



16 August 2018

Document Number:

B18-0659

## Kahutara, Oaro, and Tūtaeputaputa Mātaimai Reserves – Declaration and Notification

**Purpose:**

This briefing recommends that you sign the enclosed three *Gazette* notices declaring the Kahutara, Oaro, and Tūtaeputaputa mātaimai reserves, and 10 letters appointing Tangata Tiaki/Kaitiaki for the reserves and notifying relevant parties of your decisions.

Minister	Action Required:	Minister's Deadline
Minister of Fisheries	Agree to sign the enclosed three <i>Gazette</i> notices and 10 letters.	As soon as possible

**Contact for telephone discussion (if required)**

	Name	Position	Work	Mobile
Responsible Director	Stuart Anderson	Director, Fisheries Management	s 9(2)(a)	s 9(2)(a)
Responsible Manager	s 9(2)(a)	Acting Manager, Customary Fisheries & Spatial Allocations	s 9(2)(a)	s 9(2)(a)
Principal Author	s 9(2)(a)	Senior Analyst, Spatial Planning & Allocations	s 9(2)(a)	

## Key Messages

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1. On 14 March 2018, you agreed to declare the proposed Kahutara and Tūtaeputaputa mātaimai reserves, and a proposed extension to the existing Oaro Mātaimai, and appoint the nominated Tāngata Tiaki/Kaitiaki for the Kahutara and Tūtaeputaputa reserves (B17-0605 refers). The tangata whenua of the area that includes the proposed mātaimai reserves are represented by Te Rūnanga o Kaikōura (the Rūnanga).
2. If you declare the mātaimai reserves under the *Fisheries (South Island Customary Fishing ) Regulations 1999*:
  - (a) Regulation 20(4) requires you to publish, as soon as practicable, notices in the *New Zealand Gazette* (the *Gazette*) declaring the mātaimai reserves; and
  - (b) Regulation 21(1) requires you to appoint the nominated Tāngata Tiaki/Kaitiaki for the mātaimai reserves.
3. The Rūnanga nominated Maria Andrea Clayton, Brett Cowan, Nukuroa Tirikatene-Nash, Sir Mark Solomon, Gina Solomon, Keepa Te Rangihwinui Timms (Major), Debbie Walford, Jeff Reardon, and Taukiri Manawatu as Tāngata Tiaki/Kaitiaki for the Kahutara and Tūtaeputaputa mātaimai reserves.
4. B17-0605 noted that no appointments were required for the proposed extension to the Oaro Mātaimai, because the Tāngata Tiaki/Kaitiaki for the existing Oaro Mātaimai would cover the extended area. However, recent discussions with the Rūnanga have determined that the same Tāngata Tiaki/Kaitiaki nominated for the Kahutara and Tūtaeputaputa mātaimai reserves are to be appointed for the Oaro mātaimai reserve.
5. Tāngata Tiaki/Kaitiaki may be appointed for up to five years. Fisheries New Zealand is not aware of any reason why the nominated Tāngata Tiaki/Kaitiaki should not be appointed for the full five-year term.
6. As soon as practicable, and no later than 20 working days after the appointment of the Tāngata Tiaki/Kaitiaki, regulation 22 requires the Director-General of the Ministry for Primary Industries to publish a notice in the *Gazette* and in a newspaper circulating in the locality of the mātaimai reserves. This notice will:
  - (a) State that the mātaimai reserves have been declared;
  - (b) Describe the boundaries of the mātaimai reserves; and
  - (c) Name the appointed Tāngata Tiaki/Kaitiaki for the mātaimai reserves.
7. Fisheries New Zealand will publish the required notice in the *Gazette* and *The Marlborough Express* and *Kaikōura Star* newspapers.
8. The mātaimai reserves and Tāngata Tiaki/Kaitiaki appointments will come into force on the 28th day after the date of their notification in the *Gazette*.

9. Enclosed for your signature are:
- (a) Three *Gazette* notices that declare the mātaihai reserves;
  - (b) A letter to Te Rūnanga o Kaikōura, copied to Te Rūnanga o Ngāi Tahu, advising them of your decision to declare the mātaihai reserves and appoint Tāngata Tiaki/Kaitiaki; and
  - (c) Letters to Maria Andrea Clayton, Brett Cowan, Nukuroa Tirikatene-Nash, Sir Mark Solomon, Gina Solomon, Keepa Te Rangihwinui Timms (Major), Debbie Walford, Jeff Reardon, and Taukiri Manawatu, appointing them as Tāngata Tiaki/Kaitiaki for the Kahutara, Oaro, and Tūtaeputaputa mātaihai reserves.

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## Recommendations

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10. Fisheries New Zealand recommends that you:

- a) **Note** the contents of this briefing;

**Noted**

- b) **Agree** to sign the attached three *New Zealand Gazette* notices that declare the Kahutara, Oaro, and Tūtaeputaputa mātaihai reserves;

**Agreed / Not Agreed**

- c) **Agree** to sign the enclosed letter to Te Rūnanga o Kaikōura, notifying your decisions; and

**Agreed / Not Agreed**

- d) **Agree** to sign the enclosed nine letters appointing the nominated Tāngata Tiaki/Kaitiaki for the Kahutara, Oaro, and Tūtaeputaputa mātaihai reserves (Maria Andrea Clayton, Brett Cowan, Nukuroa Tirikatene-Nash, Sir Mark Solomon, Gina Solomon, Keepa Te Rangihwinui Timms (Major), Debbie Walford, Jeff Reardon, and Taukiri Manawatu).

**Agreed / Not Agreed**

Dan Bolger  
Head of Fisheries New Zealand  
for the Director-General

Hon Stuart Nash  
Minister of Fisheries

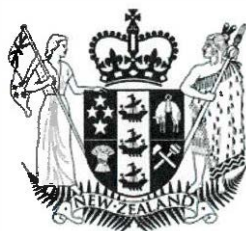
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**Appendix One: Fisheries (Declaration of Kahutara Mātaitai Reserve) Notice 2018**

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## Fisheries (Declaration of Kahutara Mātaimai Reserve) Notice 2018

Pursuant to regulation 20 of the Fisheries (South Island Customary Fishing) Regulations 1999, the Minister of Fisheries gives the following notice after complying with regulations 18 to 20 of those regulations.

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### Notice

#### 1 Title

This notice is the Fisheries (Declaration of Kahutara Mātaimai Reserve) Notice 2018.

#### 2 Commencement

This notice comes into force on the 28th day after the date of its notification in the *Gazette*.

#### 3 Declaration of mātaimai reserve

(1) This notice declares that the area of South Island fisheries waters within the following lines, but excluding the area described by subclause (2), is a mātaimai reserve:

- (a) from the starting point at 42°25.740'S and 173°35.750'E (on the mean high-water mark); then
- (b) by a line in a generally north-westerly direction along the north-eastern boundary of the Kahutara River catchment until it intersects with the Inland Kaikoura Road; then
- (c) by a line in a generally south-westerly direction along the Inland Kaikoura Road until the Inland Kaikoura Road intersects with Blunts Road; then

- (d) by a line in a generally southerly direction along Blunts Road until Blunts Road intersects with the boundary of the Kahutara River catchment; then
  - (e) by a line in a generally southerly, then south-westerly, then easterly direction along the western and southern boundaries of the Kahutara River catchment to a point at 42°26.180'S and 173°35.300'E (on the mean high-water mark); then
  - (f) by a line in a generally northerly direction along the mean high-water mark to the starting point.
- (2) The excluded area (of approximately 0.036 km<sup>2</sup>) is within the following lines:
- (a) from the starting point at 42°25.451'S and 173°34.664'E; then
  - (b) by a straight line in a north-easterly direction to 42°25.354'S and 173°34.719'E; then
  - (c) by a straight line due east to 42°25.354'S and 173°34.806'E; then
  - (d) by a straight line in a south-easterly direction to 42°25.450'S and 173°34.860'E; then
  - (e) by a straight line in a westerly direction to the starting point.
- (3) The mātaītai reserve is to be known as Kahutara Mātaitai Reserve.

Dated at Wellington this 18th day of August 2018.

Hon Stuart Nash,  
Minister of Fisheries.

### Explanatory note

*This note is not part of the notice, but is intended to indicate its general effect.*

This notice is given under the Fisheries (South Island Customary Fishing) Regulations 1999 (the **regulations**). It comes into force on the 28th day after the date of its notification in the *Gazette*.

The notice declares Kahutara Mātaitai Reserve, which is over the lower reaches of the Kahutara River, south of Kaikoura. The tangata whenua of the area that includes the mātaītai reserve are represented by Te Rūnanga o Kaikōura.

A mātaītai reserve is a traditional fishing ground for which Tāngata Tiaki/Kaitiaki are appointed under the regulations.

2018/159

**Fisheries (Declaration of Kahutara Mātaitai Reserve)  
Notice 2018**

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Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 12 September 2018.

This notice is administered by the Ministry for Primary Industries.

Released under the Official Information Act 1982

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Wellington, New Zealand.

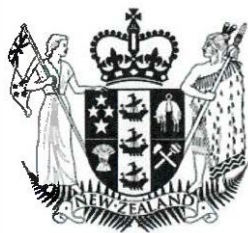
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**Appendix Two: Fisheries (Declaration of Oaro Mātaitai Reserve) Notice 2018**

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## Fisheries (Declaration of Oaro Mātaitai Reserve) Notice 2018

Pursuant to regulation 20 of the Fisheries (South Island Customary Fishing) Regulations 1999, the Minister of Fisheries gives the following notice after complying with regulations 18 to 20 of those regulations.

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### Notice

#### 1 Title

This notice is the Fisheries (Declaration of Oaro Mātaitai Reserve) Notice 2018.

#### 2 Commencement

This notice comes into force on the 28th day after the date of its notification in the *Gazette*.

#### 3 Interpretation

In this notice, unless the context otherwise requires, **Oaro Mātaitai** means the mātaitai reserve declared by section 22 of the Kaikōura (Te Tai o Marokura) Marine Management Act 2014.

#### 4 Declaration of mātaitai reserve

- (1) This notice declares that the area of South Island fisheries waters within the following lines is a mātaitai reserve, by extending the area of Oaro Mātaitai:
  - (a) commencing at a point on the mean high-water mark north of the mouth of the Oaro River (at 42°30.80'S and 173°30.42'E); then

- (b) proceeding due east to a point offshore (at 42°30.80'S and 173°30.60'E); then
  - (c) proceeding due south to a point offshore (at 42°31.20'S and 173°30.60'E); then
  - (d) proceeding due west to a point on the mean high-water mark (at 42°31.20'S and 173°30.30'E); and
  - (e) extending inland from the points defined in clauses (a) and (d) to include the South Island fisheries waters of—
    - (i) the Oaro Lagoon; and
    - (ii) the Kaka Mutu, Te Moto Moto, and Te Kahika Streams; and
    - (iii) the lower reaches of the Oaro River to 42°29.680'S and 173°27.714'E.
- (2) The mātaaitai reserve is to be known as Oaro Mātaaitai Reserve (instead of Oaro Mātaaitai).

Dated at Wellington this 18th day of August 2018.

Hon Stuart Nash,  
Minister of Fisheries.

### Explanatory note

*This note is not part of the notice, but is intended to indicate its general effect.*

This notice is given under the Fisheries (South Island Customary Fishing) Regulations 1999 (the **regulations**). It comes into force on the 28th day after the date of its notification in the *Gazette*.

*Clause 4(1)* of the notice declares Oaro Mātaaitai Reserve, by extending Oaro Mātaaitai over the lower reaches of the Oaro River. Oaro Mātaaitai was declared to be a mātaaitai reserve by section 22 of the Kaikōura (Te Tai o Marokura) Marine Management Act 2014. Section 25 of the Act states that the mātaaitai reserve declared by section 22 is to be treated as if it were declared by a notice in the *Gazette* given under regulation 20 of the regulations.

*Clause 4(2)* of this notice declares that the mātaaitai reserve is to be known as Oaro Mātaaitai Reserve. Oaro Mātaaitai Reserve thus comprises the area formerly named Oaro Mātaaitai and its extension to the South Island fisheries waters in the lower reaches of the Oaro River, south of Kaikōura.

The tangata whenua of the area that includes the mātaaitai reserve are represented by Te Rūnanga o Kaikōura.

A mātaihai reserve is a traditional fishing ground for which Tāngata Tiaki/Kaitiaki are appointed under the regulations.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 12 September 2018.

This notice is administered by the Ministry for Primary Industries.

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**Appendix Three: Fisheries (Declaration of Tūtaeputaputa Mātaitai Reserve) Notice  
2018**

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## Fisheries (Declaration of Tūtaeputaputa Mātaitai Reserve) Notice 2018

Pursuant to regulation 20 of the Fisheries (South Island Customary Fishing) Regulations 1999, the Minister of Fisheries gives the following notice after complying with regulations 18 to 20 of those regulations.

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### Notice

#### 1 Title

This notice is the Fisheries (Declaration of Tūtaeputaputa Mātaitai Reserve) Notice 2018.

#### 2 Commencement

This notice comes into force on the 28th day after the date of its notification in the *Gazette*.

#### 3 Declaration of mātaītai reserve

(1) This notice declares that the area of South Island fisheries waters specified in subclause (2) that are within the following lines is a mātaītai reserve:

- (a) from the starting point at 42°36.240'S and 173°28.500'E (on the mean high-water mark); then
- (b) by a line in a generally north-westerly direction along the eastern boundary of the Conway River catchment until it intersects with the Inland Kaikoura Road; then
- (c) by a line in a generally south-westerly direction along the Inland Kaikoura Road until it intersects with the boundary of the Conway River catchment; then

- (d) by a line in a generally south-easterly then north-easterly direction along the western and south-eastern boundaries of the Conway River catchment to a point at 42°37.320'S and 173°27.900'E (on the mean high-water mark); then
  - (e) by a line in a generally northerly direction along the mean high-water mark to the starting point.
- (2) The South Island fisheries waters are as follows:
- (a) Conway River and its tributaries; and
  - (b) Charwell and Gelt Rivers; and
  - (c) Limestone, Spey, Blackburn, Stag, Goat Hills, Campbell, and Waingaro Streams; and
  - (d) Birthday Creek; and
  - (e) Weka Brook.
- (3) The mātaítai reserve is to be known as Tūtaeputaputa Mātaitai Reserve.

Dated at Wellington this 18th day August 2018.

Hon Stuart Nash,  
Minister of Fisheries.

### Explanatory note

*This note is not part of the notice, but is intended to indicate its general effect.*

This notice is given under the Fisheries (South Island Customary Fishing) Regulations 1999 (the **regulations**). It comes into force on the 28th day after the date of its notification in the *Gazette*.

The notice declares Tūtaeputaputa Mātaitai Reserve, which is over the lower reaches of the Conway River, south of Kaikoura. The tangata whenua of the area that includes the mātaítai reserve are represented by Te Rūnanga o Kaikōura.

A mātaítai reserve is a traditional fishing ground for which Tāngata Tiaki/Kaitiaki are appointed under the regulations.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 12 September 2018.

This notice is administered by the Ministry for Primary Industries.