



Map 1

Executive Summary

1. The Fisheries Act 1996 (the Act) contains provisions allowing a taiāpure-local fishery management committee to recommend to the Minister of Fisheries the making of regulations for the conservation and management of fish, aquatic life, or seaweed in the taiāpure-local fishery.
2. The East Otago Taiāpure-Local Fishery Management Committee proposes to recommend to the Minister of Fisheries that he approve regulations limiting the fishing of shellfish and finfish species within the East Otago Taiāpure-Local Fishery. Regulations have been proposed for both commercial and non-commercial fishers.

The East Otago Taiāpure Committee

3. The Act contains provisions allowing for the establishment of a taiāpure-local fishery and a committee of management (sections 174 to 184). The object of this part of the Act (Part IX) is to: “...*make...better provision for the recognition of rangatiratanga and of the right secured in relation to fisheries by Article II of the Treaty of Waitangi.*” The Kāti Huirapa Rūnaka ki Puketeraki application for a taiāpure-local fishery was gazetted as the East Otago Taiāpure-Local fishery in 1999 and the management committee appointed in 2001.
4. The area (refer Map 1) contains a diverse range of species and habitats and has long been of interest to Māori and non-Māori fishers. It is extensively fished for reef and flat fish, rock lobster, cockles, kina and pāua by recreational and customary fishers and by a small number of commercial operators.
5. The East Otago Taiāpure-Local Fishery Management Committee (“the taiāpure committee”) is made up of representatives from the following local groups: the East Otago Boating Club, Kāti Huirapa Rūnaka ki Puketeraki, Karitane Commercial Fisherman’s Cooperative, University of Otago and the River-Estuary Care: Waikouaiti-Karitane.
6. Under section 185 of the Act, a taiāpure-local fishery management committee may recommend to the Minister of Fisheries the making of regulations for the conservation and management of fish, aquatic life, or seaweed within the taiāpure-local fishery.

Taiāpure vision

7. A sustainable, healthy, abundant and accessible fishery inside the taiāpure that provides for the community’s customary, recreational and commercial needs.

Taiāpure objectives

8. The objectives of the East Otago Taiāpure-local fishery are:
 - (a) To ensure customary, recreational and commercial fishers have access to and use of abundant supplies of fisheries resources;
 - (b) To actively promote the use of traditional tikanga (customs) and kawa (protocols) such as rāhui (temporary closures) through the management regulations for the Taiāpure (using ‘lore’ to create the ‘law’);
 - (c) To ensure that the adverse impacts of human activities on the marine environment, nursery areas, spawning grounds, fisheries habitat and associated and dependant species are avoided, remedied or mitigated.
 - (d) To ensure all fisheries resources from the Taiāpure are fit for human consumption.

Rationale

9. In meeting the objectives of the taiāpure, Kāti Huirapa Rūnaka ki Puketeraki have chosen to exercise their chieftainship through a community-based taiāpure management committee. The taiāpure committee wish to manaaki (look after) the local community and in order to achieve this they need to ensure that the fishery is rebuilt and restored to abundant levels. This will protect and future-proof the ability of the local community to ‘catch a feed’ in the taiāpure.

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

10. The taiāpure committee believes that immediate action is required to rebuild all stocks of shellfish and finfish within the taiāpure area.
11. The taiāpure committee considers that a maximum combined daily bag limit is necessary to reduce recreational fishing pressure on all species of shellfish¹ and finfish² in the taiāpure ‘across the board’. Local knowledge indicates that all fish stocks in the taiāpure are nowhere near as abundant and accessible as they were in the past. Kina, pipi and tuatua in particular have decreased in number and distribution. The number and distribution of large tuaki (that are targeted by customary and recreational fishers) has also decreased.
12. Decreasing recreational fishing pressure ‘across the board’ should result in an increase in the size and abundance of all stocks in the taiāpure. The taiāpure committee notes that commercial fishing in the taiāpure is limited (except for tuaki) as too is customary fishing under authorisation from the Puketeraki tangata tiaki/kaitiaki. Tangata tiaki/kaitiaki will continue with these conservation measures. The reduced bag limits will also ensure that available resources are shared more equitably amongst the local community.
13. To address concerns over the state of pāua and kina in the taiāpure, the taiāpure committee believes regulations are necessary to limit the daily bag limit for these species.
14. Local knowledge indicates that pāua stocks are not as abundant and accessible as they once were. Local knowledge also indicates that ‘accessible’ areas have been very heavily fished – to the point that pāua above 125mm are very difficult to find. Surveys conducted in January and February 2009 by the University of Otago (under the banner of ‘Te Tiaki Mahinga Kai’) supports this local knowledge. These surveys have shown that pāua populations in sites that are accessible to land-based fishers have been severely depleted with only 0-1 percent of pāua above the minimum legal size of 125mm. These pāua are almost exclusively found beneath rocks and kelp where they are less likely to be observed by fishers. Preliminary surveys indicate (simulated fishing for pāua) other areas within the taiāpure also show depletion due to legal and illegal fishing.

¹ This includes crayfish

² This includes shortfin and longfin eels



*East Otago Taiāpure
Management Committee*

15. Local knowledge shows kina stocks have declined significantly in the taiāpure from what was once available. University of Otago monitoring of kina stocks shows they are currently found in very low numbers in the taiāpure. They are large and solitary and found many metres apart suggesting a lack of significant recruitment into the area. Due to this the taiāpure committee believes the taiāpure cannot sustain harvest rates at the current recreational limits for kina.
16. Decreasing recreational fishing pressure for these species should result in an increase in the size and abundance of these stocks in the taiāpure. The taiāpure committee notes that commercial fishing, for pāua and kina in the taiāpure is very limited as too is customary fishing for these species under authorisation from the Puketeraki tangata tiaki/kaitiaki. Tangata tiaki/kaitiaki will continue with these conservation measures. The reduced bag limits will also ensure that available pāua and kina resources are shared more equitably amongst the local community.
17. To address concerns over the status of pāua stocks on the Huriawa Peninsula (which is a particularly vulnerable area in the taiāpure), the taiāpure committee believes a temporary prohibition on the harvesting of pāua is warranted and necessary. This closure will apply to commercial fishers and well as recreational and customary Tangata Tiaki/Kaitiaki will not authorise take from this area also.
18. Pāua on the Peninsula was once extremely abundant and it was a significant resource for Ngāi Tahu who occupied the Huriawa pā area. Traditional customary knowledge notes that Kā whata a Haere (which means 'the food racks of Haere') was named after the abundant 'racks of seafood' that could be found here. This place is also commonly referred to as 'Shit Rock', due to the seabird's droppings.
19. Surveys by the University of Otago in January and February 2009 indicate that less than 1 percent of pāua in this area are above the legal size limit of 125mm. Fishers struggle to find legal-sized pāua in this area but fishing pressure remains high. The potential for loss of pāua through fishers removing and measuring pāua while they try to find legal-sized individuals is significant and fishers with undersized pāua are often found in this area.
20. The taiāpure committee believes that Huriawa has so few legal-sized pāua that a closure is unlikely to impact on fishers. The potential benefits of a revitalised fishery in this area will far outweigh any negatives associated with a closure. Huriawa will be surveyed by the University of Otago and the taiāpure committee for at least the next two years to determine if pāua stocks are responding to any closure. The removal of the closure will be determined by the sufficient recovery of stocks. Over the closure period the taiāpure committee will be developing a re-opening strategy – which will include the harvesting rules. These harvesting rules will be tailored to the needs of the community and may include community harvest 'open days'.
21. To further address concerns over the status of tuaki stocks in the taiāpure, the taiāpure committee believes a prohibition on the commercial harvesting of tuaki is necessary in certain key areas. These closures are supported by the only commercial harvester of tuaki in COC3.



*East Otago Taiāpure
Management Committee*

22. The taiāpure committee also wishes to prohibit trawling within the taiāpure. However, given the very small number of commercial trawl fishers in the Otago region, the committee are seeking to implement this prohibition through a voluntary agreement with these fishers.

Proposal

23. This proposal is aimed at increasing fisheries resources within the taiāpure that are currently in a deleted or severely depleted state. The regulations aim to reduce fishing pressure in order to encourage the recovery of fish stocks.
24. The taiāpure committee recommends that the following regulations apply within the taiāpure:

Regulation: Maximum combined daily limit for shellfish

Notwithstanding the daily species limits provided for by these regulations for the East Otago Taiāpure and anything in the Fisheries (South East Area Amateur Fishing) Regulations 1986:

No amateur fisher may, on any day, **take** or **possess** more than fifty (50) shellfish within the East Otago Taiāpure.

Regulation: Maximum combined daily limit for finfish

Notwithstanding the daily species limits provided for by the Fisheries (South East Area Amateur Fishing) Regulations 1986:

1) No amateur fisher may, on any day, **take** or **possess** more than ten (10) finfish within the southern area of the East Otago Taiāpure.

2) For the purposes of this regulation, the southern area commences at Kāwhaka a Haere/Shit Rock on the eastern side of the Peninsula, then proceeding in an easterly direction to the seaward boundary of the taiāpure then following this seaward boundary south to the southern limit of the taiāpure at Potato Point then back to the point of commencement following mean high-water springs mark* – refer to the map below.

*Note: this area will be described in latitudes and longitudes to ensure that it can be enforced under the Fisheries Act 1996.

Regulation: Maximum daily limit on pāua and kina

No amateur fisher may, on any day, **take** or **possess** more than five (5) pāua and/or ten (10) kina within the East Otago Taiāpure.

Regulation: Prohibition on taking pāua from Huriawa Peninsula

- 1) No person may, on any day, **take** or **possess** any pāua from the Huriawa Peninsula area.
- 2) For the purposes of this regulation, the Huriawa Peninsula area commences at the 'channel marker' on the northern side of the Peninsula; then proceeding in a northerly direction for 50m to a point 50m from shore, then proceeding east along a 50 metre radius extending from the mean high-water springs mark around the Peninsula to a point on the south side of the Peninsula 50m from shore then proceeding in a northerly direction for 50m to a point on the Peninsula – refer to the map below.

*Note: this area will be described in latitudes and longitudes to ensure that it can be enforced under the Fisheries Act 1996.

Regulation: Restriction on the commercial take of cockles within the taiāpure.

No commercial fisher may, on any day, **take** any cockles from the taiāpure except from within the sanitation areas of Waitati Inlet (refer Map 2).

*Note: the sanitation areas will be refined by straight lines and described in latitudes and longitudes to ensure that they can be enforced under the Fisheries Act 1996.

25. This recommendation will be made under sections 185 and 297(1)(a) of the Act amending the Fisheries (South-East Area Commercial Fishing) Regulations 1986 and the Fisheries (South-East Area Amateur Fishing) Regulations 1986.
26. Submissions are sought on this proposal.

Conclusion

27. The East Otago Taiāpure-Local Fishery Management Committee proposes to recommend regulations in the East Otago Taiāpure-Local Fishery area for both commercial and non-commercial fishers.
28. By implementing the proposed regulations, these will limit the potential loss of stock levels and allow for rebuild of those stocks to ensure sustainable utilisation into the future.
29. Local fisheries groups represented on the taiāpure committee endorse the proposal.



Map 2: Waitati Inlet Sanitation Areas
(yellow and white lines depict sanitation areas)