

Kaikōura Marine Guardians

Annual Report 2019/2020



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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1. Message from the Chair – Larnce Wichman



Greetings

The strength of the Kaikōura community is again being tested with the advent of the COVID-19 virus and the restrictions required to minimise its spread locally and nationally. The community and marine environment are still recovering from the 2016 earthquake with the effects from COVID-19 yet to be measured on the community and its businesses, there are interesting times ahead. Whilst the reduced restrictions allow for increased travel distances and minimising social distancing these impacts are yet to be quantified on local tourism, fishing charters, supply companies and local business.

Te Korowai o Te Tai ō Marokura (Te Korowai) and the Kaikōura Marine Guardians (KMG) and the role these two local groups play is now just as important as ever, to provide stewardship for the community to maintain a healthy environment and sustainable utilisation of the local resources.

In the past 12 months we have continued monitoring and supporting the research that has been undertaken in the marine environment post-earthquake. We have maintained constant pressure on North Canterbury Transport Infrastructure Recovery (NCTIR) to provide good public access to the coastal waters.

Doug Hitchon resigned as a member of KMG in October 2019. Doug's position was representing the Kaikōura community and contributing with research planning. His skills in holding good debates will be missed around the Guardian's table. Doug has been replaced by Rachel Vaughan, a Kaikōura local, as the new community member. We look forward to the skills Rachel will bring to the table.

KMG held two meetings with government agencies in Wellington. KMG met with the Minister of Conservation

Eugene Sage to promote Kaikōura for World Heritage status, along with a discussion on the process and work required prior to the 2023 review of the Hikurangi Marine Reserve. We were well received and given confidence by the Minister in the work the Guardians are engaged in.

We also met with Fisheries New Zealand in Wellington. This meeting was in collaboration with the Fiordland Marine Guardians to look at the joint proposal (Guardians and ACV's) on Amateur Charter Vessel (ACV) operations in the the Kaikōura and Fiordland regions. We were well received and are currently working on a collaborative management strategy for charter vessel operations in the respective areas. This will take some time to work through and given the current situation with tourism we will provide as much support to this work as we can.

Collaborating with the Fiordland Marine Guardians has further strengthened our relationship, established in 2005. Although the Fiordland Guardians operate under a different structure it was an opportunity to reflect on both groups approaches to their work.

I would like to take the opportunity to thank the Guardians for their dedication and for the work undertaken in the past year. We are in challenging and interesting times and there is still a lot of work ahead of us for the benefit of the Kaikōura district.

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.

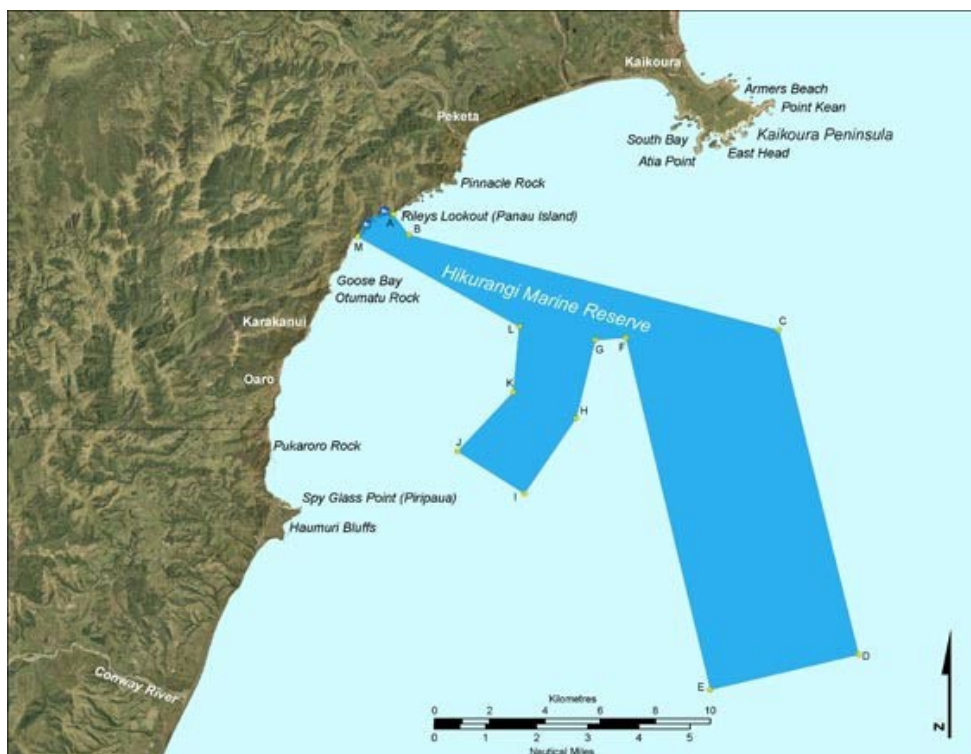
Ministers and persons exercising statutory powers must take the Kaikōura Marine Guardians’ advice into account, where it relates exclusively to the Kaikōura Marine Area.

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. Reserves, sanctuaries and customary fisheries

Hikurangi Marine Reserve

The Hikurangi Marine Reserve encompasses the Kaikōura Canyon, which is the most biologically rich ocean habitat known in the world at depths of below 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 hectares, 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 kilometres 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:

Mātaimai reserves:

- Three mātaimai reserves to protect the traditional food gathering areas: Te Waha o te Marangai Mātaimai (Mussel Rock), Mangamaunu and Oaro.
- Upon establishment of the mātaimai reserves, commercial fishing is prohibited. Tangata Tiaki/Kaitiaki (tangata whenua guardians) can recommend changes to the rules in a mātaimai 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 mātaimai reserves and taiāpure-local fisheries do not affect public access to the beach or marine environment.



Wendy Markowitz

4. Guardian membership

Guardians Membership: 11 members plus representatives from the Department of Conservation and Fisheries New Zealand – Larnce Wichman (Chair), Tā 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), Phil Bradfield (Department of Conservation), Natalie Lawler – Secretary (Department of Conservation).

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

Doug Hitchon resigned from the group in October 2019.

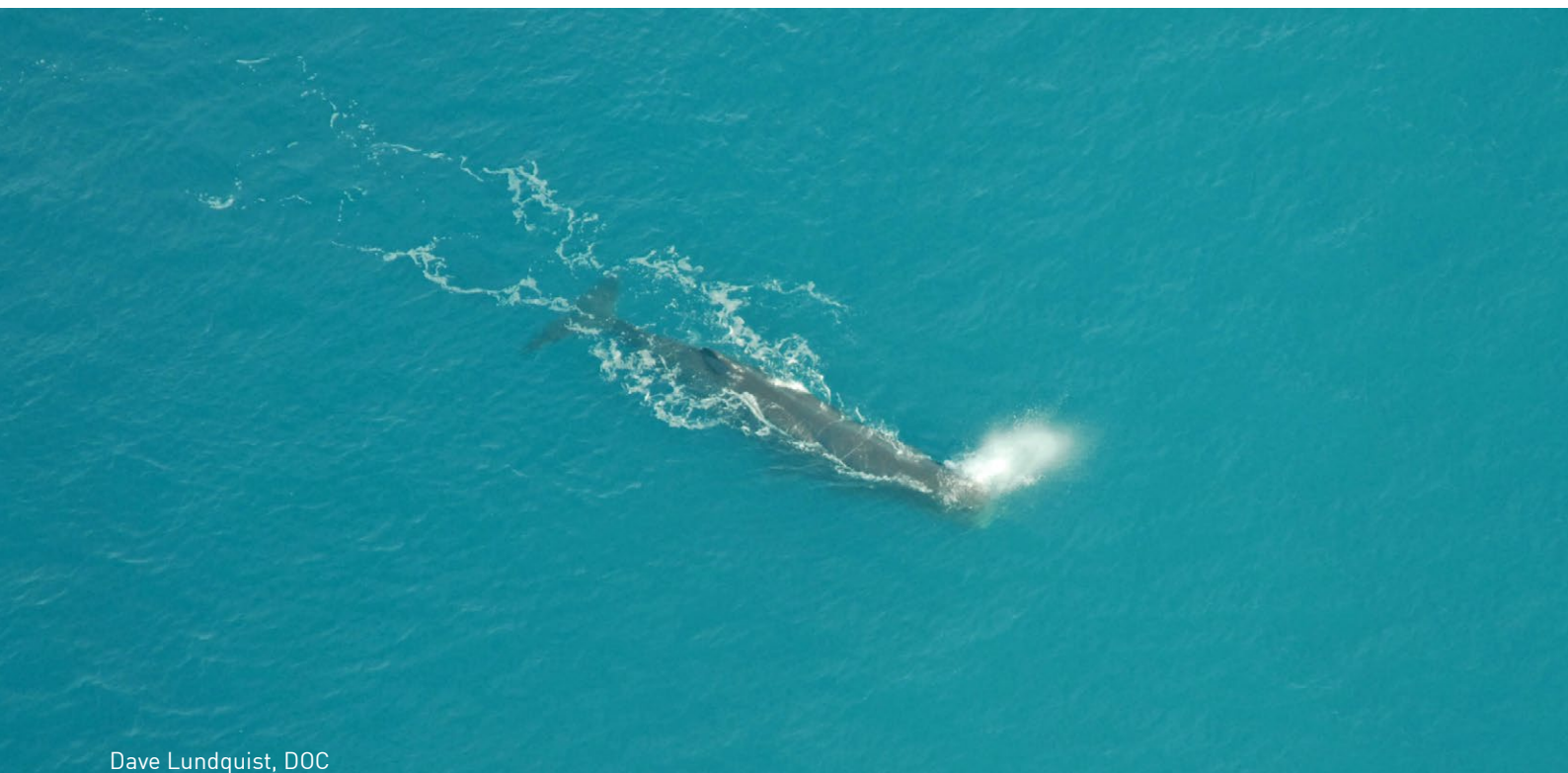
Four meetings are held each year (the Terms of Reference are attached in Appendix 1).

Four meetings and one workshop took place involving KMG and agency representatives

August 2019	Kaikōura
ACV workshop 28 Aug 2019	Kaikōura
12 November 2019	Kaikōura
11 February 2020	Kaikōura – cancelled
5 May 2020	Skype Meeting

Attendance

Member	Home	Attended
Larnce Wichman	Blenheim	4
Tā Mark Solomon	Christchurch	2
Richard Craig	Kaikōura	3
Barry Dunnett	Kaikōura	3
Dr Sharyn Goldstien	Wellington	3
Dr John Hellstrom	Picton	2
Doug Hitchon – resigned Oct 19	Kaikōura	1
Ted Howard	Kaikōura	4
Gina Solomon	Kaikōura	4
Carol Scott	Nelson	4
Kauahi Ngapora	Kaikōura	2



Dave Lundquist, DOC

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, 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. Taking 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 in 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, fishermen are better able to 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; Ngāti 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 four 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 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 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 Rūnanga 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 (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, Ngāti Koata, Te Atiawa and Ngāti 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 Māori to these forums and moves with ease and comfort with whānau, iwi, government and other authorities and the wider community. Gina is passionate about her mahi and the groups she is involved in which include: Director on the QEII National Trust, Chair of the Nelson/Marlborough Conservation Board, member of the Nature Heritage Fund Committee, Trustee for the Titi/Hutton’s Shearwater Charitable Trust, Kaikōura Zone Committee member, member/administrator for Te Korowai o Te Tai ō Marokura, member of the Molesworth Steering Committee and the Forestry Ministerial Advisory Group. Gina has also provided facilitation workshops to Irrigation NZ and the Ministry for Primary Industries. She is a certified RMA Making Good Decisions Commissioner.



5. Visit with the Minister of Conservation

Larncé Wichman (Chair) and Sharyn Goldstien visited Minister Sage at Parliament in August 2019 to highlight some of the work areas for the Kaikōura Marine Guardians. Although the meeting was brief, they covered a broad range of topics that keep the Guardians engaged.

A few key discussion points stand out from this meeting:

- Minister Sage was supportive of our proposal for Kaikōura to achieve World Heritage Status (WHS) but was also firm in setting it aside until current issues with the WHS process are worked through. While disappointing, this gave us a clear direction and time to build a more cohesive local campaign.
- The increased marine management in Kaikōura since the last WHS proposal review certainly gives us a better start in the future. In discussing the Hikurangi Marine Reserve we also highlighted the need for funds and action to ensure the canyon component of the marine reserve received more scientific investigation to understand the role of the reserve in protecting this unique coastal deep sea environment and the productivity of the region. It was surprising to hear the Minister was unaware we had no budget

allocated to the canyon despite its protected status.

- The Kaikōura earthquake of 2016 has been a large focus for us over the past four years and we were able to give Minister Sage some insight to the role of the Guardians in working with North Canterbury Transport Infrastructure Recovery (NCTIR) and with the science recovery package to keep the community values and the goals of the Marine Management Act at the forefront. Alongside these, we have been active in ensuring the New Zealand fur seal population has been monitored post-quake to understand the role of the Seal Sanctuary implemented at Ōhau Point pre-quake. Minister Sage was supportive of increasing Department of Conservation ranger presence at the Point Kean seal colony, now the primary point of interaction between tourists and seals as breeding increases, along with tourist accessibility to this breeding site.

We look forward to actioning some of these points in the future and continuing our work with the support of the Minister and the Department of Conservation team.

By Dr Sharyn Goldstien

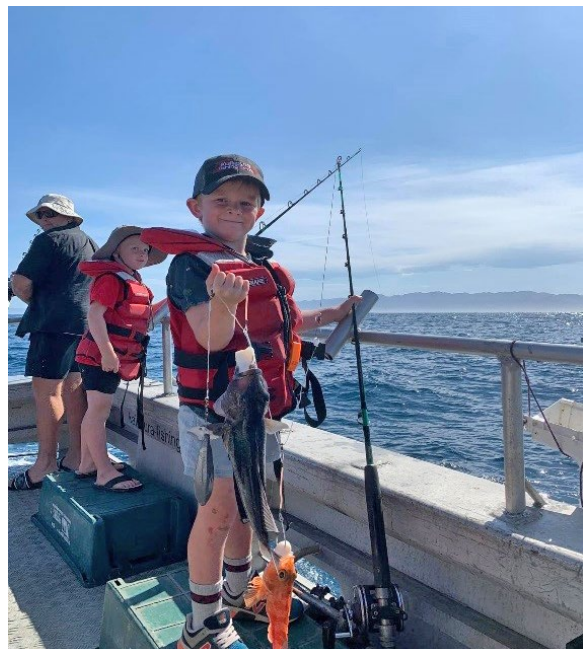
6. Fishing charter vessels

KMG has been working in collaboration with the Fiordland Marine Guardians (FMG) to work through similar concerns from the Amateur Charter Vessels (ACV). This came about when Kaikōura ACV operators wrote to the Minister of Fisheries about the concerns of the growing number of charter vessels entering the local Kaikōura fishery.

KMG wrote to the Minister of Fisheries supporting the Kaikōura ACVs in their request, and the Minister in turn provided assistance for the work to be done knowing that both Guardians were looking at the same issues in both regions. Fisheries New Zealand engaged with both groups and established two facilitated workshops one in Te Anau and the other in Kaikōura.

The Guardians and ACV operators developed a series of recommendations for the Minister to consider. Fisheries sustainability is regarded as vital in the region. The vision for charter vessel tourism in the region is to foster high-quality experiences for visitors that are conducted with a level of environmental integrity that visitors to these areas expect.

Both workshops were well attended by the ACV operators and provided some very good discussions around the



issues. Both workshops formulated a list of points that would go to the Minister for consideration. A small delegation from KMG and FMG met with Fisheries New Zealand officials to discuss the recommendations that came from the workshops.

Not all the items put forward were picked up by Fisheries New Zealand, though we noted that we needed to approach this in a way where certain items were required to be implemented before other steps could be taken. It made absolute sense that more knowledge and better data was a priority, and Fisheries New Zealand is working

through the regulations to look at electronic reporting for ACV operators.

We are encouraged that progress is being made. We knew this would not be a simple fix and time was needed to make sure this was done right. The support of the ACV operators and Fisheries New Zealand has made this possible.

7. Te Korowai/Guardians and the Royal Visit, 23 November 2019

With the Kaikōura Memorial Hall a buzz of noise and activity, for Prince Charles was in town! Rachel Vaughan and I were there to show off the work of Te Korowai and KMG, all displayed nicely with a marine theme and stacks of information.

As the Prince neared, Rachel was the attraction, looking very nice in Te Korowai's fabulous korowai, conversation flowing about the polishing of pāua shell, which she presented as a small gift, before it was my turn to utter some profound words which might be a turning point in princely history.

What to say? I chose what I think is the greatest achievement of Te Korowai and the Guardians. The fact that a bunch of locals got together over some marine problems and despite all the differences, were able to achieve legislation to help deal with them. Inspiring!

It was near the end of a long day of activity, presentations and conversation. Was it "just another day in the office", or did the message sink in? I'd like to think it did.

By Barry Dunnett



Sabine Bernert

8. Kaikōura now and in the next 12 months

I am contributing to the Annual Report as the Fisheries Advisor for the Kaikōura Marine Guardians. The work conducted over the past twelve months is continuing to enhance the local fisheries and experience for the local residents and visitors that come to the community to enjoy what the region has to offer.

The next 12 months will see another lobster abundance survey conducted in the marine reserve, and the continued assessment of the local pāua fishery, to ensure that the abundance of the resource continues to increase, to allow that fishery to be opened along with access to kina, cockles, limpets, seaweeds and any other species restricted presently. The measures were put in place to give adequate protection to these species, giving them a chance to rebound, thereby maintaining sustainable utilisation for future generations. The regeneration of seaweed beds along the coast is also being monitored as it responds to the impact of the earthquake, with some positive signs as it adapts to new conditions. All our species are so intrinsically linked.

The results of the most recent (December 2019) potting

survey of the Kaikōura blue cod fishery are yet to be analysed and expected to be presented for peer review in September 2020.

The amateur charter vessels have indicated a need for better management and monitoring for their operation. KMG held workshops with ACV operators to workshop charter vessel management strategies that were later provided by the Guardians to the Minister. As a marine resource extractor, this is a welcome positive initiative to enhance the management of our local marine resources.

As we support the local community, there are many challenges ahead for us all, in these unprecedented times. We will endeavour to maintain our stewardship of the marine environment and explore all necessary avenues to provide research, funding, continued support and focus on marine matters. The Kaikōura community have shown their strength and resilience in the past and will all come through this together looking forward to a vibrant and thriving community.

By Carol Scott



Shellie Evans

9. 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 2019.

The major issues remaining were around achieving a balance between safety, access, natural character, cultural values, and existing use rights and expectations. Guard rails on the coast were a major topic of discussion, with agreements being reached on alternatives that reduced the original length of coast excluded by guard rails by about half. Significant work was done co-ordinating cultural inputs to designs, particularly at the major parking sites.

The conflict between safety and access continued to be a major subject of discussion, and reasonable agreements were reached in most cases. Many issues came up: retaining breeding sites for coastal birds, access for people to such sites, protecting the seals breeding on the coast versus protecting travellers from seals encroaching on the highway.

Work progressed on debris flow structures, with as much area as possible for capture of debris before it got to the coast; and there will inevitably be some events that exceed the capacity of such structures.

Another busy year, finding reasonable balances between engineering, ecological, cultural, and financial concerns.

By Ted Howard

10. Review of the Hector's and Māui dolphin Threat Management Plan

In June 2020, the Minister of Conservation and the Minister of Fisheries announced their decisions on new measures from the review to increase protection for Hector's and Māui dolphins.

Non-fisheries measures

Toxoplasmosis Action Plan

This action plan will include:

- research to investigate knowledge gaps

- research to investigate solutions to reduce or eliminate the transfer of the parasite into the marine environment
- trial solutions to reduce or eliminate the transfer of the parasite into the marine environment.

More about the Toxoplasmosis Action Plan.



Changes to five marine mammal sanctuaries and to Te Rohe o Te Whānau Puha/Kaikōura Whale Sanctuary

The Minister of Conservation proposals include:

- an extension to the West Coast North Island Marine Mammal Sanctuary.
- an extension to the Banks Peninsula Marine Mammal Sanctuary.
- banning seismic surveying and seabed mining in the five sanctuaries, including the extensions. There will be exemptions for existing exploration and mining permits.
- exempt seismic surveying inside the five sanctuaries is required to comply with the 2013 Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations.
- banning seabed mining in Te Rohe o Te Whānau Puha/Kaikōura Whale Sanctuary.

Fisheries measures

The Minister of Fisheries decided on new fishing rules necessary to avoid, remedy, or mitigate the effect of fishing-related mortality on Hector's and Māui dolphins. These new rules will:

- extend existing, and create new, areas that prohibit the use of commercial and recreational set-nets in both the North and South Island, which will address the main fisheries risk to both Māui and Hector's dolphins.
- extend the closure to trawl fishing within the central Māui dolphin habitat zone.
- put in place a fishing-related mortality limit of one Māui or Hector's dolphin within the Māui dolphin habitat zone.

- prohibit the use of drift nets in all New Zealand waters.
- enable the use of commercial ring nets in existing set-net prohibition areas within west coast North Island harbours, as this is a fishing method that poses a low risk to these dolphins.

Overview of new measures to help protect dolphins

On 1 October 2020, new measures will take effect restricting commercial and recreational set-net and commercial trawl fishing off the west coast of the North Island, and commercial and recreational set-net fishing off the north, south, and east coasts of the South Island.

More information on the measures including maps are available through the links below:

[Fact sheet for North Island measures \(including maps\)](#)

[Fact sheet for South Island measures \(including maps\)](#)

Transition support

Reflecting the unique challenges currently facing the New Zealand economy and the pressure some businesses are facing as a result, the Government will provide a business advice and financial support package to significantly impacted fishers and licensed fish receivers. The package is intended to support them to manage the impacts of the measures and remain in the industry wherever possible.

[Find out more about the transition support.](#)

Wellbeing support

National and regional services are available to support commercial fishers with health, wellbeing, and making business decisions.

[Find out about the help, advice, and support available.](#)



Shellie Evans

11. Agency Updates

The members of Kaikōura Marine Guardians are appointed under section 6 of the Kaikōura (Te Tai o Marokura) Marine Management Act 2014 as a Ministerial Advisory Committee to provide advice to the Ministers of Conservation and the Minister of Fisheries. The Committee represents local community interests and provides advice on any biosecurity, conservation or fisheries matter related to the marine and coastal environment within the Kaikōura Marine Area (Te Whata o Rākihōuia i Te Tai o Marokura). Members are appointed by the Minister of Conservation and the Minister of Fisheries. The current term of appointment for the Guardians has been extended one year to enable a review of the current Terms of Reference.

Fisheries New Zealand update

Role

Fisheries New Zealand continues to be committed to the sustainable management of New Zealand's fisheries resources. Their long-term goal is New Zealanders maximising benefits from the use of fisheries within

environmental limits. In line with this goal, the Guardians are charged with providing advice and recommendations to management agencies and Ministers for Te Whata Kai o Rākihōuia i Te Tai o Marokura - Kaikōura Marine Area.

Amateur Charter Vessels

Fisheries New Zealand and the Guardians held a workshop with the community and amateur charter fishers, which focused on the sustainability of ACV operations in the Kaikōura region. The Guardians consulted with ACV operators and developed a series of recommendations for the Minister to consider. Fisheries sustainability is regarded as vital in the region. The vision for charter vessel tourism in the region is to foster high-quality experiences for visitors that are conducted with a level of environmental integrity that visitors to these areas expect.

National Blue Cod Strategy

The National Blue Cod Strategy, endorsed by the Minister of Fisheries, improves the way we manage our blue cod fishery to ensure we have abundant and sustainable



fisheries for the future. Public consultation on the bag limits and other measure that are a result of the Strategy were completed and the Minister of Fisheries made decisions on the blue cod regulations for both recreational and commercial fishing. The Guardians were part of this process.

Update on the recovery of the coastal biodiversity and the pāua fishery

The Section 11 closure is still in place for much of the earthquake-affected coastal area around Kaikōura. This is necessary to protect the sustainability of these fisheries. The shellfish (excluding rock lobster and scampi) and seaweed fisheries have not recovered from the impacts of the earthquakes and allowing them to reopen would risk the sustainability of these fisheries. There has been a loss of rocky reef habitat and biogenic habitat (habitats created by plants and animals such as seagrass meadows, or habitat-forming algae) and a loss of habitat for pāua resettlement and recruitment. This includes disruptions to the coastal food web. The Guardians continue to be involved with the recovery and providing advice to the Minister.

Kaikōura earthquake marine recovery package

The \$2 million Kaikōura earthquake marine recovery package funded research into the impact of the earthquakes on particular species and the ecology of the marine area. Continued monitoring of the recovery progress will inform future marine management options for when and how the current closure of shellfish and seaweed fisheries may be lifted.

Preliminary science results indicate that blue cod and rock lobster fisheries performing normally, and variability with pāua and rocky reef systems which are still significantly impacted in places (e.g. pāua recruitment uncertainty). Results of the research is expected in late 2020.

Future fisheries work

Continued scientific studies measuring the impact of quakes will take place, including continued monitoring of the progress and shape of the fisheries recovery. This information will be used to decide when the fisheries are at a point that they can be re-opened. Guardian involvement in management decisions will continue to be instrumental in this process.



Department of Conservation update

Titi/Hutton's Shearwater

The nationally vulnerable Hutton's shearwater is the only seabird globally to breed in a sub-alpine environment. Nest monitoring of Hutton's Shearwater burrows in the Kowhai Valley was completed this year in early December and late February 2020, 71 percent of nests had chicks survive to fledging which is similar to the pre-quake survival rate. Volunteers continue to educate with the 'fly safe' programme which this year was run via social media due to COVID-19 lockdown.

Peninsula fencing

As tourist numbers increase on the Kaikōura Peninsula interaction between wildlife and people is becoming an increasing issue. To mitigate this, fencing has been completed around the Gull Colony on the Kaikōura Peninsula and further fencing will be erected at the seal colonies at Whalers Bay and Point Keen.

Seal surveys

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

Hikurangi Marine Reserve monitoring

Intertidal and subtidal quantitative surveys were repeated at two sites within the Hikurangi Marine Reserve in 2020 by the University of Canterbury. The methodology used was previously employed in wider coastal surveys following the 2016 Kaikōura earthquake. Intertidal sampling was carried out at three different tidal elevations, and subtidal sampling occurred along four 50-metre transects. At the time of completing this annual report we were still awaiting the University of Canterbury report summarising the results.

Department of Conservation engaged local lobster fishers to conduct lobster monitoring within the marine reserve which was completed in January 2020. The data has been entered into our national data base. As it is the first monitor, no statistical conclusions can be reached, however as the Reinke's fished the area prior to it being a marine reserve we have the benefit of their knowledge. Their observations include:

- The males are larger in the reserve than outside and consistently bigger than pre-reserve days.
- There was no noticeable difference in the size of the females in the reserve, and the numbers were not too different to pre-reserve.

At this stage we are working on getting the data for a few years and then will look at analysing and writing up everything.

Blue cod potting was again completed along the Kaikōura coast by NIWA under contract to Fisheries New Zealand. Hikurangi marine reserve was included in this monitoring set. The data is again held by our national team and will be added to the growing marine reserve data information for write up closer to the review time.

Dusky dolphin moratorium research

The moratorium on Dusky dolphin viewing permits was due to expire at the end of 2019, so Department of Conservation commissioned research from Dr Jody Weir and her team. The research gathered data on dolphin behaviour, dolphin viewing tourism activity and skipper behaviour. Overall, the results reinforce previous research on dusky dolphin tourism in Kaikōura. Permit conditions seem to be appropriately addressing areas of concern identified in 2009, particularly with respect to interactions during the midday rest period and effects associated with large numbers of swim drops during a trip. The results also suggest good skipper behaviour may benefit both the dolphins (reduced disturbance) and the tour operators ('better' interactions for their customers).

The results of the report suggest that it would be appropriate to extend the moratorium on new viewing permits. There was not sufficient time between receipt of the report and expiry of the moratorium to appropriately engage with treaty partners, the Kaikōura Marine Guardians, and the community, so the Department of Conservation extended the moratorium for one year to allow this to take place. In April 2020, representatives of Department of Conservation and Ngāti Kuri held a virtual hui to discuss future management, and discussions are ongoing. Additional engagement is planned with the Kaikōura Marine Guardians and community prior to decisions on a longer-term extension of the moratorium.



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 dire.

