



# **Kaikōura Marine Guardians**

Annual Report 2018/2019



According to Ngāi Tahu traditions, Tū-Te-Raki-Whānoa was an atua (demi-god) who was the son of Aoraki who with his magic Kō (digging stick) carved and created our majestic mountains and magnificent river valleys that is Te Waipounamu (South Island) today.

He had two assistant atua (South Island), Marokura and Kahukura.

Marokura was the atua of the oceans, seas, lakes, rivers, estuaries and all that they contained: fish, whales, shellfish, seaweed.

Kahukura was the atua of forests, land and all that they sheltered: birds, insects.

Marokura and Kahukura are celebrated within the grounds of Takahanga Marae in Kaikōura and are depicted as two magnificent pou.



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July 2019

# 1. Message from the Chair – Larnce Wichman



## Greetings

It is a pleasure to be able to present another annual report on behalf of the 11 members of the Kaikōura Marine Guardians.

During the past year the Guardians have held four meetings, establishing a number of key projects that originate from the Kaikōura (Te Tai o Marokura) Marine Management Act 2014. The Kaikōura Marine Guardians is an advisory committee for Te Whata Kai o Rākihōuia i Te Tai o Marokura–Kaikōura Marine Area. The responsibility of the Guardians is to safeguard the marine environment and the fisheries on behalf of the community.

The Guardians are working closely with Te Korowai o Te Tai o Marokura. A key issue facing the Kaikōura community is the impact of the November 2016 earthquake, when the gathering of shellfish and seaweed was prohibited between Marfell's Beach and the Tūtae Putaputa/Conway River out to a distance of 4 nautical miles from shore. Jason Ruawai has led a restoration project for pāua (this being a significant shellfish species for Kaikōura). The Guardians have been monitoring research into a re-seeding program, which is proving very successful and does indicate a prosperous future. The pāua population is recovering well. The community and the general public need to be patient, with a diver's report seeing reasonable pāua numbers and the community is optimistic about future harvesting. Re-opening of the fishery will be based on data gathered by Fisheries New Zealand.

Rebuilding of the coastal transport corridor continues, and work is expected to be near completion this summer. Carparking and viewing areas have been created enhancing public access to the sea. This massive rebuild project has been overseen by the Restoration Liaison Group (RLG). Ted Howard is the KMG's delegate on the RLG. We are very grateful for the work and energy that Ted has put into this role. We can all be assured that through Ted's work we and the public of New Zealand will enjoy good access and enhanced facilities along the Kaikōura coast.

Research has been an important agenda item for the Kaikōura Marine Guardian's over the past year. Dr Sharyn Goldstien brings to the group a vast amount of research experience as well as being personally engaged in research projects in Kaikōura. Due to the high number of research projects being undertaken in the Kaikōura marine area, the Guardians are developing a Research and Monitoring Plan.

The Kaikōura Marine Guardians received a request from Minister of Fisheries Stuart Nash to advise him on a management solution for the Kaikōura marine area in regards to Amateur Charter Vessel operations. This request has been extended to the Fiordland Marine Guardians. The task has been planned and both Fisheries New Zealand and the Department of Conservation are assisting with providing advice.

The Kaikōura Marine Guardians are passionate about adding Kaikōura to the World Heritage Tentative List. A large amount of preparation has gone into presenting our case and we are presently awaiting further Ministerial engagement to move forward.

As a result of the Kaikōura earthquake and subsequent transport corridor rebuild at Ōhau Point, the original New Zealand fur seal colony and habitat has been greatly altered. There is still a healthy fur seal population in and around Ōhau Point and the recently opened carpark and viewing area are proving very popular with the travelling public as a safe site for viewing fur seals.

My sincere thanks to the Guardians, the Department of Conservation and Fisheries New Zealand for the work that they have undertaken in the past year on behalf of the Kaikōura community and the preservation of the marine environment.

Larnce Wichman  
Chairperson



## 2. Introduction

The Kaikōura Marine Guardians were established by the Kaikōura (Te Tai o Marokura) Marine Management Act 2014 (the Act). They are appointed by the Ministers for Conservation and Primary Industries to advise the Ministers on any matter that affects Te Whata Kai o Rakihouia i Te Tai o Marokura – the Kaikōura Marine Area – and may also advise any other person or organisation that makes decisions that may affect this area. The scope of the Guardians is set by the Act, and it requires that their work, and the protection provided by the Act, is reviewed no later than September 2024. This review does not include matters not covered by the Act, such as general fisheries management measures.

The Kaikōura Marine Guardians have a direct responsibility to advise the Ministers over issues affecting the purposes of the Act, and are an advisory committee to Ministers and persons exercising statutory powers, on biosecurity, conservation, and fisheries matters in the Kaikōura Marine Area.

Ministers and persons exercising statutory powers must take the Kaikōura Marine Guardians' advice into account, where it relates exclusively to the Kaikōura Marine Area.

The Kaikōura Marine Guardians will represent Te Rūnanga o Ngāi Tahu, the Kaikōura community, biosecurity, conservation, education, environment, fishing, marine science and tourism interests.

The statutory Guardians and Te Korowai are closely linked and currently 10 out of 11 Guardians are members of Te Korowai.

The Act established a number of marine protection and sustainable fisheries measures in the Kaikōura marine environment. These include:

- **The Ōhau New Zealand Fur Seal Sanctuary** to limit human disturbance to fur seals, while allowing the public to view the colony from a safe distance.
- **The Hikurangi Marine Reserve** that will encompass the Kaikōura canyon area and connects to the coast south of the Kaikōura township.
- **Te Rohe o Te Whānau Puha Whale Sanctuary** to protect whales and their habitat from the potential risks from seismic survey activities, which benefits the tourism industry.
- **Te Taumanu o Te Waka a Māui and the Oaro-Haumuri Taiāpure reserves** to provide traditional food gathering areas around the Kaikōura Peninsula that will allow commercial fishing to continue.
- **The Mangamaunu, Oaro and Te Waha o te Marangai Mātaitai reserves** where commercial fishing will be prohibited to protect the traditional food gathering areas and allow for recreational fishing.



### 3. Hikurangi Marine Reserve

The Hikurangi Marine Reserve encompasses the Kaikōura Canyon, which is the most biologically rich ocean habitat in the world, with depths greater than 500 metres. The canyon is special for its geological and ecological attributes and is unusually close to shore.

#### What protection is in place

- A marine reserve of approximately 10,416 ha, extending offshore for 23.4 km and including 1.95 km of shoreline near Goose Bay, south of the Kaikōura township.
- The reserve encompasses much of the floor and part of the head of the Kaikōura canyon.

#### What marine values are protected

- All marine life and habitats within the marine reserve are totally protected.
- No fishing, netting, hand gathering, taking or killing of marine life.
- No polluting, disturbance or damage of marine life or the seabed.
- No removal of any natural material from the marine reserve.

Recreational and tourism activities (excluding fishing and collection activities described above) are allowed.

The existing launching area at Rosy Morn and a private slipway to the south are unaffected by the reserve and can still be used to launch and retrieve boats.

#### Te Rohe o Te Whānau Puha/ Kaikōura Whale Sanctuary

Te Rohe o Te Whānau Puha/the Kaikōura Whale Sanctuary protects whales and their habitat by reducing or eliminating the potential impacts of seismic survey activities used in mineral and petroleum exploration and some scientific research.

#### What protection is in place

- The whale sanctuary covers an area of New Zealand's territorial sea and the Exclusive Economic Zone (EEZ) from the Clarence River, north of Kaikōura, to just north of Gore Bay.
- The sanctuary encompasses 91 kms of shoreline and covers an area of 4686 square km. It extends out beyond the 12 nautical mile limit to a maximum of 56 km from the shore.
- The inner zone of the sanctuary has tighter restrictions on seismic survey activities than the outer zone.

#### What marine values are protected

- The sanctuary provides greater protection for whales and other marine mammals within the sanctuary boundaries from the potential impacts of seismic survey activities. It minimises the risk of seismic surveys causing whales to change their behaviour, such as moving away from the area, which provides greater certainty of whale locations for tourism operators.





## Ōhau Point New Zealand Fur Seal Sanctuary

Ōhau Point has the most significant breeding colony for New Zealand fur seals along the eastern coast of the South Island. The New Zealand fur seals at Ōhau are susceptible to human disturbance which puts them at risk. Seals can be aggressive which presents a risk to visitors.

### What protection is in place

- The seals in the sanctuary area can be observed from a new viewing point/carpark area above the colony, currently due to the earthquake access to the crèche waterfall pond is unobtainable.
- A portion of the shoreline and inter-tidal seal habitat is a legal sanctuary. Public walking access into the sanctuary at Ōhau Point is prohibited.

### What marine values are protected

- The restrictions reduce the impacts of humans on the breeding colony and improve compliance and enforcement measures to protect them.
- The colony is legally protected but the seals are still able to be viewed by the public at a safe distance.

## Customary Fisheries

Specific sites in the Kaikōura marine area have been identified as traditional food gathering areas of special significance to Ngāti Kuri.

### What protection is in place

#### Mātaitai reserves:

- Three mātaitai reserves to protect the traditional food gathering areas: Te Waha o te Marangai Mātaitai (Mussel Rock), Mangamaunu and Oaro (see map below).
- Upon establishment of the mātaitai reserves, commercial fishing is prohibited, whilst maintaining access for recreational in the first instance but this can be restricted if necessary. Tangata Tiaki/Kaitiaki (tangata whenua guardians) can recommend changes to the rules in a mātaitai that are required to be approved by the Minister.

#### Te Korowai Taiāpure-local fisheries:

- Two taiāpure-local fisheries to protect the traditional food gathering areas around the Kaikōura Peninsula and Oaro Blocks/Haumuri Bluff.
- In taiāpure-local fisheries all fishing can continue until changes to fishing regulations are made as recommended by the taiāpure management committee.

The mātaitai reserves and taiāpure-local fisheries do not affect public access to the beach or marine environment. The controls established as part of the mātaitai reserves and taiāpure fisheries included:

- reduction in recreational daily bag limits for a number of finfish and shellfish species;
- a daily limit on the harvest of bladder kelp and karengo, prohibiting the take of red moki and increasing the minimum legal size limit for blue cod and sea perch;
- telson-clipping of rock lobster.



## 4. Guardian membership

The Guardians has 11 members plus representatives from the Department of Conservation and Fisheries New Zealand: Larnce Wichman (Chair), Sir Mark Solomon, Richard Craig, Barry Dunnett, Dr Sharyn Goldstien, Dr John Hellstrom, Doug Hitchon, Ted Howard, Kauahi Ngapora, Carol Scott, Gina Solomon, Damian Cloeter (Fisheries New Zealand), John Willmer, (Fisheries New Zealand), Phil Bradfield (Department of Conservation), Natalie Lawler (Department of Conservation) provides secretarial support to the group.

Eight of these were nominated by Te Korowai, one nominated by Te Rūnanga o Ngāi Tahu and two Ministerial appointments.

Four meetings a year are held (the terms of reference are attached in appendix 1).

### Attendance

Member	Home	Attended
Larnce Wichman	Blenheim	5/6
Tā Mark Solomon	Christchurch	2/6
Richard Craig	Kaikōura	6/6
Barry Dunnett	Kaikōura	6/6
Dr Sharyn Goldstien	Wellington	5/6
Dr John Hellstrom	Picton	5/6
Doug Hitchon	Kaikōura	6/6
Ted Howard	Kaikōura	6/6
Kauahi Ngapora	Kaikōura	5/6
Carol Scott	Nelson	5/6
Gina Solomon	Kaikōura	5/6

### Guardians meeting dates for 2018/2019

13 February 2018	Kaikōura
15 May 2018	Kaikōura
7 August 2018	Kaikōura
6 November 2018	Kaikōura
5 February 2019	Kaikōura
7 May 2019	Kaikōura





## Members' profiles

### Larncé Wichman (Chair)

Larncé has been involved in the rock lobster industry for over 38 years, and over this time has gained vast knowledge of the whole of industry from vessel to the consumer's table and everything between. Having an understanding of the dynamics of the Kaikōura coastline, and those that utilise the resources from within it, is part of this knowledge. One of his several hats is as Executive Officer of CRAMAC 5 (Canterbury Marlborough Commercial Rock Lobster Stakeholder Group) and a Director of NZ Rock Lobster Industry Council. Having taken CRAMAC 5 through an international third-party accreditation audit by the Friends of the Sea gave the fishermen a real understanding of the level of responsibility they have utilising a natural resource. CRA 5 is the only region in NZ that holds this certification. Assisting in developing electronic devices for the lobster fleet to collect catch data in a more accurate way has assisted greatly in managing the commercial effort and looking at ways to harvest smarter. By developing a device that measures the seabed temperature it allows the fishermen to better understand lobster biological triggers. These devices have now gone international. It gives Larncé immense satisfaction knowing natural resources can be utilised within environmental limits.



### Tā Mark Solomon

Tā Mark Solomon is committed to the betterment of his iwi, kotahitanga for Māori and the wider well-being of people and the environment. He is a strong advocate for the Māori economy and was instrumental in setting up the Iwi Chairs Forum (2005). He was the elected Kaiwhakahaere (Chair) of Te Rūnanga o Ngāi Tahu from 1998 to December 2016 and represented his local Papatipu Rūnanga, Te Rūnanga o Kaikōura from 1995 to December 2016.

Of Ngāi Tahu and Ngāti Kurī descent, Tā Mark's contribution to his community has been diverse and significant, ranging from roles as a school board trustee, to a past board member of the Museum of New Zealand (Te Papa Tongarewa). Tā Mark attributes his wider whānau (family) for early guidance and it is this experience that has driven his passion for encouraging educational opportunities for young Māori. He is a patron of He Toki Ki Te Rika, a Christchurch-based Māori pre-trade training programme, and the related He Toki Ki Te Mahi, an apprenticeship initiative both born from the Christchurch earthquake rebuild. He believes young Māori should strive for formal training to maximize their talents and to be the best they can be.



In 2013, he was awarded Knight Companion of the New Zealand Order of Merit for services to Māori and Business. In April 2015 he received an Honorary Doctorate from Lincoln University as Doctor of Natural Resources, recognising his enduring interest and concern for our natural environment.

Tā Mark is currently Deputy Chair of the Canterbury District Health Board. His other current directorships include: The National Science Challenge for Sustainable Seas and Deep South; Te Ohu Kaimoana; Pure Advantage; SEED NZ Charitable Trust; QuakeCoRE; Rangitane Holdings Limited; Rangitane Investments Limited; Ngati Ruanui Holdings; Māori Carbon Foundation Limited and Māori Carbon Planting Limited. He was an original member of the Minister for Māori Affairs Māori Economic Taskforce, established in 2009.

Tā Mark believes a true rangatira is a servant of the people, a fact underpinned by his core philosophy of "strength with humility". Whilst the commercial success of Ngāi Tahu is acknowledged, Tā Mark is especially proud of the tribe's achievements in education and the development of the iwi's savings scheme Whai Rawa. Tā Mark is a committed advocate for the sanctity of whānau and takes a strong stance against whānau violence. He is passionate about his people and is determined to facilitate both iwi and wider Māori success by unlocking the potential of the Māori economy for the good of all.

### Richard Craig

Richard has been a long-standing member of Coastguard Kaikōura and a member of the Kaikōura Boating Club. He is a representative for the recreational fishing sector on the MPI South Island Recreational Fishing Forum. He believes in a sustainable and healthy fishery and maintains a fair and equitable access to the fishery with the other user groups. He has run his own floor-laying business for 20 years and enjoys the outdoors of this region.



### Barry Dunnett

Barry is a former Phys Ed/Science/Outdoor Ed High School teacher. He is a long-term outdoor enthusiast, conservationist and advocate for protection of our environment. He is a Forest and Bird member and officeholder since 1983 and a former Nelson/Marlborough Conservation Board member. Barry has been a resident of Kaikōura for 46 years, authored "Kaikōura Walks and Climbs", and is happily married with 4 children.



### **Dr Sharyn Goldstien**

Sharyn represents marine science and education on the Kaikōura Marine Guardians. Sharyn worked at the University of Canterbury between 2009–2019 as a Senior Lecturer of marine science, in the fields of ecology and molecular ecology, and as the coordinator of academic activities with engagement of communities at university field stations. She is now the Director of Knowledge Able Communities Ltd, where she connects communities with science to underpin environmental initiatives. Sharyn has also been a member of Te Korowai o Te Tai ō Marokura since 2014.



Building capacity for effective governance of marine ecosystems is an area of active engagement for Sharyn, which she believes is a multi-generational process of building environmental awareness and education. She works in the Kingdom of Tonga, in collaboration with the Ministry of Fisheries Tonga to build capacity and awareness of inshore reef ecosystem function to support in-country initiatives of spatial management. In Kaikōura, Sharyn works with the Tītī/Hutton's Shearwater Charitable Trust and Kaikōura High School, Te Hā o Mātauranga – learning in Kaikōura, and was lead on a Curious Minds-funded science camp for Kaikōura youth as a partnership with the University of Canterbury, Te Runanga o Kaikōura, Te Korowai and the Kaikōura District Council.

### **Dr John Hellstrom OMNZ**

John was Chief Veterinary Officer from 1986 to 1991 for the then Ministry of Agriculture and Fisheries. He was instrumental in developing New Zealand's Biosecurity Strategy and has worked on reviews of marine and freshwater surveillance systems, and research requirements for the fishing industry. He has co-authored a paper on national livestock tracing systems and led a review into managing risks associated with imported foods. He was the Chair of the Biosecurity Council from 1997 to 2004, and is a Director of Biosecurity Limited and Chair of the National Animal Welfare Advisory Committee.



### **Keith Hitchon (Doug)**

Doug is retired after a career in general management mostly in food, property and the steel industries. He has a Dip Meat Tech and a Business Studies degree in Economics and Organisation Psychology (both Massey University). He has recently been a Licensed Building Practitioner helping with the Christchurch earthquake recovery. Doug has lived in Christchurch for many years and is now residing in Tasman. Until recently he was an active member of the Canterbury Mountaineering Club and of the Christchurch City choir. As a choir member he initiated and co-produced a major choral work called "Ahua" about Moki from Kaikōura (words by Keri Hulme, music by Anthony Ritchie). He is a member of Te Korowai representing the community and is the current treasurer. He is also a skier and scuba diver and has a keen interest in achieving a "perfect balance" between the marine environment and humans.



### **Ted Howard**

Ted Howard met his wife Ailsa in Kaikōura in 1991, was married there in 1994, and has been a resident since 1998. Ted has been president of the Boating Club since 2005, chair of the Kaikōura Zone Water Management Committee since 2013, chair of the Tītī/Hutton's Shearwater Charitable Trust since 2016, is a current RMA commissioner, a current member of Lions Club, Forest and Bird, golf club, tramping club, cycle club, has run a software and consulting company since 1986, and is active in several international communities on the future of humanity, existential risk, nanotechnology and artificial intelligence. He has been a Kaikōura District councillor and has chaired the High School Board of Trustees and the Residents and Ratepayers Association and has survived a 2010 terminal cancer diagnosis. Ted has a BSc in zoology, with systems interest in biochemistry, marine ecology and evolution. He has practical backgrounds in farming, fishing, engineering, conservation, legislation, justice and politics, as well as more theoretical interests in the nature of existence, our understandings of it, our roles within it, and the possibilities available in our future.



Ted is committed to empowering individuals to responsibly explore their creative potential through being active participants in healthy and diverse social and ecological systems.



**Kauahi Ngapora (Ngāi Tahu (Ngāti Kuri), Waikato-Tainui (Ngāti Hauā/Ngāti Mahanga))**



Kauahi is General Manager of Whale Watch Kaikōura (WWK) one of New Zealand’s leading and most recognised Māori tourism experiences and a multi-national and international award winning nature-based tourism company. Kauahi was first employed by WWK as a fifteen-year-old. He has moved through the ranks from his entry role as a caregiver (spew bucket emptier) rising to learn all facets of the business to guide, guide trainer, skipper, skipper trainer, supervisor, frontline manager and Chief Operating Officer. He considers himself a proud product of the tourism industry. Apart from his first paid job which was mowing the lawns at Takahanga Marae, he has developed through the tourism and maritime industries.

When Kauahi was promoted to lead the organisation back in late 2009 it was a challenging time and the tourism industry as a whole was entering an uncertain period with the repercussions of the global financial crisis. These effects were exacerbated regionally by the Christchurch Earthquakes in 2010/11, and then the 2016 Kaikōura Earthquake which effectively halted operations and severely impacted tourism across the Kaikōura district. Despite a succession of significant economic shocks, Kauahi has provided exemplary leadership, dedication and drive to help ensure the business continued to trade successfully, particularly when responding to the impacts of the Kaikōura Earthquake. He is now driving the effort to fully recover the business which has been through one of its most challenging periods since it was established in 1987. Kauahi is also a Director on the Tourism New Zealand and Tourism Industry Aotearoa boards, a Member of the Ministerial Advisory Committee, the Kaikōura Marine Guardians, a panel member of the Government’s Tourism Infrastructure Fund and a Trustee of the Marlborough-Kaikōura Trail Trust.

Kauahi was awarded the Outstanding Māori Business Leader Award at the 2018 University of Auckland’s Aotearoa Māori Business Leaders Awards.

**Carol Scott**



Carol is the Chief Executive of Southern Inshore Fisheries Management Co Ltd, an Executive Member of the NZ Federation of Commercial Fishermen, Secretary of Port Nelson Fishermen’s Association, a member of the Nelson City Council Biodiversity Forum, MPI Marlborough Sounds Blue cod management group, Kaikōura Guardians and several other technical and working groups. She has 30 years’ experience in the commercial fishing industry in New Zealand and Australia with a background in fisheries management, science, policy and environmental management and fishing gear technology.

**Gina Solomon (Ngāi Tahu, Kurahaupo, Ngati Koata, Te Atiawa and Ngati Toa)**



Gina participates in numerous groups and projects in paid and volunteer capacities. Some of these committees are often conflicting groups of stakeholders who need to work collaboratively to develop pragmatic strategies and solutions that integrate cultural, environmental and economic interests. She brings Te Tiriti o Waitangi and Tikanga Maori to these forums and moves with ease and comfort with whanau, iwi, government and other authorities and the wider community. She is a Director on the QEII National Trust, Chair of the Nelson/ Marlborough Conservation Board and the Nature Heritage Fund Committee, a Trustee for the Tītī/Hutton’s Shearwater Charitable Trust, Kaikōura Zone Committee Member and a certified RMA Making Good Decisions Commissioner, a member of Te Korowai o Te Tai o Marokura, Molesworth Steering Committee, and the Forestry Ministerial Advisory Group.

## 5. World Heritage Status for Kaikōura – From the mountain top to the canyon floor

World Heritage Status has been a long-held aspiration for Kaikōura and formed an integral part of the Kaikōura Marine Strategy 2012. This strategy was developed by Te Korowai o Te Tai o Marokura in consultation with stakeholders and the Kaikōura community over several years.

The Kaikōura Canyon and mountains was recognised as having strong potential in a 2006 advisory group report. This site was recommended for consideration as a future addition in the publication “A Tentative List of New Zealand Cultural and Natural Heritage Sites 2006” but due to limitations, did not advance on to New Zealand’s Tentative List at that time.

The limitations identified by the Advisory Group in 2006 were a lack of any marine and coastal protected areas, the lack of enough protected lowland of high natural character, linking any eventual marine/coastal protected areas with the extensive conservation lands on the seaward Kaikōura Range and the fragmented nature of marine planning and management and these have largely been rectified.

World heritage status is an established force in world tourism markets, and Kaikōura can expect to reap benefits from world heritage tourism. World heritage listing will increase public interest and awareness in protecting the values of the site. Regional benefits from gaining such recognition are vast: from destination profile and tourism development, to cultural and environmental protection, research and education.

The Kaikōura earthquake created vast amounts of economic, social, and cultural damage. In this regard, we are of the belief that if an area merits inclusion on

the Tentative, and later World Heritage List, then that decision should be pursued as a pathway to rebuilding the devastated areas. In this regard, we note that other areas around the world have been inscribed by the international community as World Heritage, post-earthquakes. Such post-earthquake inscriptions help in re-establishing both pride and economic pathways for the devastated communities.

We are of the view that the Outstanding Universal Value of the site is larger than the Advisory Report initially suggested. We are of the understanding that the Outstanding Universal Value of the Kaikōura Canyon and mountains could merit inscription in up to four criteria. Consequently, the site would be a true ‘superstar’, comparable to some of the ‘best of the best’ sites in the world as it would comprise both cultural and natural criteria, as a ‘mixed site’.

New Zealand will be under an obligation to undertake appropriate management of the site, and to report periodically on the site’s condition to the World Heritage Committee. It is anticipated that the site management systems will be arrived at through close collaboration with local and national stakeholders. Therefore, sites inscribed on the World Heritage List benefit from the elaboration and implementation of a comprehensive management plan that sets out adequate preservation measures and monitoring mechanisms, in addition to increasing the tourist activities at the site. All properties inscribed on the World Heritage List must have adequate long-term legislative, regulatory, institutional and/or traditional protection and management to ensure their safeguarding.





## 6. Biosecurity

The Kaikōura Marine Guardians are concerned that not enough is being done to provide adequate biosecurity for the Kaikōura marine environment.

Biosecurity threats are increasing as more invasive species become established nearby and the Kaikōura marine environment is particularly vulnerable after the vastly disruptive effects of the earthquake on marine ecosystems.

Because the Kaikōura marine environment is especially important for the cultural, social and economic wellbeing of the Kaikōura community the Kaikōura Marine Guardians

believe its health and on-going protection from harmful invasive species is a priority.

The approaches to marine biosecurity being developed and implemented by the Northland and Southland regional councils and the Top of the South Partnership provide good models.

The Kaikōura Marine Guardians are engaging with MPI and the regional council with a view to having a similar approach in place for the Kaikōura Marine Management Area.

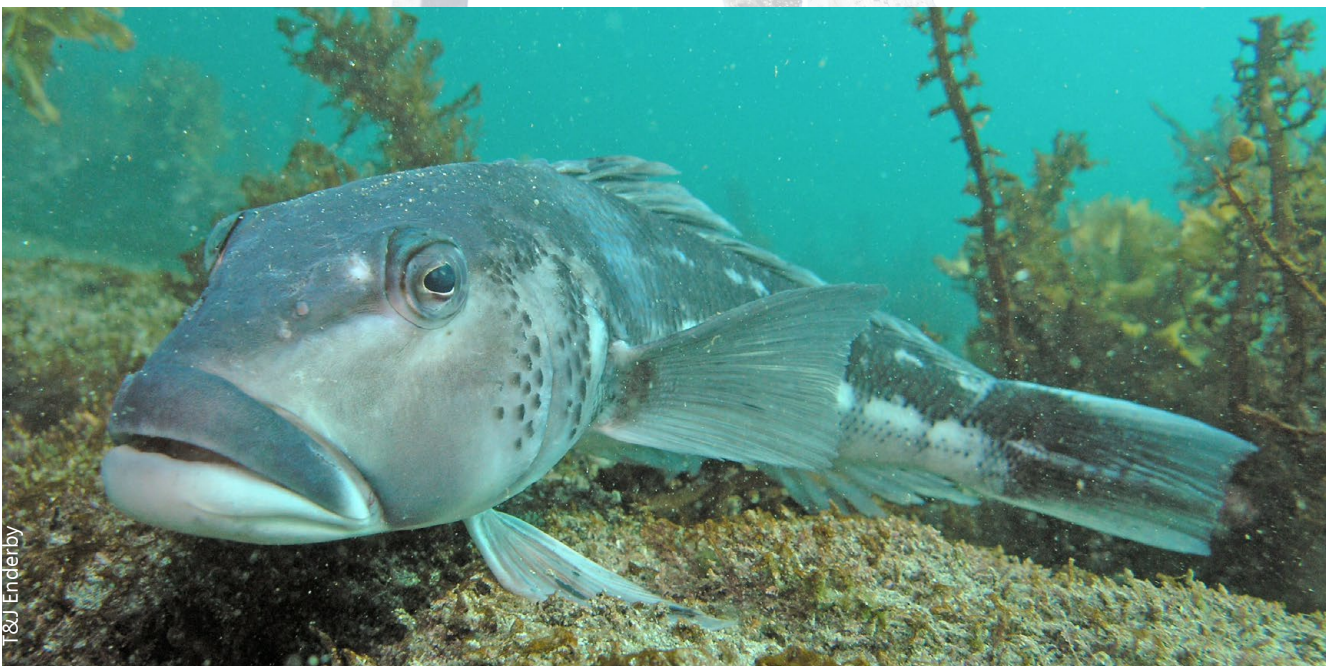
## 7. Research Update

Mapping of the current research efforts within the Kaikōura Marine Management area against the goals and objectives of the Kaikōura Marine Management Act 2014 has taken place. The intention is to further map the gaps in research required to review The Act in 2024, for consideration of funding and science providers.

Recent research has focused around the changes created by the coastal uplift of the 2016 earthquake. These projects have included MPI-funded projects investigating the changes in coastal seafloor morphology, biodiversity of the intertidal and subtidal environments, pāua and rock lobster stock changes, potential shifts in the distribution of Hector's dolphins and the Sperm Whales, and the loss of nests and nesting habitat for the Tītī/Hutton's shearwater.

Other work has included understanding the shift in distribution of the NZ fur seals, imaging kelp bed changes, and observations of seabed and biodiversity changes in the Kaikōura Canyon.

The research generated from the earthquake has been invaluable in assessing the state of the Kaikōura marine environment to-date, but there are many gaps in the data required for a thorough review of 'the Act'. Investigating the social impacts from the implementation of a multi-tool approach to the management of an ecosystem with many external pressures on the fisheries and iconic species, which is also based within a small and isolated community is deemed an obvious priority area for future research.



T&J Enderby

## 8. The Restoration Liaison Group Update

The Restoration Liaison Group (RLG) was appointed as part of the management and oversight ecology in response to the November 2016 earthquake. Kaikōura Marine Guardians were explicitly included in the Order in Council that set up the RLG. Ted Howard was the Guardian's representative through 2018. Thirteen meetings of the full group were held in 2018, with several workshops and many sets of documents for detailed discussion. The amount of detail covered, and the amount of work done as a result, was huge. A review of the Landscape Design Framework in January was followed by a consents package in February, with work on designations, coastal access, consents package and impacts continuing through March. Every meeting had detailed and often passionate discussions.

The potential for possible impacts of works in the Mangamaunu area led to wide public engagement and eventually a High Court case.

Throughout this process reports back to guardians were made at meetings and by email when time demanded, and issues raised fed back into the RLG process.

Work was progressed on a Coastal Experience app under an NZTA project. Two further consent packages in August and September required detailed review of their impact on the coast, on access, on the experience of visitors, on the marine ecosystems and on our community.

Cyclone Gita gave us a taste of just how quickly material shaken loose by the earthquake can travel when there is enough water to transport it. Some 300,000 cubic metres of material was deposited on road and rail by this one event,

and many more millions of cubic metres made their way out to sea via rivers and streams. Many more millions of cubic metres of material remain in the hills, probably close to 50 million, that will continue to periodically make its way into our marine environment elevating the amount of material coming out of our rivers and streams for decades to come.

The restoration of the road and rail corridor has been the biggest, fastest project this country has faced. It also has had the best safety record and seems likely to have some of the best social and ecological outcomes when it is completed. The diversity of values present has meant that some issues have been beyond our ability to resolve in the time available.

The issues that have been resolved by consensus have been substantial: road and rail are restored; safety on the worksites and the transport corridors have been exemplary. Final designs and visions for a 2020 completion progressed well during 2018 and seem likely to meet with widespread approval when completed. This has been a huge engineering, ecological and social challenge with vastly reduced timeframes from those normally required.

The impacted coast is high energy with steep cliffs and inherent dangers. The extremes of the energies present are essential parts of the beauty and diversity (both cultural and ecological) that is present here. There will always be risk, and the work to-date seems to have reached a fair balance between the needs of people and natural ecosystems, though not without its share of stresses and disagreements.





## 9. Agency Updates

### Fisheries New Zealand

The 2016 Kaikōura earthquakes had a devastating effect on the coastline between Marfell's Beach and the Conway River, raising the seabed by several metres in some areas. Since the earthquakes, Fisheries New Zealand has been working with the Kaikōura Marine Guardians, the local community and leading New Zealand scientists to understand the impacts of the damage so that the area can be properly managed and recover for the benefit of all.

After the 2016 quakes, an emergency closure was put in place, in consultation with the Kaikōura Marine Guardians and the local Kaikōura community, which applied to all shellfish and seaweed – excluding rock lobster (crayfish) and scampi. The closure is still in place to give the coastal environment time and space to heal. To understand the impact and to plan future fisheries management in the Kaikōura area, Fisheries New Zealand commissioned a broad research programme. The \$2 million Kaikōura earthquake marine recovery package funded a number of projects on particular species and the ecology of the marine area.

Fisheries New Zealand, Te Korowai, and the Kaikōura Marine Guardians hosted an event in June 2018 for researchers to present the findings of their research into the effects of the 2016 Kaikōura earthquake on the marine environment. The findings showed how the research has provided a good baseline to measure how the recovery is progressing and where to focus our attention in the future. Continued monitoring of how the recovery is progressing will inform future marine management options for when and how the current closure of shellfish and seaweed fisheries may be lifted.

### Department of Conservation

#### Seal Surveys

Drone video surveys have been undertaken to collect seal data along the Kaikōura Coast, and this research will feed into the seal sanctuary review as part of the Marine Management Act 2014. The surveys were conducted and funded by KnowledgeAble Communities Ltd, Frontiers Abroad and the Department of Conservation.



### **Hikurangi Marine Reserve Monitoring**

Intertidal and subtidal quantitative surveys were completed at two sites within the Hikurangi Marine Reserve in May 2019 by the University of Canterbury. The methodology used was previously employed in wider coastal surveys following the 2016 Kaikōura earthquakes. Intertidal sampling was carried out at three different tidal elevations, and subtidal sampling occurred along four 50 metre transects. Altogether, the area surveyed presented a healthy nearshore marine ecosystem, with communities typical of those along this coastline.

### **Dusky Dolphin Moratorium Research**

The moratorium on Dusky Dolphin viewing permits is due to expire at the end of 2019. To inform us about the future of commercial dusky dolphin viewing the Department of Conservation commissioned some research over the past season. The research was aimed at gathering data on dolphin behaviour, dolphin viewing tourism activity and skipper behaviour.

This work was carried out by the Kaikōura Ocean Research Institute (KORI). The report describing and summarising this piece of work was submitted to the Department of Conservation and the final report will be released soon. Once this is available, the Department of Conservation will consult with iwi, the industry, Kaikōura Marine Guardians and the community regarding the research results.

### **Kaikōura Tītī/Hutton's shearwater**

The nationally vulnerable Tītī/Hutton's shearwater is the only seabird globally to breed in a sub-alpine environment. The Tītī/Hutton's Shearwater Charitable Trust (HSCT) continues to do a tremendous job with the "Flysafe" campaigns educating the public and community about the

yearly return of these endangered birds. The campaigns have resulted in approximately 80% of fallen birds being rescued with community and Department of Conservation support.

The Shearwater Stream colony on Puhi Peaks Station, owned by the McArthur family, was visited for the first time since the Kaikōura 2016 earthquakes to assess the damage to the nesting areas. The assessment determined that significant habitat loss resulting in considerable reduction in bird activity at this colony, has occurred. Not only were burrows with eggs hard to find, but the survival to fledge (feathers and wing muscles are sufficiently developed for flight) rate was 36%. These observations and findings have raised concerns about the long-term viability of the colony.

Mice were detected within the predator-proof fence at the Te Rae o Atiu colony on the Kaikōura peninsula. HSCT volunteers have put in considerable effort trapping and now significantly reduced the mouse numbers in this colony. Te Rae fledged 15 of 31 eggs laid (48%), but data now shows that juveniles typically lay their first egg at four or five years, and are typically eight years old before they successfully raise a chick.

Department of Conservation staff and HSCT volunteers completed 'nest success monitoring' within the Kowhai Stream colony. This season there has been a 66% survival to fledging rate. In general, the areas where the birds burrow still remain fractured and prone to slumping after heavy rain. Much of the land left bare from the earthquake has naturally begun to regenerate with tussocks and other alpine plants. The research hut at the Kowhai Stream colony was damaged from the Kaikōura earthquakes. Repairs to this building were completed this year, including a new roof to further weatherproof the building in the harsh subalpine conditions.





# Appendix 1: Terms of Reference

## Kaikōura Marine Guardians Ministerial Advisory Committee

### Preamble

1. The Kaikōura marine and coastal environment holds great significance historically, culturally, spiritually, environmentally and economically. Kaikōura has dynamic geography and geology and is abundant with marine life with resultant flourishing marine tourism. The need to safeguard this environment was recognised, and in 2005 a group of local community members came together and created Te Korowai. Te Korowai created a vision of leading the community to achieve a flourishing, rich and healthy environment where opportunities abound to sustain the needs of present and future generations. Te Korowai recognised that both natural ecosystems and human social systems are complex systems that will actively respond to any changes in unpredictable ways. Te Korowai sees the responsibility of Kaitiakitanga as an ongoing role involving both sets of ecosystem and social systems. Te Korowai successfully worked alongside Government to put in place legal mechanisms as a first step on the path to protection and enhancement of Kaikōura's marine environment by making responsible choices that deliver the best outcome possible for both the present and future.
2. With the passing of the Kaikōura (Te Tai o Marokura) Marine Management Act 2014, the Kaikōura Marine Guardians, a Ministerial Advisory Committee, was formally established to provide advice on Te Whata Kai o Rakihouia i Te Tai o Marokura – the Kaikōura Marine Area, as created by the Act. The Kaikōura Marine Area includes the Hikurangi Marine Reserve, the Te Rohe o Te Whānau Puha Whale Sanctuary, the Ōhau New Zealand Fur Seal Sanctuary, Mangamaunu Mātaitai, Oaro Mātaitai, Te Waha o te Marangai Mātaitai, Te Taumanu o Te Waka a Māui Taiāpure, and Oaro-Haumuri Taiāpure.
3. The Kaikōura Marine Management Advisory Committee ("the Committee" or the "Kaikōura Marine Guardians"), established under section 6 of the Act, is appointed by the Minister of Conservation and the Minister responsible for the administration of the Fisheries Act 1996 ("the Ministers"). The Committee has an advisory role to these Ministers. It holds no authority to make laws Purpose of the Committee
4. This Terms of Reference is an agreement between the Ministers and the Committee about how they will work together to help to implement the Act. The Committee will represent local community interests and provide advice on Te Whata Kai o Rakihouia i Te Tai o Marokura – the Kaikōura Marine Area.

### Objectives and functions of the Committee

5. The Kaikōura Marine Guardians may provide advice on any biosecurity, conservation, or fisheries matter related to the marine and coastal environment within Te Whata Kai o Rakihouia i Te Tai o Marokura – the Kaikōura Marine Area to: the Minister responsible for the administration of the Biosecurity Act 1993; the Minister of Conservation; the Minister responsible for the administration of the Fisheries Act 1996; and any person exercising a power or performing a function under the biosecurity, conservation, and fisheries legislation.
6. The Kaikōura Marine Guardians may provide advice on request or on their own initiative. If the matter relates exclusively to Te Whata Kai o Rakihouia i Te Tai o Marokura – the Kaikōura Marine Area, the person receiving the advice must take the advice into account. If the matter also relates to any area outside of Te Whata Kai o Rakihouia i Te Tai o Marokura – Kaikōura Marine Area, the person receiving the advice may, but is not required to, take the advice into account.

### Membership of the Committee

7. The Committee will consist of 11 members. Eight of these are to be nominated by Te Korowai, one nominated by Te Rūnanga o Ngāi Tahu, and two Ministerial appointments.

### Chairperson

8. The Ministers reserve the right to appoint the Chairperson of the Committee. If the Ministers choose not to exercise that right, then the Chairperson shall be elected by simple majority of those members present at the next meeting when an election is required.
9. The Chairperson shall preside over all meetings of the Committee at which he/she is present. If the Chairperson is absent from any meeting, the Committee members present shall appoint one of their number to assume the role of Chairperson for that meeting.

### Appointment of Committee members

10. The Ministers will call for nominations from Te Korowai and Te Rūnanga o Ngāi Tahu (TRONT). Nominations will be open for a minimum of twenty (20) working days and must be lodged with the specified offices of the Department of Conservation before 4.30pm on the closing date.
11. Before appointing any members to the Committee, the Ministers must be satisfied that at all times, all of

the following interests and areas of expertise will be represented on the Committee: TRONT; the Kaikōura Community; biosecurity; conservation; education; environment; fishing; marine science; and tourism.

12. The Ministers will make appointments to the Committee after considering the nominations of Te Korowai, TRONT and having chosen their own two appointments.

### **Expectations of Committee Members**

13. Members of the Committee are appointed at the discretion of the Ministers. Members are expected to:
- a. attend each meeting, unless extenuating circumstances provide otherwise;
  - b. prepare adequately prior to each meeting by reading all papers provided to them;
  - c. ensure that matters of significance are brought to the attention of the Ministers;
  - d. bring to the Committee perspectives based on their experiences and interests;
  - e. take a whole marine and coastal environment view and not regard themselves as representatives or advocates for particular sectors or interests;
  - f. base their advice on their understanding of broader marine and coastal protection and use issues;
  - g. draft reports and comment on reports drafted by other members and the relevant Government agencies; and
  - h. declare any conflict of interest, or potential conflicts of interest, that may arise.
  - i. I will not make unauthorised statements on behalf of the committee.
14. The Chair is also expected to:
- a. chair meetings;
  - b. organise the agenda, with the assistance of the secretariat;
  - c. determine what action is appropriate if a member has a potential conflict of interest;
  - d. meet with relevant Ministers or representatives of the Government agencies to report on the activities of the Committee, as required;
  - e. maintain an effective working relationship with the Ministers; and
  - f. oversee the development of an annual 12-month work programme for the Committee, in conjunction with the Department of Conservation and Ministry for Primary Industries, to be approved by the Ministers.
  - g. All public announcements are to be made through the Chair.

### **Working together**

15. Parties to this Terms of Reference all have a shared commitment to achieving the purposes of the Act and its implementation and, as such, undertake to:
- Work in the spirit of cooperation with each other;
  - Operate a “no surprises” approach;
  - Share and be receptive to information; and
  - Recognise and acknowledge that parties benefit from working together by sharing their vision, knowledge and expertise.

### **Term of appointment**

16. Appointments to the Committee will be for a term of up to five (5) years. The specific term of each appointment shall be specified in the notice of appointment for each member. A member takes office from the date stated in their notice of appointment.
17. Any member of the Committee may at any time be removed from the Committee by the Ministers for bankruptcy, disability, neglect of duty, or misconduct.
18. Any member of the Committee may at any time resign his or her membership in writing, addressed to the Ministers.
19. Should any member of the Committee die, resign or be removed from the Committee, the vacancy shall be filled in the manner in which the appointment was originally made, for the residue of the term of the vacating member.
20. The Ministers will review these terms of reference every three years in consultation with the Committee.

### **Meetings of the Committee**

#### **Time and place of meetings**

21. The inaugural meeting of the Committee shall be within two (2) months of the appointment of the Committee, with the date and venue decided by Committee members. Subsequent meetings shall be held at such times and venues as the Chairperson or Committee decide.

#### **Number of meetings**

22. No more than four (4) meetings of the Committee may be held in any calendar year, unless consent is first obtained from the Ministers for any additional meetings.



**Quorum**

23. A quorum of the Committee shall comprise at least six (6) members of the whole Committee. No business shall be transacted unless a quorum is present.

**Decisions**

24. Every question before the Committee shall be determined by a majority of members present and voting on the question.
25. Only those members present at a meeting may vote at that meeting.
26. At any meeting of the Committee the Chairperson shall, in the case of an equality of vote, also have a casting vote being a second vote.
27. Subject to these rules the Committee may regulate its own practices.

**Conflicts of interest**

28. At the start of each meeting, Committee members shall declare if they have any conflicts of interest in relation to any item on the meeting agenda, and take appropriate steps at the direction of the Chairperson.

**Conflict resolution**

29. At times, the statutory functions that agencies are required to fulfil may conflict with the views of other parties to this agreement. If a conflict arises, all parties will work co-operatively within the scope of their roles to try and resolve any dispute. Each party retains their right to appeal or object to decisions made as part of a statutory planning or decision-making process. If the Guardians consider that an official of a management agency (Department of Conservation and/or the Ministry for Primary Industries) has acted in a manner that is inconsistent with the terms of this Terms of Reference, the matter should be raised with the relevant manager in the agency concerned. If the matter is not addressed to the satisfaction of the Guardians, the Guardians may advise the Ministers.

**Attendance by representatives of the Ministers**

30. The Ministers shall be represented at meetings of the Committee by Officials from the Department of Conservation and the Ministry for Primary Industries. Officials are not voting members of the Committee.

**Administrative support**

31. Officials from the Department of Conservation and the Ministry for Primary Industries will provide administrative support to the Committee, including the preparation of agendas and the recording of minutes.

**Annual report**

32. An annual report of the Committee shall be prepared and sent to the Ministers by the end of July each year.

**Fees and allowances**

33. Fees and allowances payable to Committee members will be in accordance with the State Services Commission (SSC) guidelines for members of statutory bodies appointed by the Crown. The Committee is a Group 4 Level 5 body in the SSC Guidelines, and fees will be set at the same rate as Conservation Boards.
34. Fees and allowances will only be paid for work, other than preparation and attendance at Committee meetings, that has been approved and minuted by the Committee and for which it is undertaken.
35. Fees and allowances payable to the Committee members, in line with Group 4 Level 5 body in the SSC Guidelines, will be met equally by the Department of Conservation and the Ministry for Primary Industries.

**Amendments to Terms of Reference and procedures**

We may change the Terms of Reference and procedures by consultation between the Ministers and subject to any direction.

