I MUA I TE KOOTI TAIAO O AOTEAROA TĀMAKI MAKAU RAU **ENV-2019-AKL-117**

BEFORE THE ENVIRONMENT COURT
AUCKLAND REGISTRY

UNDER	the Resource Management Act 1991 (the **RMA**)
AND	
IN THE MATTER	of an appeal under clause 14(1), Schedule 1 of the RMA
AND	
IN THE MATTER	of section 274 of the RMA
BETWEEN	**BAY OF ISLANDS MARITIME PARK INCORPORATED V NORTHLAND REGIONAL COUNCIL**
	ENV-2019-AKL-117
	THE ROYAL FOREST AND BIRD PROTECTION SOCIETY INCORPORATED V NORTHLAND REGIONAL COUNCIL
	ENV-2019-1KL-127
	Appellants
AND	**NORTHLAND REGIONAL COUNCIL**
	Respondent

BRIEF OF EVIDENCE OF WHAIMUTU DEWES ON BEHALF OF TE OHU KAI MOANA TRUSTEE LIMITED

14 MAY 2021

WHĀIALEGAL

Solicitor M M E Wikaira
P 027 646 7797
E maia@whaialegal.co.nz
PO Box 910 WELLINGTON 6140
www.whaialegal.co.nz

INTRODUCTION

1. My name is Whaimutu Dewes, with principal Iwi affiliations to Ngati Porou and Ngati Rangitihi.

2. I am a director and Chair of Sealord Group Limited (**Sealord**).

3. Until recently I was a director and Chair of Aotearoa Fisheries Limited, which trades as 'Moana' (**Moana**). Both Sealord and Moana are subsidiaries of Te Ohu Kai Moana Trustee Limited, a s 274 party in these proceedings.

Qualifications and Experience

4. My qualifications include a Bachelor of Arts (graduated in 1975), a Bachelor of Laws (graduated in 1977) from Te Herenga Waka – Victoria University of Wellington. I also hold a Masters in Public Administration from Harvard University.

5. I have held several governance roles and directorships for Crown agencies, private companies and Iwi and hapu entities, including Housing New Zealand, Television New Zealand, Maori Television, Ngati Porou Holding Company Limited and Contact Energy. In terms of fisheries, I was a director and Chair of Ngati Porou Seafoods Limited.

6. I was appointed and served on the inaugural Maori Fisheries Commission and as such was involved in the background and lead-up to the 1992 settlement enacted in statute in 1992, including the latter stages of the negotiations on behalf of the Maori Fisheries Commission. I served further terms as a Maori Fisheries Commissioner until 2000.

PURPOSE AND SCOPE OF EVIDENCE

7. The evidence of Ta Tipene O'Regan provides a comprehensive account of the whakapapa of the Maori Fisheries Settlement.

8. My evidence takes up where his concludes. I speak to:

   (a) the significance of the affirmation by Te Tiriti o Waitangi of Māori fishing rights;

   (b) the legislative framework of Maori fishing rights, by way of overview; and

   (c) the significance of Maori customary non-commercial fishing rights.

RECOGNISING MĀORI FISHING RIGHTS AS TIRITI RIGHTS

9. As outlined in the evidence of Ta Tipene O'Regan, the Maori Fisheries Settlement is the culmination of a multitude of claims and court cases brought by Maori people in pursuit of recognition and protection of their Maori fishing rights.

10. It is my view that Maori fishing rights are not, nor have they ever, been the same as the interests held by any general member of the public. Maori fishing rights were, and are, distinct and part of our status as tangata whenua, mana whenua and mana moana. They are held by the collective and are exercised by individuals in a manner that must be consistent with the overriding prerogative of the collective. They were expressly recognised by, and guaranteed protection under, Te Tiriti o Waitangi.

11. Despite that, early on, the struggle was trying to get Maori fishing rights recognised as Treaty rights. That was a necessary precondition for the claims brought under the Treaty of Waitangi Act 1975 and the Fisheries legislation.

12. The Treaty rights approach provided a vehicle for recognition of the inexorable whakapapa ties handed down through time immemorial to Tangaroa, all his descendants and to his domain. That domain was not just a source of physical sustenance but also provided essential infrastructure. Furthermore, the domain and all of its components have the same ties of reciprocal sustenance to Maori people as the other elements of the natural world.

13. The important recognition that customary fishing rights are inherently Treaty rights that require protection, and that the law needs to recognise and uphold these rights, formed a critical steppingstone towards the fisheries settlement.

14. Hence the whakapapa of the property rights enacted in the Maori Fisheries Settlement came from our whakapapa relationship with Tangaroa, manifest through the exercise of customary rights; and we used the vehicle of Te Tiriti o Waitangi to bridge the gap.

15. Te Tiriti o Waitangi, and tino rangatiranga over Māori fisheries, are therefore cornerstones of the Maori Fisheries Settlement.

THE FRAMEWORK OF MAORI FISHING RIGHTS

16. The framework of deeds and legislation to give effect to the agreements between the Crown and Maori in the Fisheries Settlement, and protect Maori fishing rights more generally, is complex, as it built over time. It involves:

    (a) Maori Fisheries Act 1989. As identified in the evidence of Ta Tīpene, this Act provided for the interim settlement. The (now repealed) Act is in multiple parts. Part I established the Maori Fisheries Commission and the transfer of assets to the Commission from the Crown. Part II declared rock

lobster to be included in the QMS. Part III authorised the declaration of taiapure.

(b) The 1992 Fisheries Deed of Settlement. This was then followed by the Deed of Settlement, executed on 23 September 1992. The Deed of Settlement provided for Māori customary (commercial and non-commercial) fishing rights as guaranteed under Te Tiriti o Waitangi. Recital A to the Preamble states:

> "By the Treaty of Waitangi the Crown confirmed and guaranteed to the Chiefs, tribes and individual Maori full exclusive and undisturbed possession and te tino rangatiratanga of their fisheries."

(c) The Treaty of Waitangi (Fisheries Claims) Settlement Act 1992. This Act implemented the initial 1992 Deed of Settlement. It settled claims relating to Maori fishing rights and provided for Maori customary (commercial and non-commercial) fishing rights and interests. This Act amended the Maori Fisheries Act 1989 by allowing the Commission, reconstituted as the Treaty of Waitangi Fisheries Commission, to allocate pre-settlement assets under the Interim Settlement. I note that the Commission's new name was intentional. It was a response to Iwi calling for a name that honoured the Tiriti origins, and accompanying obligations, associated with the Commission's role as agent for Iwi in the ongoing Crown-Maori relationship to protect Māori fishing rights.

(d) Customary fisheries management. Under the Deed of Settlement the Crown has specific obligations to Maori to provide for customary fisheries management practices and traditional gathering of fish. These obligations were recognised in s 10(c) of the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 and gave power to the Minister to make regulations for "customary food gathering by Maori", and declare "any part of New Zealand fisheries waters to be a mataitai reserve". They are now contained in Part 9 of the Fisheries Act 1996. I expand on customary (non-commercial) fishing below.

(e) The Maori Fisheries Act 2004. This Act was the culmination of a significant amount of work by the Commission developing a model for identifying Iwi and setting out a process of allocating settlement assets. Broadly, it sets out a process for allocating quota to mandated organisations that represent Iwi based on the 2004 population of Iwi and the extent of coastline areas. The Act also establishes Te Ohu Kai Moana and a number of subsidiaries, including Te Wai Maori Trust, Te Putea Whakatupu Trust and Aotearoa Fisheries Limited.

(f) Māori Commercial Aquaculture Claims Settlement Act 2004. While Maori fishing rights were affirmed in the Deed of Settlement and subsequent legislation, it was not until the early 2000s that Maori rights in aquaculture were acknowledged. The Maori Commercial Aquaculture Claims Settlement Act 2004 is the result of successful Maori action in the Waitangi Tribunal,[1] responding to being left out of reform

[1] The Tribunal's report was entitled 'Ahu Moana: The Aquaculture and Marine Farming Report' – Report WAI 953.

proposed in 2001. The Act delivers this settlement by providing settlement assets to Te Ohu for distribution to Iwi Aquaculture Organisations. The settlement assets must be representative of 20% of aquaculture space.

CUSTOMARY (NON-COMMERCIAL) FISHING

17. The significance of the customary (non-commercial) fishing element of the Fisheries Settlement cannot be overstated. Section 174 of Part 9 of the Fisheries Act 1996 (relating to taiapure-local fisheries and customary fishing) states that:

> 174 Object
> The object of sections 175 to 185 is to make, in relation to areas of New Zealand fisheries waters (being estuarine or littoral coastal waters) that have customarily been of special significance to any iwi or hapu either—
> (a) as a source of food; or
> (b) for spiritual or cultural reasons,—
> better provision for the **recognition of rangatiratanga and of the right secured in relation to fisheries by Article II of the Treaty of Waitangi**.
>
> [My emphasis]

18. I referred above to the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 giving power to the Minister to make regulations for "customary food gathering by Maori".

19. While I was a Maori Fisheries Commissioner, the Customary Fisheries Committee of the Treaty of Waitangi Fisheries Commission was set up to consult with our people about the proposed customary (non-commercial) fishing regulations.

20. In 1993 a discussion paper, *'Kaitiaki o Kaimoana: Treaty of Waitangi (Fisheries Claims) Settlement Regulations',* produced by the Ministry of Agriculture and Fisheries with advice from Te Puni Kokiri, the Crown Law Office, the Department of Conservation, the Ministry for the Environment and the Commission was released for public consultation. Concurrently with the Crown's rounds of consultation the Commission attended hui convened by the iwi for the same purpose. We were asked to produce a submission outlining the feedback from the several hundred people who participated in 23 regional hui and 2 hui-a-Iwi.

21. The feedback, provided in a 24 February 1994 letter from the Commission to the Ministry of Agriculture and Fisheries (attached as **Appendix A**), speaks to the significance of customary (non-commercial) fishing to Maori. It included:

> **Te Tiriti o Waitangi**
> The regulations must reflect three key principles arising from the Treaty of Waitangi:
> - deliver tino rangatiratanga over the resource to tangata whenua;
> - provide for exclusive use by tangata whenua;
> - provide for a limited right of kawanatanga only to the extent necessary for conservation purposes.
>
> **Working Group Programme**
> That Iwi, Hapu and Whanau working with Te Ohu Kai Moana assume responsibility for drafting of the regulations as a minimum requirement to give expression to Te Tino Rangatiratanga over their customary fisheries, and that these regulations shall not be altered or amended without prior consent of Iwi, Hapu and Whanau.

> **Nature and Extent of the Maori Non-Commercial Fishing Rights and Practices**
>
> The customary fishing right entails far more than the occasional issuing of permits by Kaitiaki to allow for the harvesting of kaimoana for special events. There must be provision in the regulations for holistic management by tangata whenua/Kaitiaki over the environments where resources are found and over the influences which impinge on those environments. The absence of recognition in the Resource Management Act 1991 of Kaitiaki roles with real power and influence in decision-making regarding Resource Consent applications etc, was identified as a major grievance by iwi katoa.
>
> …
>
> **Intellectual Property**
>
> The loss of customary fisheries through environmental degradation and/or statutory/regulatory exclusion inevitably leads to cultural losses of the deepest kind. Tangata whenua are rendered unable to exercise one of their primary vehicles for the transmission of cultural knowledge and identity from one generation to another.

22. Today there are different customary (non-commercial) fishing regulations for different areas. The Fisheries (Kaimoana Customary Fishing) Regulations 1998 apply to the North Island and Chatham Islands. The Fisheries (South Island Customary Fishing) Regulations 1999 apply to the South Island.

23. Other specific regulations arise from the Treaty Settlements of particular Iwi, such as the Te Arawa Lakes (Fisheries) Regulations 2006 and Waikato-Tainui (Waikato River Fisheries) Regulations 2011.

24. Other customary (non-commercial) fisheries management tools, the operation of which is discussed in the evidence of Kim Drummond, are:

(a) Mātaitai reserves – recognise and provide for traditional fishing through local management. They allow customary and recreational fishing but usually don't allow commercial fishing.

(b) Taiāpure (local fisheries) – estuarine or coastal areas that are significant for food, spiritual, or cultural reasons. They allow all types of fishing and are managed by local communities.

(c) Temporary closures and restrictions on fishing methods (Sections 186A and 186B closures) – areas that are temporarily closed to fishing or certain fishing methods.

(d) Fisheries bylaws – changes to fisheries management rules made by tangata whenua or tangata kaitiaki/tiaki (guardians) for their Crown settlement area or mātaitai reserve.

25. The regulatory and statutory expression is part of an evolving interpretation written into law of the hereditaments of 'tikanga e pa ana ki te takutai, ki te moana" - themselves a dynamic feature of everyday life.

CONCLUSION

26. In May 1986 the Minister of Justice asked the NZ Law Commission to consider and report on the law affecting Maori fisheries. In the Minister's words, the purpose of the reference was "to ensure that the law gives such recognition to the interests of the Maori in their traditional fisheries as is proper, in the light of the obligations assumed by the Crown in the Treaty of Waitangi."[2]

27. In my view, the Māori Fisheries Settlement - its origins, intent and purpose – provide critical context to the marine management decisions to be made, to heed the Minister's words.

Kaore i hangaia te kupenga hei hopu ika anake, engari i hangaia kia oioi i roto i te nekeneke o te tai

The net is not made up just to catch fish, but also to be flexible so that it may flow with the tide

W Dewes
14 May 2021

[2] Law Commission, The Treaty of Waitangi and Maori Fisheries - Mataitai: Nga Tikanga Maori me te Tiriti o Waitangi (PP9) 7 March 1989.

TE OHU KAI MOANA
TREATY OF WAITANGI FISHERIES COMMISSION

24 February 1994

Ms Mandy Cassidy & Mr Terry Lynch
MAF Policy (Fisheries)
P O Box 2526
WELLINGTON

Tena korua

RE: "KAITIAKI O KAIMOANA" AND RELATED ISSUES

1. INTRODUCTION

No doubt you are aware that concurrently with your own rounds of consultation regarding the issues raised in "Kaitiaki o Kaimoana" the Customary Fisheries Committee of the Treaty of Waitangi Fisheries Commission ("the Commission") has also been attending hui convened by iwi for the same purpose. In addition, the Commission has itself convened two national hui in order to determine the degree of consensus which might exist among iwi, and to establish a national framework for the eventual development of regulations.

Many of the iwi, hapu and whanau groups who have attended these regional hui are not well endowed with iwi management structures, skilled personnel or finance to prepare formal, written submissions in response to "Kaitiaki o Kaimoana". However, a very large number of speakers at these hui have spoken with fluency and passion about their concerns regarding customary fisheries, and have placed these issues within the much wider context of environmental management. We have taken a very complete record of their oral contributions, which in many ways are far more eloquent and relevant to the issues at hand than can be achieved in a written submission. Because of the constraints under which many iwi labour, at every hui the Commission was requested that it make a submission on "Kaitiaki o Kaimoana" on behalf of the iwi and hapu etc. groups who were present.

Rather than send you a separate submission at the conclusion of each hui the Commission has decided to complete its rounds of consultations, and then collate the common threads. This is the purpose of this letter. However, it should be clearly

understood that this should not be regarded as a single submission; the statements represent the shared views of several hundred people who participated in 23 regional hui and 2 hui-a-iwi. None of the hui were single-hapu, or even single-iwi, gatherings; at every meeting several hapu, and sometimes several iwi, were represented by mandated representatives.

The spirit and intent of the following statements were confirmed as formal resolutions, the only variations being slight differences in the actual wording adopted at the different hui.

2. RESOLUTIONS FROM HUI

2.1 Te Tiriti o Waitangi

The regulations must reflect three key principles arising from the Treaty of Waitangi: They must:-

* deliver tino rangatiratanga over the resource to tangata whenua.
* provide for exclusive use by tangata whenua.
* provide a limited right of kawanatanga only to the extent necessary for conservation purposes.

2.2 Working Group Programme (Section 4 of "Kaitiaki o Kaimoana")

Hui were united in rejecting the working group as proposed; there was unanimity that the process for formulating regulations must be driven by Maori. This concern culminated in a resolution at the Hui-a-Iwi at Pipitea Marae on January 29, 1994:-

> *"That Iwi, Hapu and Whanau working with Te Ohu Kai Moana assume responsibility for drafting of the regulations as a minimum requirement to give expression to te Tino Rangatiratanga over their customary fisheries, and that these regulations shall not be altered or amended without prior consent of Iwi, Hapu and Whanau".*

It was noted at several hui that the Minister of Fisheries has invited the Fishing Industry Board to co-ordinate the fisheries legislation review, and by analogy it seemed that Maori were the best placed to draft the regulations affecting their customary fisheries.

2.3 Nature and Extent of the Maori Non-Commercial Fishing Rights and Practices

Hui were agreed that the customary fishing right entails far more than the occasional issuing of permits by Kaitiaki to allow for the harvesting of kaimoana for special events. They insist that there must be provision in the

regulations for the holistic management by tangata whenua/Kaitiaki over the environments where the resources are found and over the influences which impinge on those environments. The absence of recognition in the Resource Management Act 1991 of Kaitiaki roles with real power and influence in decision-making regarding Resource Consent applications etc, was identified as a major grievance by iwi katoa.

2.4 Size of Mahinga Mataitai

Iwi were also united in that Mahinga Mataitai (and Taiapure under the Maori Fisheries Act) do not necessarily involve "small, discrete local areas" as has been asserted by the Fishing Industry Board in current High Court actions and in other references (including "Kaitiaki o Kaimoana", paragraphs 54, 60).

2.5 Status of Various Statutes

Iwi had some difficulty with the assertions in paragraphs 63-68 where the Fisheries Act is seen as the sole source of authority to empower persons to enforce the new regulations. The consensus was that the new regulations should be established within a statutory framework which somewhat diminished the current predominance of MAF in this area.

2.6 Training

There was also some concern at the patronising tone of paragraphs 69-72 inferring that education and training is a "one-way" process - from MAF to iwi. Many participants at our hui asserted that one of the problems of the current management of customary fisheries stems from the lack of awareness of the customary/traditional dimension and the complete absence of training in such matters given to MAF staff, at all levels from MAF Policy downwards.

2.7 Size Limits

Iwi also pointed to the unwillingness to MAF to consider management practices which Maori have long since preferred. They dispute the rationale behind size limits for many species which are guaranteed to remove breeding adults from the fishery. They argued that for many species there should be a maximum size, beyond which harvesting is banned, rather than a minimum size as adopted by MAF for most species. They noted the unwillingness of MAF to consider varying the size limits for paua in several localities, such as the Taranaki Coast and parts of Wairarapa, where none of the adults ever reach the 125mm minimum size. Iwi argue that under the new regulations, traditional practices regarding stock sizes at harvest, and similar issues, must be permitted at least within the mataitai and other reserves which will be managed by tangata whenua Kaitiaki.

2.8 Intellectual Property

The loss of customary fisheries through environmental degradation and/or statutory/regulatory exclusion inevitably leads to cultural losses of the deepest kind. Tangata whenua are rendered unable to exercise one of their primary vehicles for the transmission of cultural knowledge and identity from one generation to another.

Another concern regarding intellectual property is the framing of regulations in such a way that some mahinga mataitai or tauranga ika are not precisely identified. The difficulties are acknowledged, but the issue is nonetheless important, as many have noted the experiences of their hapu whose waahi tapu and archaeological sites have been identified in Historic Places Registers. The very action which was supposed to afford protection in fact has often attracted souvenir hunters, ghouls and even archaeologists, whose subsequent activities have led to desecration of sites. By analogy they argued that the precise definitions in regulations of the location of some mahinga mataitai and tauranga ika, particularly those in remote places, are going to identify for all and sundry what was previously the secret information and tikanga of those tangata whenua.

2.9 Water Quality and Environmental Management

At every hui Commissioners were asked *"what is the point of having regulations which will recognise and provide for customary food gathering when the Kaitiaki have no management control of water quality?"* We were told that the ability of Kaitiaki to protect the environment from degradation and pollution must be encompassed within the customary fisheries rights as was traditionally done. There was strong resistence to acceptance of regulations for customary fishing as part of a legislative framework which did not deliver protection of customary fisheries from pollution and environmental degradation.

2.10 Esplanade Reserves, Marginal Strips, "Queen's Chain"

Concern regarding this issue was shared by all iwi. Concern was voiced at the current difficulties for tangata whenua to obtain access to their mahinga kai, and that certain proposals regarding changes to the administration of Esplanade Reserves are likely to exacerbate the situation. This issue must be addressed in regulations.

2.11 Fresh Water Fisheries

The resolutions at hui regarding fresh water fisheries stated that:-

> *"Where Iwi, Hapu and Whanau are exercising their Tino Rangatiratanga over their customary and traditional fisheries, each Iwi, Hapu and Whanau be empowered to retain their traditional dependence and unique tikanga over their mahinga kai".*

2.12 Eels

There were some regional differences in regard to the degree of commercialisation which should be permitted for eel fisheries. However, the consensus, regardless of subsequent commercial developments, was:-

* that Maori should obtain 100% control of all eel fisheries;

* that all existing commercial eel licences be withdrawn; and

* that Maori negotiate with the Crown over the future management of the eel fisheries.

Concern was also expressed about:-

* the multiple catchers who may fish against a single permit;

* the "open slather" permitted by the failure to set catch limits on eel licences;

* the fact that many traditional eel fisheries have been entirely "cleaned out"; that in several districts the (centuries-old) annual tuna haka heke has not occurred over recent years;

* the damming of waterways halts the tuna heke and their return from breeding grounds;

* the draining of waterways and wet lands in which the eels inhabit;

* the predominant rights which seem to be conveyed to eel licence holders over traditional waterways and traditional structures installed by iwi for their eel fisheries management; and

* the fact that eels seem to be "multi-managed" (*"multi-mismanaged"*), in that MAF controls the commercial eel fishery, DOC controls the traditional eel fishery habitats, but Regional Councils control the activities affecting the waterways which eels inhabit. The consensus

was that this situation must be rationalised in the new customary regulations.

2.13 Costs of Customary Fisheries Management

It is anticipated that considerable costs will be incurred by "Kaitiaki" and other representatives of tangata whenua who will have responsibilities under the new regulations. Iwi are agreed that the Crown should bear the major portion of these costs, bearing in mind:-

* that the establishment of a "Kaitiaki" system, as envisaged by iwi participants under the new regulations, will effectively alleviate the Crown of many of its current responsibilities and associated costs (ie. staff of MAF, DOC and regional authorities); and

* that since the "Deed of Settlement" the Crown derives over 40% of its resource rentals for ITQ species from Maori quota holders. Although resource rentals are likely to disappear following the proposed re-structuring of MAF funding to a user-pays system, Maori quota holdings will still generate the largest proportion of income from fish to the Crown.

3. PARTICIPANTS AT HUI

The customary fisheries hui were held as listed in Section 3.1 below. The iwi names given in the listing are those of the organising body for each hui; the actual attendance invariably included (sometimes at the Commission's insistence) iwi, hapu and whanau representatives from across each region. Large numbers of people attended hui over the last two months. Over 100 attended the second Hui-a-Iwi held at Pipitea Marae in Wellington in January 1994.

3.1 List of Participants

Roopu	Location
Te Puna Waiora	Rotorua
Te Runanga o Wharekauri	Chatham Islands
Ngati Te Rino	Mangakahia
Rangitane with National Maori Congress	Palmerston North
Ngati Kahungunu ki Wairarapa	Pirinoa
Ngati Ruanui	Hawera
Ngai Tahu Hi Ika Committee	Christchurch
Ngati Hine	Kawakawa
Te Whakakotahitanga o Te Tai Tokerau	Northland
Hui-a-Iwi	Pipitea Marae Wellington
Ngati Kahungunu ki Te Wairoa	Wairoa

Turanganui-A-Kiwa and Rongowhakata	Gisborne
Hauraki	Te Aroha
Te Arawa, Ngati Pikiao	Rotorua
Mataatua Waka	Whakatane
Tauranga Moana	Tauranga
Te Tau Ihu o Te Waka a Maui	Blenheim
Hui-a-Iwi	Pipitea Marae, Wellington
Ngati Kahungunu ki Heretaunga	Hastings
Rongomaiwahine	Mahia
Tainui	Hopuhopu
Taranaki Whanui	Waitara
Te Iwi Moriori	Wellington
Tangaroa Board of Wairarapa Maori Executive	Masterton

3.2 The Status of This Submission

We re-iterate that this is not a submission from the Commission per se. This is a fulfilment of formal requests from several hundred iwi and hapu delegates present at a succession of 23 regional hui and two Hui-a-Iwi. This letter is to convey their submissions to you. If any of the bodies listed in Section 3.1 should send their own written submission to you, they can be eliminated from this list. Otherwise, please regard the enclosed as submissions from 23 regional, multi-iwi, multi-hapu hui and two national hui which encompassed representatives (who were rangatira with mandates) from iwi of Aotearoa.

4. THE COMMISSION AND CUSTOMARY FISHERIES

This letter is a summary of some of the main outcomes from the Commission's round of hui which seemed to have a direct bearing on the issues raised in "Kaitiaki o Kaimoana". A full report is being prepared on the Commission's consultations with iwi and other advice it has received regarding customary fisheries. In due course this report will be forwarded to the Minister of Fisheries and the Minister of Maori Affairs and others as appropriate, and it is hoped that it will provide the basis for the development of regulations for the management by tangata whenua of their customary fisheries.

Thank you for your consideration of this information.

Heoi ano ra

Robin Hapi
GENERAL MANAGER