be taken;
- (g) Any other matters the Tāngata Tiaki/Kaitiaki considers necessary for the sustainable management of fisheries resources in the Mātaimai.

By passing bylaws, these traditional management practices become law.

The species to which a restriction or prohibition relate must be those managed under fisheries legislation. So, for example bylaws cannot be made which apply to whitebait, because these are managed under conservation legislation.

These bylaws must be approved by the Minister of Fisheries and must apply generally to all individuals. However, if a bylaw stops fishing generally, the Tāngata Tiaki/Kaitiaki still has the ability to authorise customary fishing to sustain the functions of the marae or for the purposes of managing the mātaimai.



## TAIÄPURE

A taiäpure is an area that has customarily been of special significance to an iwi or hapū as a source of food or for spiritual or cultural reasons. Taiäpure can be established over any area of estuarine or coastal waters to make better provisions for rangatiratanga and for the rights secured under Article Two of the Treaty. Taiäpure provisions are contained within sections 174-185 of the Fisheries Act.

As commercial fishing can continue in a taiäpure, this tool offers a way for Tāngata Whenua to become involved in the management of both commercial and non-commercial fishing in their area.

Taiäpure make provision for a management committee to be established to give advice and recommendations to the Minister of Fisheries for regulations (**under s297 of the Fisheries Act**) to manage the fisheries in that area. Committee members are nominated by Tāngata Whenua and often include representatives from all fisheries stakeholders in the area, including commercial fishers.

Taiäpure regulations are similar to mātaitai bylaws – they can only be used to make specific **laws relating to fishing, or fishing activities** (as these are all that are managed by the Fisheries Act) – activities such as jet skiing or whitebaiting cannot be controlled through taiäpure regulations.

The regulations may relate to:

- (a) The species of fish, aquatic life, or seaweed that may be taken;
- (b) The quantity of each species that may be taken;
- (c) The dates or seasons that each species may be taken;
- (d) Size limits relating to each species to be taken;
- (e) The method by which each species may be taken;
- (f) The area or areas in which each species may be taken.

The effect of the taiäpure on the fisheries in the area and on the people using those fisheries will depend on the controls that are established within the regulations.

The application process for a taiäpure requires a hearing before the Māori Land Court.

## MARINE MAMMAL SANCTUARY

A marine mammal sanctuary does specified things to protect marine mammals. What it controls depends on what is in the gazette notice. The sanctuary is made to deal with known threats to marine mammals.

A marine mammal sanctuary is quite open ended and could control/allow a wide spectrum of activities depending on the management issues and objectives. Importantly, any management measures that are imposed within a marine mammal sanctuary must be for the purposes of the protection, conservation and management of marine mammals (i.e. the overriding purpose of the Marine Mammals Protection Act).

## SECTION 186B

Section 186B of the Fisheries Act 1996 allows the Chief Executive to temporarily close or temporarily restrict or prohibit a method of fishing in any area within the South Island fisheries waters. An example of this is the Rāhui in place between the new and old wharves.

The purpose of the closure or method restriction is to improve the size and/or availability of fish stocks that have been depleted, **and/or** to recognise and provide for the **use and management practices of Tāngata Whenua**. Temporary closures or method restrictions may provide legal support for a rāhui.

Anybody can suggest to MFish that a temporary closure or method restriction should be put in place; however the Chief Executive must be sure that it will meet the intended purpose before implementing it. Hence the Chief Executive must provide for the input and participation of Tāngata Whenua and have particular regard for kaitiakitanga when assessing a proposal.

Temporary closures or method restrictions can be applied for a period not exceeding two years and can apply to particular days, weeks, months or seasons within that two year period. If the objectives for which the rāhui was put in place are not achieved over that period, an application can be made for the rāhui to be extended for further rotations.

Temporary closures or method restrictions under s186B apply to everyone, **including customary fishers**.

## MARINE RESERVES

The following extract from the September 2000 discussion document on reviewing the Marine Reserves Act 1971 summarises what marine reserves can do.

A marine reserve is the government's most comprehensive tool in the provision of area-based biodiversity protection in the marine environment. However, it is important to remember that marine reserves are not a panacea for all threats to the marine environment; integrated land and sea management is essential.

Marine reserves are specified areas of the sea and foreshore that are managed to preserve them in their natural state as the habitat of marine life for scientific study. Marine reserves may be established in areas that contain underwater scenery, natural features, or marine life of such distinctive quality, or so typical, beautiful or unique that their continued preservation is in the national interest.

Within a marine reserve, all marine life is protected and fishing and the removal or disturbance of any living or non-living marine resource is generally prohibited, except as necessary for permitted monitoring or research. This includes dredging, dumping or discharging any matter or building structures.

The public is welcome and encouraged to enjoy marine reserves. In all marine reserves you may: dive, snorkel, take photos, swim, kayak, anchor (with care), navigate through, picnic on the beach, build sand castles, investigate in rock pools etc.

## UNESCO WORLD HERITAGE SITE

A UNESCO World Heritage Site is a place (such as a forest, mountain, lake, desert, monument, building, complex, or city) that is listed by the UNESCO as of special cultural or physical significance. The list is maintained by the international World Heritage Programme administered by the UNESCO World Heritage Committee, composed of 21 state parties which are elected by their General Assembly.

The program catalogues, names, and conserves sites of outstanding cultural or natural importance to the common heritage of humanity. Under certain conditions, listed sites can obtain funds from the World Heritage Fund. The programme was founded with the Convention Concerning the Protection of World Cultural and Natural Heritage, which was adopted by the General Conference of UNESCO on November 16, 1972. Since then, 186 state parties have ratified the convention.

Each World Heritage Site is the property of the state on whose territory the site is located, but it is considered in the interest of the international community to preserve each site.

## INTERESTING LINKS/INFORMATION?

Recently 3 locals, Alex Thompson, Ed Nolan & Al Judkins came to our December meeting and shared their views and ideas which were very useful and informative. They also showed us recent underwater video of our Rahui area on the Kaikoura Peninsula. Members were pleased to see the wonderful footage showing that the marine life had flourished since the area was closed to all fishing in August 2002. You too can view this footage by going to the following You Tube link:

<http://www.youtube.com/watch?v=WX6IVKXv7VY>

Te Korowai's Characterisation Report and other interesting reports are on our website:  
[www.teamkorowai.org.nz](http://www.teamkorowai.org.nz)

Publications at the various ministries:

- Ministry of Fisheries: [www.fish.govt.nz](http://www.fish.govt.nz)
- Department of Conservation: [www.doc.govt.nz](http://www.doc.govt.nz)
- Ministry for the Environment: [www.mfe.govt.nz](http://www.mfe.govt.nz)
- Environment Canterbury: [www.ecan.govt.nz](http://www.ecan.govt.nz)

## TE KOROWAI'S VISION

*Mā te whakapūmau i te mauri me te wairua o "Te Tai o Marokura", ko mātou ngā kaitiaki o ngā taonga a Tangaroa kei te arataki i te iwi hapori, ki te whakakaruru i te mōmona me te waiora o te āhuatanga o te Taiao, mō ngā whakatipuraka o aianei mē ake tonu ake.*

*By perpetuating the mauri and wairua of "Te Tai o Marokura", we as kaitiaki of Tangaroa's tāonga are leading the community to achieve a flourishing, rich and healthy environment where opportunities abound to sustain the needs of present and future generations.*

## WE STILL WANT TO HEAR FROM YOU!

What do you think is needed to protect and sustain our coastline? What ideas have you got? Do you think catch limits should be decreased or increased, if so, what numbers and for what species? Anything you think or have to say, Te Korowai is interested in - so why don't you, email, ring or write to:

## TE KOROWAI CONTACT DETAILS

If you would like more details of Te Korowai o Te Tai o Marokura, to find out if a Guardian can contact your organisation, or if you need to advise a change in your email contact details, please contact:

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