



Ngāti Tamaterā Treaty Settlement Trust  
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12 December 2019

Hon Stuart Nash  
Minister of Fisheries  
c/- Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

Ko ngā puke ki Hauraki ka tārehu  
E mihi ana ki te whenua, e tangi ana ki te tangata  
Ko Moehau ā-waho, ko Te Aroha ā-uta  
Tū ko te rae o Hauraki, ko Marutūāhu kōwhao rau  
Tihei mauriora.

Kei ngā rangatira o Te Manatu Tini a Tangaroa tēnā koutou katoa

## **REQUEST FOR TEMPORARY CLOSURE OF TE MĀTA AND WAIPATUKAHU MAHINGA MĀTAITAI**

### **1. INTRODUCTION**

- 1.1 Please regard this correspondence as a request by the Ngāti Tamaterā Treaty Settlement Trust for a 24-month closure, under section 186A of the Fisheries Act, of the Te Mātā and Waipatukahu (commonly known as Tapu) Mahinga Mātaïtai on the Thames coast of the Coromandel Peninsula. We request the closure of the kūtai, pipi and tuangi shellfisheries.
- 1.2 Ngāti Tamaterā will be placing a tikanga based rāhui at Te Mātā and Waipatukahu on Saturday 21 December 2019 and we seek a section 186A Temporary Closure to recognise this customary practice. The rāhui is being placed because we are very concerned that our shellfisheries may not recover from another Christmas/New Year peak season when harvesting intensifies.
- 1.3 We also ask that you re-consider whether the MPI policy rule, of not consulting on any matters over the Christmas period and New Year, applies in this instance.

### **2. NGĀTI TAMATERĀ**

- 2.1 Tamaterā is the eponymous ancestor of Ngāti Tamaterā, who was the second son of Marutūāhu and Paremoehau and brother to Tamatepō, Whanaunga, Taurukapakapa and Te Ngako. Ngāti Tamaterā are mana whenua and kaitiaki of Te Mātā and Waipatukahu.
- 2.2 The Ngāti Tamaterā Treaty Settlement Trust is the Post Settlement Governance Entity of Ngāti Tamaterā. The Trust was ratified in 2012 and established in 2013.

### **3. BACKGROUND**

- 3.1 The Te Mātā and Waipatukahu shellfisheries has been the subject of a temporary closure before as part of a wider Thames coast closure. In 1998, the Hauraki Māori Trust Board requested and were granted a section 186A Temporary Closure for the coastline extending from Ngārimu Bay to Wilsons Bay on the Thames coast, which encompassed Te Mātā and Waipatukahu. The purpose for the closure was to improve the availability and size of cockles and pipi and to recognise a customary fishing practice (rāhui) in that area.
- 3.2 The temporary closure was extended for a further two years in 2000, 2002 and 2004 due to the fact that surveys by the Hauraki Māori Trust Board found that while there was recruitment, they were small and not growing to harvestable sizes. The conclusions made at that time was that depletion may have been caused by a mix of over harvesting and significant flood events (the 'Weather Bomb' event in June 2002 and the Easter flood event in April 2003 for example) resulting in increased sedimentation into the estuarine environment along the western coastline.
- 3.3 While the Hauraki Māori Trust Board wanted to seek another temporary closure after 2004, they were unable on the basis that section 186A was not a permanent tool for the management of customary fisheries.

### **4. INFORMATION REQUIREMENTS**

#### **4.1 Tangata whenua non-commercial customary fishing use and management practices;**

The customary fishing use and practice is that Pipi, tuangi (cockles) and kūtai (mussels) are gathered by hand for the purpose of feeding whānau (recreational take) and for hui, tangihanga and other marae related celebrations, when a customary permit is required.

#### **4.2 Provide reason(s) for requesting the temporary closure, i.e. the fishing activity of concern;**

The purpose for this closure, as in the past, is to improve the availability and size of kūtai, tuangi and pipi at Te Mātā and Waipatukahu and to recognise a customary fishing practice (rahui) that is to be placed in the area.

Ngāti Tamaterā are taking this step because of a serious concern that the shellfisheries are depleted and will not withstand another Christmas and New Year's peak season harvesting onslaught. Over the last fifteen years, local whānau who gather regularly have noticed that it takes longer to gather the kaimoana compared to previous years and they are smaller. Local kaitiaki and residents also observe large groups of visitors coming from Auckland and taking large quantities on a regular basis.

The lack of available up-to-date information also concerns us. We are unclear whether any agency or organization continued to monitor Te Mātā and Waipatukahu after the monitoring undertaken by the Hauraki Māori Trust Board had ended by 2006. If there has been an absence of any monitoring of these shellfisheries since 2006, a temporary closure is also a precautionary approach pending sound information on its current state.

**4.3 Explain how the customary use and management practices are being impacted upon;**

At Waipatukahu (now commonly referred to as Tapu) and Te Mātā on the coastal flats were extensive cultivations and gardens of Ngāti Tamaterā and a rich estuarine environment teeming with marine life.

The descendants of Tamaterā were numerous and intensively settled in this area with networks of large pā settlements of Te Rauwhitiora, Te Aorangi and Onepoto (see figure 1) including tauranga waka, pataka and extensive cultivations along the fertile soils of the coast flats and a rich estuarine environment teeming with marine life. From the Waipatukahu spit to the Te Mātā spit is a significant mahinga mātaītai of Ngāti Tamaterā Iwi.

Today, this mahinga mataitai is severely depleted and over-harvesting by the gathering by hand of the pipi, tuangi and kutai is a significant contributor to this poor state. The issues in the catchment affecting the shellfisheries will be addressed through co-governance arrangements of the Pare Hauraki settlement.



Figure 1 Three pā settlements Te Mātā/Tapu

**4.4 Describe the proposed area/s and boundaries**

The area that the request covers is located between Ōtaki creek to the north of the Te Mātā stream as the northern boundary extending south as far as Onepoto stream (Diehard stream) to the south of Tapu settlement, which is displayed in Figure 2.



Figure 2 Requested closure area

The seaward boundary is the line identified in the previous section 186A Temporary Closure for the Thames coast that was requested by the Hauraki Māori Trust Board and granted by the Minister of Fisheries at the time and is displayed in figure 3.

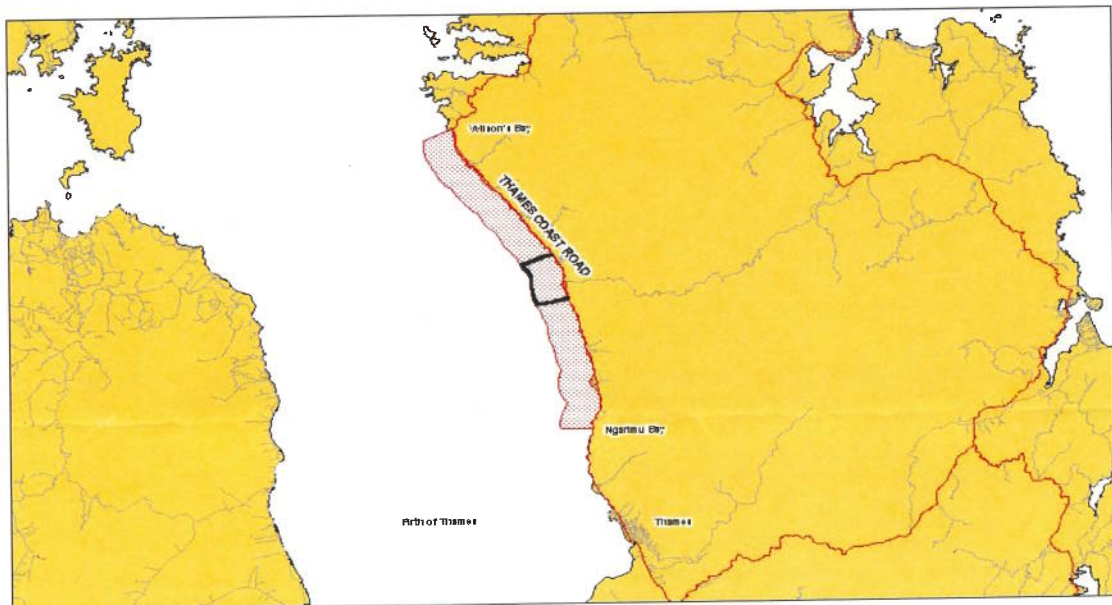


Figure 3 The seaward boundary of Requested Closure Area

- 4.5 The species at issue is**  
 Kūtai (green lipped mussel), tuangi (cockles) and pipi.
- 4.6 Describe the fishing method and how this is having an adverse effect (if appropriate)**

Refer to 4.2 and the last paragraph of 4.3

#### **4.7 The proposed length of time for temporary closure**

Ngāti Tamaterā are requesting a 24-month closure. This will enable us to survey and assess its current state and establish a monitoring regime to assess over the time of the closure any indicators of stock recovery. We would like to establish this monitoring regime in partnership with Fisheries NZ noting the imminent treaty settlement and associated Fisheries-related protocol. Importantly, the closure gives the Te Mātā and Tapu shellfisheries a rest and a better chance at recovering and will enable surveys to be conducted to monitor if the closure is improving the state of the pipi, tuangi and kūtai populations.

#### **3.8 Consultation undertaken**

We have had informal conversations in our Pare Hauraki and local community and to date we have received support and acknowledge that there needs to be an opportunity for consultation. We will send through letters of support as we receive them.

Ngā mihi



Antony Royal  
Chairman  
Ngāti Tamaterā Treaty Settlement Trust