

1st July 2014

Shellfish Submissions Fisheries Management
Inshore Fisheries
Ministry for Primary Industries
P O Box 2526
Wellington 6140
FMSubmissions@mpi.govt.nz

Re: Proposed Sustainability Measures at Mair Bank and Marsden Bank, Whangarei

Tena Koe,

The Patuharakeke Mana Moana Roopu, as Kaitiaki gazetted in May 2009 under the Kaimoana Fisheries Regulations 1998, hereby submit this submission in **support of option 3** as proposed in the abovementioned consultation document.

Te Roopu Mana Moana (the Roopu) is a subcommittee of the Patuharakeke Te Iwi Trust Board Inc (PTB) and is authorized to make this submission.

Background

Marsden and Mair Bank are mahinga kai that in the past were primarily used for the gathering of pipi by ahi kaa for sustaining their families. These pipi beds have also commonly been the subject of customary permit issue to provide for tangihanga and hui. The loss of inner harbour sites to environmental degradation and industrialization has meant that these sites are among the last available for gathering clean and healthy pipi in our rohe and are therefore extremely significant to Patuharakeke. Scientific survey and cultural health monitoring results pointing to the decline of stocks on Marsden Bank culminated in our applications in 2011 and 2013 to close Marsden Bank under section 186A of the Fisheries Act 1996.

Our distress at the lack of recovery subsequent to the closure was intensified when PTB were contacted by commercial fishers in June 2012 to bring to our attention a "die-off" at adjacent Mair Bank. It was always part of our plan when we instigated the closure of Marsden Bank to look to Mair Bank as the source of future reseeding stock to regenerate the Mair Bank population. Now this source is at risk of collapse as well. Following these observations PTB made immediate contact with MPI to request an investigation into the cause of the "die-off". Unfortunately swift action was not taken and pipi were not sampled and tested for disease until April 2013. A biomass survey of Mair Bank took even longer to come to fruition and only through collaboration and continued pressure from PTB, Refining NZ, Northport and Northland Regional Council. This biomass survey was carried out in late February of this year. PTB feel that action should have been taken far sooner and we are now faced with an "ambulance at the bottom of the cliff" scenario. Therefore are now forced to take drastic action and have little choice if we are to protect the remaining stock at these locations.

Submission

We believe the proposed closure is essential to allow us to continue our customary management practices, such as rahui and cultural health monitoring. Simultaneously, it will provide much needed time to work with MPI, the regional council and others to address knowledge gaps and seek answers as to why such a significant drop in the pipi population has occurred.

Patuharakeke originally advanced the suggestion that Marsden Bank also be included in this proposed closure of Mair Bank under s11 of the Fisheries Act 1996 (**Option 3**). As Marsden Bank pipi stocks have not begun to rebuild during the two consecutive s186A closures to date, we feel that incorporating Marsden Bank into the proposed s 11 closure will be more efficient than reapplying every two years to roll over the rahui/s186A closure. Because of the close proximity of the banks to one-another, the fact that they are both affected by dramatic population decline and the same likely causes, and their cultural significance to our hapu we consider it logical to manage them as a single unit for the purposes of management going forward.

An integrated proactive approach by MPI and other relevant agencies and stakeholders, in conjunction with Patuharakeke as mana whenua mana moana, is required to clearly identify the causes of the pipi decline and formulate a plan for their management going forward. It will however be imperative to recognize and monitor possible adverse impacts of the closure on other customary harvest sites, particularly in the Whangarei Harbour.

The closure of Mair Bank is likely to put strain on remaining inner harbour resources of cockle and pipi. Some work has been done to assess the health and abundance of resources such as Snake Bank, but a recent study undertaken by NRC (yet to be published) indicated that stocks at this site were insufficient to be utilized for a proposed reseeding programme at other inner harbour sites.

The way the proposal is currently framed offers no solutions going forward and also implies that the closure could be ongoing or even permanent. Patuharakeke are resolved that this scenario demands more than just a closure. Follow up action is required and MPI needs to actively assist patuharakeke to monitor our rohe moana and key mahinga kai sites and develop a plan to protect and restore these sites.

We will therefore be seeking MPI's assistance to develop a plan to initiate a mahinga maitaitai reserve application in the near future. We will also be seeking the ongoing support of other agencies such as NRC and stakeholders such as Refining NZ and Northport Ltd.

This will include mapping of mahinga kai, ongoing cultural health monitoring, development of proposed bylaws based on customary tools such as the maramataka, rahui, and kaitakitanga and will seek ongoing support for our kaitiaki monitors to police any rahui or closures. It is our intention to put a customary rahui in place alongside the section 11 closure.

While a likely recovery period is unknown, Patuharakeke cannot accept merely closing down the Mair and Marsden Bank pipi fishery indefinitely. We would like a commitment

from MPI that the closure will be reviewed within a determined time period eg. after 2 years and then at regular intervals thereafter until the fishery has reached sustainable levels once more and is able to be reopened.

Naaku noa, na

Juliane Chetham (Trustee and Resource Management Convenor)
On behalf of Patuharakeke Te Iwi Trust Board Inc
Roopu Mana Moana