

Hon Shane Jones

Minister for Oceans and Fisheries
Minister for Regional Development
Minister for Resources
Associate Minister of Finance
Associate Minister for Energy



MIN25-0881

22 October 2025

Hon Kit Toogood KC
Fast-track Expert Panel Chair
substantive@fasttrack.govt.nz

Tēnā koe Kit,

As noted in my letter of 20 October, this letter provides responses to Part Two of the Minute 10 information request.

The responses to the information request in Part Two, Attachment B are provided in **Appendix One**.

Appendix Two provides a PDF map of the customary fisheries areas relevant to the Taranaki VTM project. Zipped shape files for these areas are also provided along with this letter.

Nāku noa, nā,

A handwritten signature in blue ink, appearing to be 'Shane Jones', with a stylized, flowing script.

Hon Shane Jones
Minister for Oceans and Fisheries

Appendix One: Responses to Part Two, Attachment B of Minute 10 information request

	Question	Response
E	Recreational fishers	
E17	Provide a summary of recent concerns raised to the Ministry for Primary Industries (MPI) by local fishers about the impacts of the proposed mining activity on fishing referred to in the comments, any indicators used locally (for example, ramp counts, charter logs) by MPI to measure/verify concerns raised, if any, and MPI's view on practical mitigation options related to concerns raised.	<p>MPI has not sought feedback from recreational fishers on their concerns about the impacts of the proposed mining activity on fishing. However, during a sustainability round review for a stock in FMA 8 (Central West) a recreational fisher raised concerns regarding the iron sand mining.</p> <p>MPI has also been contacted directly by a recreational fisher representative concerned about the potential seabed mining. Some of the concerns raised were that the project area includes important recreational fishing grounds and that effects from the project such as noise and sedimentation could impact on important recreational fish species such as crayfish and migratory fish such as southern bluefin tuna. They felt that the application requires further information to understand the impacts.</p> <p>MPI recommends the Panel contacts recreational fisher groups directly to obtain further information on their concerns regarding the impacts of the proposed mining activity.</p>
F	Customary fisheries and rohe moana.	
F18	Gazette layers: Provide links/files (PDF + Geographic Information Systems (GIS)) for notified rohe moana boundaries and any mātaítai/taiāpure/temporary closures (s 186A/B) relevant to this coast, with any caveats on completeness	PDF and GIS layers for notified rohe moana boundaries and mātaítai/taiāpure/temporary closures (s 186A/B) relevant to this coast, with any caveats on completeness, are provided. A map is provided in Appendix Two .
F19	Customary framework: Describe how the Kaimoana Customary Fishing Regulations operate on this coast and any practical constraints relevant offshore (rohe boundaries/species/seasons).	<p>The Fisheries (Kaimoana Customary Fishing) Regulations 1998 (Kaimoana Regulations) are generic enabling regulations that apply to the whole of the North Island and the Chatham Islands, except to the extent that other customary fishing regulations apply.</p> <p>The regulations:</p> <ul style="list-style-type: none"> • The 1992 Fisheries Settlement and the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 (Settlement Act) provide that customary fishing still gives rise to Treaty obligations by the Crown. Those obligations can only be exercised through regulations made under the Fisheries Act 1996 (Fisheries Act). In the project area the Kaimoana Regulations have been made to meet that obligation.

	Question	Response
		<ul style="list-style-type: none"> • The regulations provide two mechanisms for tangata whenua to exercise their customary fishing rights in accordance with the provisions of the Settlement Act. The first is that tangata whenua may notify the appointment of tangata kaitiaki who have the responsibility to authorise people to fish for customary purposes anywhere within the rohe moana (traditional area of interest). The second is the establishment of mātaihai reserves over fishing grounds of particular customary importance. • In the first case, before they are able to exercise customary fishing rights, tangata whenua must notify the appointment of their tangata kaitiaki/tiaki to manage their customary fishing and the area where the tangata kaitiaki/tiaki may exercise their role to claim a customary fishing area (rohe moana).¹ • Customary fishing can only be exercised by individuals if they have an authorisation to fish issued by the tangata kaitiaki who has been appointed to manage fishing in the area where the fish are to be taken. • Fishers must report back to the tangata kaitiaki/tiaki on what they have actually caught. The tangata kaitiaki/tiaki must report each year to the tangata whenua on the quantity of each species that has been taken and where the fishing has occurred. Tangata whenua must provide Fisheries New Zealand (FNZ) with a summary of customary harvest taken in the Quota Management Area each year.² The Kaimoana Regulations provide that the information provided to FNZ may only be used to set sustainability and management measures for the fisheries. • Two rohe moana have been established on the south coast of Taranaki by iwi of Te Atihauui a Paparangi (Whanganui River Maori Trust Board), and a joint rohe moana by the iwi of Te Atihauui a Paparangi and Ngā Rauru ki Tahī. The third has been established in deepwater beyond the twelve nautical mile territorial sea by all if the iwi from North Taranaki to Waikanae. This rohe moana is adjacent to the mining site. • In the second case, once they have established a rohe moana and appointed tangata kaitiaki/tiaki, tangata whenua or tangata kaitiaki/tiaki may apply to the Minister for Oceans and Fisheries (the Minister) to manage customary fishing grounds of particular significance (mātaihai reserves).³ The Minister must approve a mātaihai reserve unless the proposed reserve would unreasonably affect non-commercial fishing by the local community, prevent commercial fishers taking their entitlements in the quota management area for that stock, unreasonably prevent commercial fishing for non-quota species in an area for which they have a permit, or unreasonably prevent non-commercial fishing in the FMA (Fisheries Management Area).⁴ • To date no applications have been submitted to establish mātaihai on the south Taranaki coast.

¹ Kaimoana Regulations, reg 5

² Kaimoana Regulations, reg 15

³ Kaimoana Regulations, reg 18

⁴ Kaimoana Regulations, reg 23

	Question	Response
		Further information can be found here: https://www.mpi.govt.nz/fishing-aquaculture/maori-customary-fishing/customary-fisheries-management-areas-rules-and-maps
F20	Overlap & engagement: Confirm any overlap between notified rohe moana and the potentially affected area and identify MPI's recommended engagement/monitoring interface with tāngata kaitiaki/tiaki for activities in this rohe moana.	<p>With respect to deeper water impacts of the potential project, all Taranaki iwi listed in this notice have customary rights in the rohe moana in the Taranaki Bight area described in this notice.⁵</p> <p>Four inshore rohe moana are presented on the map to inform question F18. With respect to impacts of the mining plume of the potential project, there are two South Taranaki inshore rohe moana that may be affected; the rohe moana of Te Atihaunui a Paparangi (Whanganui River Maori Trust Board), and the joint rohe moana of Te Atihaunui a Paparangi and Ngā Rauru ki Tahi.</p> <p>As noted in the Te Taihauāuru Iwi Forum Fisheries Plan 2012-2017, direct engagement (kanohi ki te kanohi) is the preferred option when government agencies and other organisations wish to utilise and make reference to this plan.</p> <p>MPI notes that the Forum is established to discuss fisheries management issues with government. MPI understand from the Iwi Forum Fisheries Plan that the iwi note it is important to consider the interactions between fisheries management and other marine resource management activities. Noting that this Iwi Fisheries Forum is currently being reconstructed and is not meeting as a group, MPI recommends the Panel engages with south Taranaki iwi that would be affected by mining and plume.</p>
F21	Operational interface: Tell us how MPI interfaces with tāngata kaitiaki/tiaki in practice (notifications, authorisation data flows, escalation), and any standard protocols for offshore activities in this rohe moana or more broadly. Describe how they have worked in practice.	<p>A range of policies, legislation and regulations (the mechanisms) have been developed to give effect to the obligations on the Crown arising from the Settlement Deed, the Settlement Act, and certain provisions of the Fisheries Act – which provide for the input of tangata whenua into fisheries sustainability processes. The overall aim of the mechanisms is to enable tangata whenua to participate in fisheries management and to manage their customary fishing activities autonomously. The mechanisms, such as the iwi fisheries forums, operate to provide tangata whenua with effective opportunities to be involved in fisheries management decisions that affect their interests, and to enable the Minister to have sufficient information on the impact of decisions on Māori rights and interests to make informed decisions that are consistent with the Settlement Act.</p> <p>The Minister is required to provide for input and participation in fisheries management; this is provided for via the iwi fisheries forums.</p> <p>Authorisation to fish for a customary interest must be authorised by kaitiaki or an authorised person under the amateur regulations. Kaitiaki or authorised persons under the amateur regulations are not required to provide information to MPI. Some provide quarterly summary updates.</p>

⁵ <https://www.legislation.govt.nz/regulation/public/2019/0177/latest/LMS233766.html>

	Question	Response
F22	Kaitiaki numbers & authorisation data: Confirm the number of tāngata kaitiaki/tiaki (noting privacy constraints), and whether MPI holds aggregated customary authorisation information for this coast.	<p>MPI does not hold customary authorisation information and so it is not possible to provide information to the Panel on fishing conducted by iwi in the area. Any information the iwi forums share with MPI can only be used for sustainability purposes.</p> <p>The Panel may be able to source this information directly from the iwi concerned.</p>
G	Te Tai Hauāuru Iwi Fisheries Forum	
G1	Status & updates: Confirm the current status of the Forum and whether the 2012-2017 Plan has been updated or superseded; note any succession arrangements.	<p>This Forum is currently being redeveloped/restructured to meet needs of the iwi.</p> <p>The 2012-2017 Forum Plan is still relevant until a revised Plan is submitted and approved by the Forum Iwi.</p> <p>All the objectives in the Plan are relevant to the Panel's decision, but in terms of the Panel's decisions the following exerts are most relevant and in priority order.</p> <p>MANAGEMENT OBJECTIVE 3: THE AQUATIC ENVIROMENT</p> <p>Mana and rangatiranga over our fisheries is restored, preserved and protected for future generations.</p> <p>PERFORMANCE MEASURES</p> <ol style="list-style-type: none"> 1. The health of known habitats of significance are protected, monitored regularly and stable or improving. 2. Mātauranga Māori contributes to decision-making about fisheries and their habitats. 3. Iwi are able to utilise our tikanga in the management of our fisheries. <p>IWI COMMENTARY</p> <p><i>This objective signals the need for management arrangements to be integrated across all natural resources, and not only fisheries. Combating the risks associated with environmental degradation (for example, sea bed mining) should not be looked at separately to fisheries sustainability. Iwi understand it is not an effective approach to manage fish if the habitats they live in are polluted and not being considered as well. A further example would be the relationship between tohemana/toheroa and pingao.</i></p> <p><i>To iwi, a holistic approach to managing all natural resources is preferred. It is about protecting and restoring the health of our fisheries, waterways and habitats whereby iwi have the ability to take steps that encourage this. The other aspect to this is influencing government responses more effectively through building key relationships and increasing lobbying power.</i></p>

	Question	Response
		<p><i>There is also recognition that the application of tikanga may not be appropriate in some circumstances. However, collectively there may be some tikanga that are agreed as common and able to be practically applied e.g. rāhui in the case of a drowning, seasonal fishing, etc.</i></p> <p>MANAGEMENT OBJECTIVE 1: CUSTOMARY FISHERIES</p> <p>Our customary non-commercial fisheries are healthy, sustainable and supports the cultural wellbeing of Te Taihauāuru Iwi.</p> <p>PERFORMANCE MEASURES</p> <ol style="list-style-type: none"> 1. Iwi, hapu and whānau of Te Taihauāuru can gather kaimoana for their customary noncommercial purposes. 2. The amounts authorised under customary permits are able to be harvested. 3. Te Taihauāuru Iwi adopt and implement the Kaimoana Regulations by 2017. 4. High quality and reliable forms of non-commercial fishing data are known and fully utilised in fisheries management decisions. 5. Iwi fishers use traditional and contemporary mātauranga in iwi management strategies. 6. The role of kaitiaki, whānau and iwi to responsibly manage fisheries is well understood and upheld. <p>IWI COMMENTARY</p> <p><i>Customary fishing plays an important role in Māori communities. However, it is largely affected by the fragmented approach iwi and hapu have to managing fish. The non-commercial sector as a whole lacks good information and monitoring mechanisms are required to track what state the fisheries are in. Most are witness to the localised depletion that occurs inshore and in particular those species that are most favoured by many such as pāua and koura. By iwi and hapu bridging the gap and working together to address issues such as the lack of information (including non-reporting of recreational fishing) and knowledge, better outcomes could be achieved.</i></p> <p><i>A key concern for the state of non-commercial fisheries is the lack of good information. This is critical to assessing the state of our fisheries and the environment. Without good information, the difficulty in managing without knowing what is out there and what state the fishery is in, would jeopardise the long term sustainability of our fisheries.</i></p> <p>MANAGEMENT OBJECTIVE 4: IWI PARTNERSHIPS</p> <p>Iwi collaborate in fisheries and environmental resource management to achieve iwi driven objectives.</p>

	Question	Response
		<p>PERFORMANCE MEASURES</p> <ol style="list-style-type: none"> 1. Collective iwi investment and growth opportunities are explored and implemented where viable. 2. The Kaimoana Regulations are implemented collaboratively within FMA 8. 3. Where iwi agree, iwi information, systems, and expertise is shared and coordinated with other partnering Iwi within Te Taihauāuru. 4. Collective iwi resourcing is achieved to support the delivery of iwi driven objectives. <p>IWI COMMENTARY</p> <p><i>The need for iwi to work smarter and combine their efforts in a more integrated way would help advance iwi input and participation in decision making processes. Mutually beneficial outcomes could arise through iwi joint ventures, iwi collectivising their quota (for example, ICP model), pātaka moana and the sharing of iwi resources and information.</i></p> <p><i>There are a number of small iwi who have limited capacity to engage meaningfully with local and central government. The ability for iwi to synergise their efforts and work collaboratively will help create efficiencies in how iwi operate and how Crown agencies interact with iwi.</i></p>
G2	Materiality screen: Identify which Forum statements remain accurate decision context and which are out-of-date, with brief reasons	See above. MPI recommends the Panel discuss with iwi how the objectives in the Forum Fisheries Plan are going to be affected by the mining application.