

IN THE HIGH COURT OF NEW ZEALAND  
WELLINGTON REGISTRY

CIV-2019-485-752

I TE KŌTI MATUA O AOTEAROA  
TE WHANGANUI-A-TARA ROHE

**UNDER** the Judicial Review Procedures Act 2016 and Part  
30 of the High Court Rules

**IN THE MATTER OF** an application for judicial review under sections 13  
and 20 of the Fisheries Act 1996

**BETWEEN** **ROYAL FOREST AND BIRD PROTECTION  
SOCIETY OF NEW ZEALAND INCORPORATED**  
Applicant

**AND** **MINISTER OF FISHERIES**  
First Respondent

**AND** **TE OHU KAI MOANA TRUSTEE LIMITED**  
Second Respondent

**AND** **FISHERIES INSHORE NEW ZEALAND LIMITED**  
Third Respondent

---

**AFFIDAVIT OF KIM LAWRENCE DRUMMOND ON BEHALF OF TE OHU KAI  
MOANA TRUSTEE LIMITED**

**29 May 2020**

---

---

**KĀHUI**  
LEGAL

PO Box 1654

Telephone: 04 495 9999

Solicitor: J P Ferguson / T T H Hullena

Email: jamie@kahuilegal.co.nz / tyson@kahuilegal.co.nz

**WELLINGTON**

I, **KIM LAWRENCE DRUMMOND**, of Wellington, Fisheries and Aquaculture Policy Manager, solemnly and sincerely affirm that:

### Introduction

1. I am the Kūrae Moana (Fisheries and Aquaculture Policy Manager) at Te Ohu Kai Moana Trustee Limited (**Te Ohu**). I have been employed at Te Ohu since December 2017.
2. At the post graduate level, I hold a Graduate Diploma in Fisheries Technology and a Master's degree in Applied Science (Fisheries) from the Australian Maritime College and a Master's degree in Public Administration (Executive) from Te Herenga Waka - Victoria University of Wellington.
3. I have previously worked within the public sector at the Ministry of Fisheries (and its predecessor the Ministry of Agriculture and Fisheries) and in local government for Environment Canterbury. Between 2013 and 2018 I was an elected officer of Our Fishing Future, an Incorporated Society established with the support of Te Ohu, the Ministry for Primary Industries and the Department of Conservation to improve the management of recreational fisheries.
4. I am authorised to give this affidavit on behalf of Te Ohu.

### Background and scope

5. I am familiar with the decision by the Minister of Fisheries (**Minister**) that is the subject of challenge by the Royal Forest and Bird Protection Society of New Zealand (**Forest and Bird**) in the present proceeding (**Proceeding**). I have previously filed an affidavit in the Proceeding dated 5 March 2020 in support of Te Ohu's application for joinder as a respondent. For ease of reference, certain matters in that affidavit are also traversed in this affidavit, but it is not repeated in full.
6. In the Proceeding Forest and Bird seek to review the Minister's 2019 decisions to reduce the total allowable catch (**TAC**) and total allowable commercial catch (**TACC**) for tarakihi in the following quota management areas (**QMAs**):

- (a) TAR 1;
- (b) TAR 2;
- (c) TAR 3; and
- (d) TAR 7,

(together, **East Coast Tarakihi**).<sup>1</sup>

7. The application by Forest and Bird relates to the decision by the Minister to decrease the TAC and TACC for East Coast Tarakihi for the fishing year starting 1 October 2019 (**2019 Decisions**). The context of the 2019 Decisions also requires consideration of matters related to the decision by the Minister to decrease the TAC and TACC for East Coast Tarakihi in the fishing year starting 1 October 2018 (**2018 Decisions**).
8. My evidence addresses the following matters relevant to the 2019 Decisions:
  - (a) the role and responsibilities of Te Ohu as custodian of the Deed of Settlement between the Crown and Māori dated 23 September 1992 (**Fisheries Settlement**);
  - (b) the role of the Crown as Treaty partner under the Fisheries Settlement and the role of the Minister (with support from the Ministry for Primary Industries) as the Crown's representative in that Treaty partnership;
  - (c) Te Ohu's involvement in the processes leading to the 2018 and 2019 Decisions, including the development of the East Coast Tarakihi Rebuild Plan alongside fishing industry representatives; and
  - (d) why, in Te Ohu's view, the Rebuild Plan represents a sustainable approach to the rebuild of the tarakihi stock in the East Coast Tarakihi fisheries that was appropriately considered by the Minister when making his 2019 Decisions.

---

<sup>1</sup> A map showing the QMA areas for East Coast Tarakihi is included in the affidavit of Minister Nash dated 15 April 2020 at Figure 1. [\[\[201.0108\]\]](#)

9. In preparing my evidence, I have read both the affidavits filed on behalf of Forest and Bird and the affidavits filed on behalf of the Minister as first respondent in the Proceeding. In instances where I have relied or commented on the matters set out in those affidavits, I have referenced them accordingly. I have also read the affidavit of Dr Jeremy Helson on behalf of Fisheries Inshore New Zealand (**Fisheries Inshore**) and understand that a further affidavit by Craig Lawson is also to be filed on behalf of Fisheries Inshore. So far as reasonably possible, I have sought not to repeat in detail matters traversed in the evidence of Fisheries Inshore.

### **Fisheries Settlement**

10. The Fisheries Settlement (and, in turn, the genesis of Te Ohu) stems from the guarantees under the Treaty of Waitangi / Te Tiriti o Waitangi and, in particular, the Crown's failure to recognise and protect Māori interests in fisheries. These failures reached a tipping point in 1986 when the Crown introduced the quota management system (**QMS**) as the framework for managing commercial fisheries in Aotearoa. In simple terms, the Crown was creating perpetual property rights in commercial fisheries without providing for the interests of Māori, contrary to the protections and obligations under the Treaty.
11. Following claims and litigation before the Waitangi Tribunal and Courts, an interim settlement was entered into by the Crown and Māori in 1989. That interim settlement was given legal effect through the Māori Fisheries Act 1989, which established the Māori Fisheries Commission and provided for the transfer to the Commission of 10% of the quota for each of the species already subject to the QMS and \$10 million.
12. Negotiations between the Crown and Māori continued and culminated in the signing of the Fisheries Settlement in September 1992 which was implemented through the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 (**1992 Settlement Act**) which settled Māori claims to commercial fisheries. The 1992 Settlement Act:
- (a) reconstituted the Māori Fisheries Commission as the Treaty of Waitangi Fisheries Commission (**TOWFC**);

- (b) transferred to TOWFC 20% of the quota for stockss introduced to the QMS since 1992 together with \$150 million which was to be used to acquire a 50% shareholding in Sealord; and
  - (c) tasked TOWFC with developing a model for the allocation to iwi of the settlement assets held by it including quota shares (**Settlement Quota**), shares in Aotearoa Fisheries Limited (which in turns owns 50% of Sealord) and cash.
13. The Māori Fisheries Act 2004 (**2004 Act**) was subsequently enacted to implement the allocation model developed by TOWFC. Te Ohu Kai Moana, a trust established as the successor to TOWFC, was established by deed of trust under the 2004 Act.

## Te Ohu

### *Purpose and Functions*

14. The purpose of Te Ohu Kai Moana, as set out in section 32 of the 2004 Act, is to advance the interests of iwi individually and collectively, primarily in the development of fisheries, fishing, and fisheries-related activities, in order to:
- (a) ultimately benefit the members of iwi and Māori generally;
  - (b) further the agreements made in the Fisheries Settlement;
  - (c) assist the Crown to discharge its obligations under the Fisheries Settlement and the Treaty of Waitangi; and
  - (d) contribute to the achievement of an enduring settlement of the claims and grievances referred to in the Fisheries Settlement.
15. Te Ohu is the trustee of Te Ohu Kai Moana. The functions of Te Ohu include, as a means of furthering the statutory purpose of Te Ohu Kai Moana:
- (a) fostering, promoting, commissioning, or funding research into the sustainable management of fisheries; and

- (b) in relation to fisheries, fishing, and fisheries-related activities, acting to protect and enhance the interests of iwi and Māori in those activities.
16. Further, in relation to the assets received under the Fisheries Settlement, Te Ohu is required under the 2004 Act:
- (a) to allocate and transfer the Settlement Quota (and other settlement assets) to iwi; and
- (b) pending such allocation and transfer, to hold and manage those settlement assets.
17. In this regard, the 2004 Act requires the Settlement Quota for each inshore fish stock and 25% of the Settlement Quota for each deepwater fish stock to be allocated by Te Ohu to iwi on the basis of each iwi's relative coastline length. Iwi are required to reach agreements with neighbouring iwi regarding their respective coastlines and any disputes are able to be referred to the Māori Land Court for resolution. The balance of the Settlement Quota is allocated on the basis of relative iwi populations.
18. In areas where iwi coastlines have yet to be determined, Te Ohu continues to hold relevant Settlement Quota on trust for the benefit of the iwi who claim coastline interests in those areas.
19. In fulfilling these statutory and trustee roles on behalf of iwi and Māori, Te Ohu:
- (a) works with 58 mandated iwi organisations (**MIOs**), who represent iwi throughout Aotearoa; and
- (b) engages actively with the officials from the Ministry for Primary Industries, industry organisations, commercial seafood interests and representatives of iwi.
20. Te Ohu's Māori Fisheries Strategy and three-year strategic plan (both of which have been approved by MIOs) has as its goal that MIOs collectively lead the development of Aotearoa's marine and environmental policy affecting fisheries management through Te Ohu Kai Moana as their

collective representative. Te Ohu plays a key role to achieve this goal and protect the Fisheries Settlement by providing MIOs with policy advice and by making submissions to and advising both Ministers and government agencies on fisheries-related issues.

21. In particular, Te Ohu:
- (a) engages actively in the review of sustainability measures by Fisheries New Zealand (a business unit within the Ministry for Primary Industries) which forms part of the Minister's decision-making process in relation to setting the TAC and TACC for each fish stock every fishing year; and
  - (b) makes submissions to the Minister on those matters.

*East Coast Tarakihi*

22. In respect of East Coast Tarakihi:
- (a) Te Ohu continues to hold Settlement Quota on trust for certain iwi whose relevant coastline lengths remain to be determined, namely:

QMA	Quota Shares	Iwi on whose behalf quota is held by Te Ohu
TAR 1	514,600	<ul style="list-style-type: none"> <li>• Ngāi Tai</li> <li>• Te Whānau a Apanui</li> </ul>
TAR 2	3,342,342	<ul style="list-style-type: none"> <li>• Te Whānau a Apanui</li> <li>• Ngāti Porou</li> <li>• Rongowhakaata</li> <li>• Te Aitanga a Mahaki</li> <li>• Te Atiawa (Wellington)</li> <li>• Ngāti Toa</li> </ul>
TAR 7	1,808,081	<ul style="list-style-type: none"> <li>• Ngāi Tahu</li> <li>• Rangitāne o Wairau</li> <li>• Ngāti Toa</li> </ul>

- (b) Te Ohu has allocated Settlement Quota to 27 MIOs;
- (c) six MIOs have purchased additional East Coast Tarakihi quota;

- (d) Sealord (which is 50% owned by Aotearoa Fisheries Limited), through the quota holding entity Pupuri Taonga Limited, holds 7% of the total quota shares in East Coast Tarakihi; and
  - (e) Aotearoa Fisheries Limited (trading as Moana NZ), whose income shares are held by MIOs (80%) and Te Ohu (20%), separately holds a further 15% of the total quota shares in East Coast Tarakihi.
23. As such, Te Ohu and iwi have significant interests, both directly and indirectly, in the East Coast Tarakihi fishery. In terms of the exercise of its responsibilities, Te Ohu has a fourfold role in relation to East Coast Tarakihi:
- (a) as an owner of East Coast Tarakihi quota on trust for certain iwi;
  - (b) on behalf of MIOs collectively in relation to their direct and, through Aotearoa Fisheries Limited, indirect interests in East Coast Tarakihi (in support of the Treaty partnership between iwi and the Crown); and
  - (c) as custodian in respect of maintaining the integrity of the Fisheries Settlement on behalf of iwi and Māori generally.

*Te Hā o Tangaroa kia ora ai tāua*

24. Iwi and Māori have a unique and lasting connection with the environment. Te Hā o Tangaroa kia ora ai tāua (*'the breath of Tangaroa sustains us'*) (**Te Hā o Tangaroa**) is an expression of this connection. For Te Ohu, Te Hā o Tangaroa encapsulates the basis and principles upon which Māori manage their relationship with the marine environment and its resources consistent with the rights guaranteed under the Treaty of Waitangi and the Fisheries Settlement.
25. In this context, the concept of Te Hā o Tangaroa focusses on the interdependent relationship between Māori and Tangaroa to ensure their mutual health and wellbeing. Tangaroa is not valued solely for his own sake, but as part of a web of active relationships based on whakapapa. By caring for Tangaroa, Māori gain the right to benefit from the resources he provides. This worldview is shared by numerous indigenous peoples

around the world. It is a view which is interwoven with the rights and responsibilities of rangatiratanga, under Article Two of the Treaty in respect of fisheries as a taonga.<sup>2</sup>

26. Māori rights in fisheries comprise a interest in the productive potential of all aquatic life in New Zealand waters. Māori rights are not just a right to harvest, but also to use the resource in a way that provides for their social, cultural and economic wellbeing. Te Hā o Tangaroa does not mean that Māori have an exclusive right to use fisheries resources, whether through commercial or customary fishing. Rather, rights are an extension of responsibility and Te Hā o Tangaroa speaks to striking an appropriate balance between people and the environment.
27. In accordance with this view, “conservation” is part of “sustainable use”, that is, it is carried out in order to sustainably use resources for the benefit of current and future generations. The purpose of the Fisheries Act 1996 (**Fisheries Act**) is to “*to provide for the utilisation of fisheries resources while ensuring sustainability*”. As such, the purpose and principles of the Act echo Te Hā o Tangaroa. Accordingly, Te Hā o Tangaroa contains the principles that Te Ohu uses to analyse and develop its views on fisheries policy, and other policies that may affect the rights of iwi under the Fisheries Settlement.
28. This articulation of Te Hā o Tangaroa was developed by Te Ohu and has been endorsed by MIOs and their asset-holding companies (**AHCs**). Further detail regarding Te Hā o Tangaroa is set out in Te Ohu’s 2019 annual report (the **2019 Annual Report**). The 2019 Annual Report is attached to this affidavit and marked “**KLD-1**”.

### **Responsibilities of the Crown**

29. In respect of decision-making under the Fisheries Act, the Minister, among other things:
  - (a) consults with Te Ohu as a body representative of Māori interests in the relevant fish stocks or the effects of fishing on the aquatic

<sup>2</sup> It is also supported by international declarations and conventions including Article 8 (j) of the Convention on Biological Diversity.

- environment in the areas concerned (in accordance with section 12(1)(a) of the Fisheries Act); and
- (b) must act in a manner consistent with the provisions of the 1992 Settlement Act (in accordance with section 5 of the Fisheries Act).
30. In Te Ohu's view, these express requirements reflect certain of the Crown's obligations as Treaty partner in relation to both the Fisheries Settlement and the Crown's ongoing contemporary Treaty responsibilities to iwi.
31. This Treaty relationship, and the responsibilities that Te Ohu also has in respect of the Fisheries Settlement and as a collective representative of and advocate for iwi on fisheries issues, are the fundamental drivers for the role played by Te Ohu in connection with:
- (a) fisheries management and the development of fisheries policy; and
- (b) in particular, engaging in the biannual sustainability decision-making processes of Fisheries New Zealand (FNZ) and the Minister.
32. This underlying Treaty-based context was of significance in Te Ohu's involvement, with industry interests, in the development of the East Coast Tarakihi Rebuild Plan (**Rebuild Plan**) in 2018. Te Ohu's engagement and associated representations to FNZ and the Minister enabled the interests and views of iwi and Māori to be uniquely considered and appropriately weighed, alongside other relevant matters, in the Minister's decision-making

### **East Coast Tarakihi Rebuild Process**

33. Tarakihi is an important fish stock to New Zealand fishers. Unlike many New Zealand fish stocks, it is able to be caught year-round. This continuous seasonality means tarakihi is a catch that supports stable local markets, customary harvests and recreational interests. More than 90% of the tarakihi commercial catch is sold within New Zealand making it an important fish to New Zealand consumers. It is an inshore species that

can be caught in inshore and middle depth waters throughout New Zealand.

34. The first quantitative stock assessment of East Coast Tarakihi was presented at the November 2017 Plenary. This assessment had the effect of changing the understanding of both the stock structure and stock status of East Coast Tarakihi. Up until that point the management units for tarakihi had assumed that four separate tarakihi stocks<sup>3</sup> existed along the East Coast. However, the conclusion at the 2017 November plenary was that East Coast Tarakihi was one biological unit comprising of the TAR 2 and TAR 3 QMAs, the eastern portion of the TAR 1 QMA and the Cook Strait portion of the TAR 7 QMA.
35. This meant that the existing QMA boundaries did not match the new view of East Coast Tarakihi as a single biological unit. Further, it was concluded that East Coast Tarakihi had been subjected to historical overfishing that meant the level of the biomass was below the level that would produce the maximum sustainable yield. Therefore, under the Fisheries Act, it was clear that it was now necessary reduce catches to restore the stock in a way and at a rate that would result in the biomass being restored to a level at or above the level that would produce maximum sustainable yield within a period appropriate to that East Coast Tarakihi.<sup>4</sup> I note that reducing catches is much more challenging than simply reducing a TAC. Each element of the TAC (commercial, customary and recreational) can potentially be overfished, but with only the commercial sector facing direct consequences within that particular year (by having to make a deemed value payment for catch that cannot be balanced with ACE).
36. In this respect, I agree with Dr Mace that the timing of the stock assessment for East Coast Tarakihi at the 2017 November Plenary was unusual.<sup>5</sup> In my experience, a stock assessment for an inshore finfish stock (as East Coast Tarakihi is) would normally have taken place in the May 2018 Plenary. This unusual timing indicates that there was relative

---

<sup>3</sup> The Fisheries Act defines a stock as being aquatic life of one or more species that are treated as a management unit for the purposes of fisheries management.

<sup>4</sup> Fisheries Act 1996, section 13(2).

<sup>5</sup> Affidavit of Dr Pamela Mace dated 14 April 2020, at [14]. [\[\[201.0097\]\]](#)

urgency within FNZ to have the stock assessment of East Coast Tarakihi reviewed and communicated to the quota holders and operators in East Coast Tarakihi.

37. The release of these findings closely coincided with my appointment to my current position with Te Ohu in December 2017. From 30 January 2018 (two months after the November 2017 Plenary), Te Ohu was directly involved in meetings with Fisheries Inshore, Southern Inshore Fisheries Management Limited (**Southern Inshore**) and FNZ regarding East Coast Tarakihi. Te Ohu worked alongside Fisheries Inshore and Southern Inshore (**Industry Partners**) in the development of the Rebuild Plan. The three parties were equal partners in this process. A table setting out the meetings attended by Te Ohu during the development of the Rebuild Plan is included as a **Schedule** at the end of this affidavit.
38. Te Ohu, on behalf of iwi quota owners who hold settlement quota shares in the East Coast Tarakihi fisheries, and MIOs themselves also, played an active role in initiating and facilitating the development of the Rebuild Plan. Te Ohu's position – based on Te Hā o Tangaroa – is that with the rights to fish, come the responsibility to maintain the sustainability of fisheries for future generations. Accordingly, once an issue is identified, such as the depleted East Coast Tarakihi biomass, quota holders including iwi are obliged to step up and take action to mitigate the issue.
39. Meetings with the Industry Partners were held with the aim of continually developing a comprehensive and effective rebuild plan and ensuring commitment from industry operators. Meetings with FNZ were held as a part of its consultation process or in order for Te Ohu and the Industry Partners to get feedback from the regulator and ensure we had reporting mechanisms and Ministry support to undertake some of the measures in the Rebuild Plan.
40. Te Ohu held a workshop for MIOs, AHCs and representatives of Moana NZ and Sealord on 30 May 2018 (the **May 2018 Hui**) to specifically address the sustainability concern and the need of management action for East Coast Tarakihi.
41. Most of the MIOs, AHCs and settlement entities from around Aotearoa with quota in East Coast Tarakihi were represented at the May 2018 Hui.

The representation of Iwi or settlement entity owned quota at the hui was 86% for TAR 1, 99% for TAR 2, 41% for TAR 3 and 42% for TAR 7.<sup>6</sup> Compared to other stocks under review, the sustainability concern around East Coast Tarakihi drew far more attention from MIOs and their AHCs. The resolutions that were passed at that hui (as included in a PowerPoint presentation at the hui) are attached to this affidavit and marked "KLD-2". These resolutions directed Te Ohu in its subsequent actions pertaining to East Coast Tarakihi. [[306.1492]]

42. A working group was formed at the May 2018 Hui (the **Settlement Working Group**) to provide expert advice and guidance for the Rebuild Plan. The Settlement Working Group included representatives from the Iwi Collective Partnership<sup>7</sup>, Moana NZ, Ngāi Tahu and Ngāti Kahungunu.
43. The expectation of MIOs and AHCs was that Te Ohu, with the aid of the Settlement Working Group, would drive the development of the Rebuild Plan on behalf of the beneficiaries of the Fisheries Settlement, while providing regular communications and seeking feedback where necessary. It was further agreed at the May 2018 Hui that Te Ohu would work closely with Industry Partners on behalf of the MIOs and their AHCs to develop options and implement measures for the continued rebuild of East Coast Tarakihi. The expectation of Te Ohu was to ensure that iwi rights and responsibilities were upheld.
44. Communication with MIOs and AHCs was maintained throughout the period that Te Ohu was engaged to develop the Rebuild Plan with the Industry Partners with a particular focus on assisting iwi quota owners and operators to agree and sign up to the measures set out in regional agreements. In this way Iwi quota owners had an active role in the development of the Rebuild Plan through Te Ohu. Te Ohu realised that developing the Rebuild Plan presented a unique and real opportunity to improve fisheries management with full involvement of the wider industry.

<sup>6</sup> The majority of unrepresented quota in TAR 3 and TAR 7 was held by one entity (Sealord) who tendered an apology for the May 2018 Hui.

<sup>7</sup> A collective of the AHCs of 20 North Island iwi with interests in provincial centres and rural communities with goal of being actively engaged in all areas of New Zealand seafood value chain from asset ownership to sale and marketing.

45. As a result of the resolutions at the May 2018 Hui, Te Ohu was also directed to engage with FNZ to find a workable solution that encapsulated the measures recommended at the hui. Te Ohu met with FNZ on 6 June 2018 to fulfil this direction and presented its initial proposal for the Rebuild Plan in line with the agreed resolutions from the May 2018 Hui. That presentation included the next steps for Te Ohu and the proposed engagement with the Industry Parties to further develop the Rebuild Plan. From the outset, Te Ohu was fully supportive of a collaborative approach toward both the development and implementation of the Rebuild Plan.
46. The June 2018 Hui with FNZ was the beginning of Te Ohu's engagement and advice to FNZ on the merits and opportunities of the Rebuild Plan, which had been in development for nearly six months. Te Ohu was clear in its view to FNZ that a middle-ground option needed to be provided for the East Coast Tarakihi review that would mitigate the impacts on fishing communities while still ensuring the rebuild of the East Coast Tarakihi fishery.
47. From that point Te Ohu began meeting with FNZ on an almost fortnightly basis.<sup>8</sup> This was to demonstrate that the Industry Partners and Te Ohu were committed to creating a workable alternative measure to the blunt application of the default parameters of FNZ's Harvest Strategy Standards (HSS) and support the sustainable utilisation of fisheries in New Zealand.
48. For East Coast Tarakihi, Te Ohu was effectively the *māngai* (*mouthpiece or conduit*) for iwi quota owners. The breadth of engagement by individual iwi groups with Te Ohu, in my opinion, demonstrated the high level of engagement by the beneficiaries of the Fisheries Settlement on this issue. This is one of the strengths that came from Te Ohu engaging from such an early stage on the Rebuild Plan and emphasises the importance of tarakihi and the Rebuild Plan for iwi quota owners

#### 2018 Discussion Document

49. In July 2018, FNZ presented a discussion document on the review of sustainability measures for East Coast Tarakihi for the 2018/2019 fishing

---

<sup>8</sup> As illustrated by the table in the Schedule to this affidavit.

year (**2018 Discussion Document**).<sup>9</sup> It set out three options to decrease the TAC and TACC for East Coast Tarakihi.<sup>10</sup> None of these options included a mechanism that would manage the separation of catch between the eastern and western tarakihi stocks where the QMAs did not match the boundary between the eastern and western populations. Te Ohu considered this aspect a crucial component of managing the rebuild of the East Coast Tarakihi stock. Otherwise it would be possible for catch that should have been taken from the western Tarakihi population to be taken from East Coast Tarakihi, while still remaining within the TACC.

50. The options proposed in the 2018 Discussion Document were focussed on determining the TAC and TACC through application of the default target, and the way and rate for rebuilding a stock set out in the HSS. By way of impact, the options proposed in the 2018 Discussion Document would likely have forced smaller fishing companies to close because of the level of cuts made to TAC and TACC in East Coast Tarakihi. Many MIOs and their AHCs own or work closely with smaller fishing companies. Te Ohu did not consider that the options proposed by FNZ adequately accounted for relevant socio-economic or cultural factors as required under the Fisheries Act.
51. Te Ohu and the Industry Partners provided a joint submission to the 2018 Discussion Document in the form of the Rebuild Plan.<sup>11</sup> Te Ohu further provided its own separate response to the 2018 Discussion Document (**2018 Response**). The 2018 Response is attached to this affidavit and marked "KLD-3". [[306.1493]]
52. Te Ohu was opposed to the blunt approach of the options for a decrease of the TAC and TACC in East Coast Tarakihi. Instead, Te Ohu preferred formal shelving of Annual Catch Entitlement (**ACE**) by quota owners in each of the East Coast Tarakihi QMAs. This includes each quota owner agreeing not to fish a portion of their ACE through signed agreements and by formally transferring the ACE out of their account. This proactive shelving equated to a 20% reduction in catch entitlement across East

<sup>9</sup> Exhibit DP-1 to the Affidavit of Duncan Petrie dated 14 April 2020. [[304.0845]]

<sup>10</sup> Exhibit DP-1 to the Affidavit of Duncan Petrie dated 14 April 2020; at p193 of that [[304.0861]] document (page 19 of the appendix).

<sup>11</sup> Exhibit KG-12 to the affidavit of Katrina Goddard dated 16 March 2020. [[302.0344]]

Coast Tarakihi. The proposed reductions were scaled across QMAs to reflect the complex temporal catch patterns of each area.

53. The 2018 Response set Te Ohu's position for the rebuild of East Coast Tarakihi which, in summary, included:<sup>12</sup>
- (a) that Te Ohu did not support any of the options proposed in the 2018 Discussion Document;
  - (b) that the management complexities and challenges associated with East Coast Tarakihi were addressed in the proposed solutions in the Rebuild Plan;
  - (c) that the high level of agreed commitment from Iwi and industry was demonstrated by an 85% signed commitment to all measures in the Rebuild Plan in just two weeks; and
  - (d) that the Rebuild Plan formed for East Coast Tarakihi was endorsed by both the industry and Iwi on the basis because it:
    - (i) reflected the best available information;
    - (ii) was an innovative and proactive approach to the management of East Coast Tarakihi;
    - (iii) provided a mechanism to split the eastern and western catch; and
    - (iv) provided a comprehensive "reduce, research and reassess" approach to sustain the stock, the fishers and the associated economy.

#### 2018 Decisions

54. As part of the 2018 Decisions, the Minister reduced the TACCs for East Coast Tarakihi in line with the proposed shelving amounts in the Rebuild Plan. However, the reduction was authorised by reducing the TACC rather than by shelving ACE. This equated to a catch reduction of 20%

<sup>12</sup> Exhibit KLD-3 to this affidavit at pp 49-53.

on the east coast to be achieved through the Rebuild Plan's catch-splitting initiative.

55. Consistent with the actions of the Rebuild Plan, the Minister also directed FNZ to immediately implement the requirement to report sub-minimum legal size tarakihi and continue to work alongside the proponents of the Rebuild Plan. The Minister further invited the fishing industry and Te Ohu to build on the Rebuild Plan and develop new and innovative methods to assist the East Coast Tarakihi stock to recover.<sup>13</sup>
56. The Minister's decision was based on the desire for an alternative approach to reduce the negative socio-economic impact associated with the rebuild target, way and rate. While supportive of the Rebuild Plan, the Minister indicated that if it could not demonstrate effectiveness then there would need to be an additional 35% reduction in October 2019 to rebuild at a rate which he determined appropriate.
57. Following the 2018 Decisions, Te Ohu and the Industry Partners continued to work to implement and improve the Rebuild Plan. They also worked with FNZ to ensure that, as the regulatory body, FNZ were comfortable with the level of performance, reporting and transparency around the additional measures in the Rebuild Plan. Many of these measures went beyond what could have been delivered through the 2018 Discussion Document, including catch splitting within TAR 1 and TAR 7.

#### **Implementation of the Rebuild Plan**

58. For Te Ohu, the Rebuild Plan represents a holistic approach to the rebuild of East Coast Tarakihi. The Rebuild Plan incorporated scientific, Māori, social and economic information into its development to provide a comprehensive analysis of the nature and state of the East Coast Tarakihi fishery. The Rebuild Plan provides for multiple factors that allow the biomass to be rebuilt while mitigating unnecessary impacts on participants and quota owners.

---

<sup>13</sup> Exhibit DP-7 to the affidavit of Duncan Petrie dated 14 April 2020, at p 4.

59. Te Ohu approached the rebuild of east Coast Tarakihi with a long-term perspective. It accepted that a reduction in catch was necessary to allow the biomass to increase toward the level that would produce maximum sustainable yield. However, the Rebuild Plan sought to:
- (a) apply a smaller reduction than the HSS default settings; and
  - (b) then reassess the need and scale of potential further reductions once informed by the next stock assessment.
60. Although the East Coast Tarakihi biomass was shown to be depleted, the historic and predicted trajectory was relatively stable. When the catch reductions from 2018 were modelled, the stock was predicted to increase. Given this, Te Ohu was confident that implementation of the Rebuild Plan without further TACC reductions would not jeopardise the sustainability of East Coast Tarakihi. The aim of immediately implementing some of the measures in the Rebuild Plan was to increase the rate of rebuild, conduct research for the next stock assessment, and then further update the Rebuild Plan in light of that assessment.
61. The intention is that this continual improvement of knowledge will guide targeted and adaptive management measures as they are required without putting undue negative impacts on fishing communities. This style of adaptive management differs to the untempered approach of simply applying the HSS default settings which seeks to apply a cut that is predicted to rebuild the stock within a set timeframe based on biological factors. The application of default settings by focussing on the TAC as the single sustainability measure to rebuild stocks does not reasonably account for socio-economic and cultural factors and can have unduly harsh consequences.
62. In my opinion, it is not appropriate to apply the HSS as the sole basis for fisheries management decision-making purposes. The HSS provides a guide to management only and fails to consider the full range of social, cultural and economic considerations that are required to be considered by the Minister under section 13 of the Fisheries Act when determining target stock levels or rebuild way and rates. In its focus on the TAC alone, the HSS also does not provide or account for the full range of sustainability measures that can be implemented to assist a rebuild. In

my view, in the case of East Coast Tarakihi, application of the HSS default settings would lack the sophistication, dynamism and attentiveness of the Rebuild Plan.

63. I agree with the statement in Dr Mace's Affidavit that the HSS and associated Operational Guidelines at best take only modest account of socio-economic and cultural considerations.<sup>14</sup> In the case of East Coast Tarakihi, I consider there are specific and significant socio-economic and cultural impacts that warranted consideration in approaching the rebuild, but which were outside the ability of the HSS to accommodate.
64. Throughout our engagement with iwi quota owners it became clear that the negative impacts of a large TAC and TACC decrease would be disproportionately felt by smaller operators and quota owners. For example, Ngāti Porou Seafoods anticipated that a decrease of 600 tonnes of ACE (in considering options one or two as proposed in the 2019 Discussion Document) would result in multiple vessels being removed from its fleet and at least 12 staff being made redundant.<sup>15</sup>
65. The Rebuild Plan instead calls upon a range of measures that will work cumulatively to improve stock status over a timeframe that provides for the sustainability of both the fishery and the people that rely on it. Overall, the Rebuild Plan provides an avenue for the East Coast Tarakihi fishery to be rebuilt in a conscious manner with buy-in from nearly all quota owners. It further demonstrates how quota owners in East Coast Tarakihi can work together to deliver real time management with the sustainable utilisation of the resource in mind.
66. The Rebuild Plan provides for quota owners and operators to reduce juvenile tarakihi catch and thereby contribute to the East Coast Tarakihi rebuild beyond what could be achieved by reducing the TAC and TACC. These measures show the merit and ability of collective action at the quota owner and operator level to rebuild fisheries using a variety of tools.

---

<sup>14</sup> Affidavit of Dr Pamela Mace dated 14 April 2020, at [36]. [\[\[201.0103\]\]](#)

<sup>15</sup> As recorded by FNZ in its October 2019 Sustainability Round decision document to the Minister, Exhibit DP-8 to the affidavit of Duncan Petrie dated 14 April 2020. [\[\[305.1126\]\]](#)

67. To operate effectively, the catch balancing system within the QMS requires careful, informed and responsive management that involves government and industry sharing information and co-operating to a much greater degree than is normal in regulatory regimes. Importantly, this includes the routine tasks of setting TAC and TACC responsibly and proactively to account for natural variations in stock abundance and supporting collective approaches for rebuilding stocks where required. This is particularly important in multispecies bycatch fisheries (such as the east coast inshore fishery) that may otherwise become binding on target stocks before sustainable harvests are reached. The QMS, through these mechanisms, represents a true multi-species (ecosystem) approach to management, rather than being a single stock management system which is often the way it is wrongly portrayed.

#### **Innovation in the Rebuild Plan**

68. Te Ohu perceived the Rebuild Plan as an alternative approach (to the strictures of an approach based solely on the HSS defaults) that would both ensure the sustainability of the stock and the associated fishery in an innovative and multi-faceted way. Te Ohu supports the Rebuild Plan as it considers that it meets the purpose of the Fisheries Act, is consistent with the Fisheries Settlement and provides for the application of a range of sustainability measures.
69. The implementation of additional innovative fishing practices can further assist with the rebuild of East Coast Tarakihi. To this end, options for innovation to both minimise adverse effects and increase the value and productivity of fisheries are being explored with fishing operators. Many of these measures are currently being implemented voluntarily through regional agreements to increase the rate of the East Coast Tarakihi rebuild.
70. Such regional agreements set out the management actions to be taken by the quota owners and operators in each region (i.e. TAR 1, TAR 2, TAR 3 and TAR 7). Different management measures are required for each region because the circumstances around tarakihi differ along the East Coast. The regional measures include:

- (a) agreeing to the voluntary closure of areas with known high juvenile tarakihi abundance in TAR 2 and TAR 3;
  - (b) move on rules for levels of adult TAR and juvenile tarakihi catch; and
  - (c) reporting mechanisms within and between areas to maintain the collective approach to the rebuild itself.
71. Most importantly, the regional agreements set out the process for catch splitting so that the ACE for TAR 1 and TAR 7 is divided to enable the eastern stock catch in each of those QMAs to be reduced while the western stock catches are unaffected. In this way any TACC reductions will be appropriately directed to the sustainability of East Coast Tarakihi.
72. Further, the proponents of the Rebuild Plan initiated a reporting code for juvenile tarakihi and set up a range of measures designed to avoid their capture and so improve yield per recruit from the fishery. My understanding is that there has been 100% compliance from operators in respect of the reporting of juvenile tarakihi.
73. The regional agreements require the quota owners in the East Coast Tarakihi QMAs to adhere to measures to rebuild the stock beyond what the mechanisms that FNZ is able to regulate. This allows for each regional agreement to be targeted and designed for the specific circumstances that relate to a particular QMA. This provides for meaningful reductions in catch while allowing fishers to continue to operate and generate an income. Currently, over 90% of quota holdings are signatories to these agreements across East Coast Tarakihi QMAs.
74. Another measure that the Minister has promoted alongside the Rebuild Plan is the use of on-board cameras in the East Coast Tarakihi fishery to monitor catch compliance. While I have views about the necessity and cost of such a measure in light of the commitments made by the industry, it does reflect another mechanism to assist in validating catch reporting.

### 2019 Decision Process

75. In early 2019 Te Ohu sent a paper to FNZ, jointly drafted with the Industry Partners, providing their rationale for the alternative approach they had

taken in developing the Rebuild Plan. The paper was attached as Appendix 6 to the Rebuild Plan. The paper sought to address the requirements of the Fisheries Act and the views of Te Ohu and the Industry Partners of the limitations of the scope in the HSS as a policy guideline to inform decision-making. The paper also noted published studies on potential issues in the practical application of standard reference points such as those set out in the HSS.

76. A summary of the differences between the approaches of the Rebuild Plan and application of the HSS default settings to rebuilding the East Coast Tarakihi fishery is also set out in the executive summary of the Rebuild Plan.<sup>16</sup>
77. Te Ohu and the Industry Parties provided the final version of the updated Rebuild Plan to FNZ on 17 May 2019 in order that it could be included in the FNZ discussion document on sustainability measures for the East Coast Tarakihi for the 2019/2020 fishing year (the **2019 Discussion Document**).<sup>17</sup> FNZ included the Rebuild Plan as the third of the three options for consultation in the 2019 Discussion Document.<sup>18</sup>
78. Te Ohu, with the Industry Partners, provided a joint response to the 2019 Discussion Document at the end of the consultation period on 27 July 2019. Te Ohu also provided a separate response that supported the joint response but also included the specific views of Te Ohu having regard to its role and responsibilities on behalf of iwi in respect of the Fisheries Settlement. Te Ohu's response is attached to this affidavit and marked "KLD-4" (the **2019 Response**).
79. The 2019 Response set out Te Ohu's position on the rebuild of East Coast Tarakihi which, in summary, included that:<sup>19</sup>
- (a) Te Ohu supported the Rebuild Plan summarised in the 2019 Discussion Document as Option 3;

---

<sup>16</sup> Rebuild Plan, at p 10.

<sup>17</sup> Exhibit DP-2 to the Affidavit of Duncan Petrie dated 14 April 2020. **[[304.0888]]**

<sup>18</sup> Affidavit of Duncan Petrie dated 14 April 2020 at [41], and the three options are set out at [43]. **[[201.0073]]**

<sup>19</sup> Exhibit KLD-4 at pp 42-49. **[[306.1604]]**

- (b) the Minister's obligation under the Act to move the biomass towards the level that would produce maximum sustainable yield had been met through his 2018 Decision;
  - (c) the objective of the Rebuild Plan is to have the East Coast Tarakihi stock rebuilt within a maximum timeframe of 20 years;
  - (d) the rebuild would be achieved through a more holistic and targeted approach to fisheries management than simply applying TACC cuts;
  - (e) the Rebuild Plan is an example of a "bottom up" approach that is being led by iwi, quota owners and fishers;
  - (f) the Rebuild Plan is already delivering improvements in fisheries management through quota owners and harvesters working collaboratively and taking responsibility for managing the resource; and
  - (g) iwi and settlement entities collectively own approximately 38% of the East Coast Tarakihi quota due to significant investment in this fishery beyond the assets received under the Fisheries Settlement.
80. In addition to support by Te Ohu, option 3 comprising the Rebuild Plan was supported by the majority (67%) of the individual written submissions that were received by FNZ on the 2019 Discussion Document.
81. However, while there were 3 options included for consultation in the 2019 Discussion Document, FNZ also included a fourth option in its final 2019 Decision Document to the Minister.<sup>20</sup> This fourth option included implementation of the Rebuild Plan but with a further reduction to the relevant TACCs that equated to reducing the commercial catch of East Coast Tarakihi by a further 10%.

---

<sup>20</sup> Exhibit DP-8 to the affidavit of Duncan Petrie dated 14 April 2020. [\[\[305.1126\]\]](#)

82. Ultimately, the Minister determined to adopt option 4 in his 2019 Decision for East Coast Tarakihi.<sup>21</sup>

### Conclusion

83. Te Ohu remains committed to the active rebuild of East Coast Tarakihi through the Rebuild Plan. Regular meetings continue to be held between Te Ohu, the Industry Partners and FNZ to progress and implement the Rebuild Plan albeit subject to the additional 10% TACC reduction determined by the Minister. Te Ohu also continues to report to and receive direction from iwi through their MIOs and AHCs.
84. For Te Ohu, ensuring the long-term sustainability of the East Coast Tarakihi stock and fishing community requires more than simply the Minister's TAC reduction decision in the sustainability round; it requires ongoing, responsive and active management actions by the quota holders and fishers themselves as the Rebuild Plan recognises.
85. There are a multitude of considerations, including biological, social, economic and cultural factors, that are relevant to decision-making directed to the sustainable utilisation of New Zealand's fishery resources. Further, there are many mechanisms and measures that may be utilised cumulatively to rebuild a stock. To this end, Te Ohu considers that the Rebuild Plan was the most appropriate option for the East Coast Tarakihi rebuild.
86. As previously noted, the role of Te Ohu in the development of the Rebuild Plan involved both:
- (a) Te Ohu working closely with the Industry Partners as a key contributor from the perspective of the fisheries industry; and
  - (b) Te Ohu advocating as a representative of iwi in terms of the Treaty partnership with the Crown and the associated rights and responsibilities.

---

<sup>21</sup> Minister's Decision Letter on the Review of Sustainability Measures for 1 October 2019, at p 6. [\[\[305.1326\]\]](#)

- 87. In this latter regard, the iwi/Māori perspective provided by Te Ohu was, and continues to be, particularly significant given the importance of the Fisheries Settlement and the statutory obligations of the Minister when making his TAC and TACC decisions.
- 88. Te Ohu views the co-development and co-management approach undertaken in the development and implementation of the Rebuild Plan as reflecting a meaningful, productive and Treaty-consistent relationship between Te Ohu, the industry and the Crown for the benefit of New Zealand's fisheries and, ultimately, all New Zealand.

AFFIRMED at Wellington this )  
 29<sup>th</sup> day of May 2020 )  
 before me: )

\_\_\_\_\_  
**Kim Lawrence Drummond**

**Deputy Registrar  
 of the High Court  
 of Wellington**

A Solicitor of the High Court of New Zealand  
**NATHAN LEWIS**

## Schedule – Chronology of meetings attended by Te Ohu

Date	Meeting purpose	Entities involved
30/01/18	Te Ohu receive first draft management strategy for TAR from FINZ	Fisheries Inshore NZ <b>(Fisheries Inshore)</b> TAR
07/02/18	first meeting attended by Te Ohu. Assessment indicated biomass 17.1% B0	Te Ohu, Fisheries Inshore, fisheries scientist, industry, Southern inshore, quota holders
18/04/18	Northern Inshore Working Group – FNZ science meeting	Industry, Fisheries NZ <b>(FNZ)</b> , Fisheries Inshore, fisheries scientists, Te Ohu, southern Inshore
24/04/18	Southern Inshore Working Group – FNZ science meeting	Industry, FNZ, fisheries scientists, Te Ohu, Southern Inshore
03/05/18	Northern regional meeting – FNZ consultation	Committee members, Te Ohu, Fisheries Inshore, FNZ
10/05/18	Area 2 regional meeting- FNZ consultation	Committee members, Te Ohu, Fisheries Inshore, FNZ
16/05/18	Southern TAR 3 meeting – FNZ consultation	Committee members, Te Ohu, Fisheries Inshore, Southern Inshore, FNZ
05/06/18	Post MIO/AHC hui meeting with FNZ managers to pose collective iwi position on tarakihi	Te Ohu, FNZ managers
26/06/18	Northern regional meeting	Committee members, Te Ohu, Fisheries Inshore
16/07/18	Auckland sustainability round discussion	Fisheries Inshore, Te Ohu, Southern, Industry, FNZ
18/07/18	Napier sustainability round discussion	Fisheries Inshore, Te Ohu, Southern, Industry, FNZ
23/07/18	Industry TAR meeting	Industry and quota owners, Fisheries Inshore, Southern Inshore, Te Ohu

09/08/18	Discussions on IPP with FNZ	FNZ, Te Ohu
15/10/18	Tarakihi management procedure development	Fisheries Inshore, Southern inshore, Te Ohu, Fisheries scientist
18/10/18	Southern Inshore TAR meeting	Committee members, industry, Te Ohu, Fisheries Inshore, Southern Inshore,
23/10/18	Northern Inshore TAR meeting	Committee members, Te Ohu, Fisheries Inshore, industry
24/10/18	Area 2 TAR meeting	Committee members, Te Ohu, Fisheries Inshore, industry
08/11/18	Tarakihi management procedure development	Fisheries Inshore, Southern inshore, Te Ohu, Fisheries scientist
28/11/18	Statistical analysis methodology working groups TAR – develop and discuss appropriate methods for assessing TAR	Industry, FNZ, fisheries scientists, Te Ohu, Southern Inshore
16/01/19	Management strategy partner meeting – next steps and progress	Fisheries Inshore, Southern Inshore, Te Ohu
08/01/19	Management strategy partner meeting – next steps and progress	Fisheries Inshore, Southern Inshore, Te Ohu
18/02/19	FNZ TAR meeting – to communicate progress of strategy and next steps	Fisheries Inshore, Southern Inshore, Te Ohu, FNZ
27/02/19	Southern Inshore Working Group – FNZ science meeting	Industry, FNZ, fisheries scientists, Te Ohu, Southern Inshore
13/03/19	FNZ TAR meeting - to communicate progress of strategy and next steps	Fisheries Inshore, Southern Inshore, Te Ohu, FNZ
25/03/19	Auckland – TAR1 wider engagement with TAR stakeholders – all who submitted in the consultation on ECTAR for 2018 were invited to participate	Fisheries Inshore, Te Ohu, recreational representatives, FNZ, industry, (held at MPI)
02/04/19	Napier – TAR2 wider engagement with TAR stakeholders – all who submitted in the consultation on ECTAR for 2018 were invited to participate	Fisheries Inshore, Te Ohu, recreational representatives, FNZ, industry, (held at MPI)
10/04/19	October sustainability rounds workshop	FNZ, Te Ohu

16/04/19	Industry TAR meeting – discussion progress and position for October sustainability rounds	Industry, quota owners/representatives, Te Ohu, Fisheries Inshore, Southern Inshore
29/04/19	Wider stakeholder meeting to discuss TAR science and management – Area 3 in Christchurch	This meeting was cancelled due to lack of interest from parties outside of industry
29/04/19	Tarakihi partners catch up	Fisheries Inshore, Te Ohu, Southern Inshore
01/05/19	Tarakihi infographics meeting- to produce a summary of the strategy that is more communicable to wider audiences	Fisheries Inshore, Te Ohu, independent contract designer
10/05/19	Industry TAR meeting – discussion progress and position for October sustainability rounds	Industry, quota owners/representatives, Te Ohu, Fisheries Inshore, Southern Inshore
14/05/19	Tarakihi partners meeting to discuss implementation, catch splitting and sub-MLS reporting post industry meetings	Fisheries Inshore, Te Ohu, Southern Inshore
28/05/19	Tarakihi comms meeting to discuss communication of the Rebuild Plan both inside stakeholders and wider	FNZ, Seafood New Zealand comms team, southern inshore, Te Ohu policy and comms team
28/05/19	Second October sustainability rounds workshop with FNZ	Te Ohu, FNZ
06/06/19	Area 2 regional meeting – progress on Rebuild Plan was agenda item discussed	Te Ohu, Fisheries Inshore, committee members
07/06/19	Northern regional meeting – progress on Rebuild Plan was agenda item discussed	Te Ohu, Fisheries Inshore, committee members
10/06/19	FNZ manager meeting – October sustainability rounds – Tarakihi position was discussed	Te Ohu, FNZ managers
27/06/19	Tarakihi partners and recreational fishing representative discussion – TAR part of the agenda	Fisheries Inshore, Southern Inshore, Te Ohu, Rec representative
27/06/19	FNZ discussion on options for consideration and current positions	FNZ, Fisheries Inshore, Te Ohu

01/07/19	Iwi Fisheries Forum Whakatane - communicate Rebuild Plan	IFF members, Te Ohu, FNZ
12/07/19	Area 2 regional meeting pre-FNZ consultation meeting	Industry, Fisheries Inshore, Te Ohu, FNZ, quota owners
12/07/19	Area 2 FNZ consultation meeting	Industry, Fisheries Inshore, Te Ohu, FNZ, quota owners, the Minister of Fisheries, fisheries scientists, recreational fishers
20/08/19	Tarakihi partners meeting – Pre-FNZ meeting	Fisheries Inshore, Te Ohu
20/08/19	FNZ managers and analyst meeting to discuss options for tarakihi	FNZ, Te Ohu, Fisheries Inshore
03/09/19	FNZ meeting October sustainability round – discuss response once submitted	FNZ, Te Ohu
23/09/19	FNZ meeting October sustainability round - discuss progress in FNZs thinking	FNZ, Te Ohu
04/11/19	Workshop to develop reporting framework for Strategy	FNZ, Fisheries Inshore, Te Ohu, Southern Inshore
08/11/19	Area 2 regional meeting – progress on TAR Rebuild Plan was agenda item discussed	Te Ohu, Fisheries Inshore, committee members
19/11/19	Industry TAR meeting – discussion next steps for Rebuild Plan implementation	Industry, quota owners/representatives, Te Ohu, Fisheries Inshore, Southern Inshore