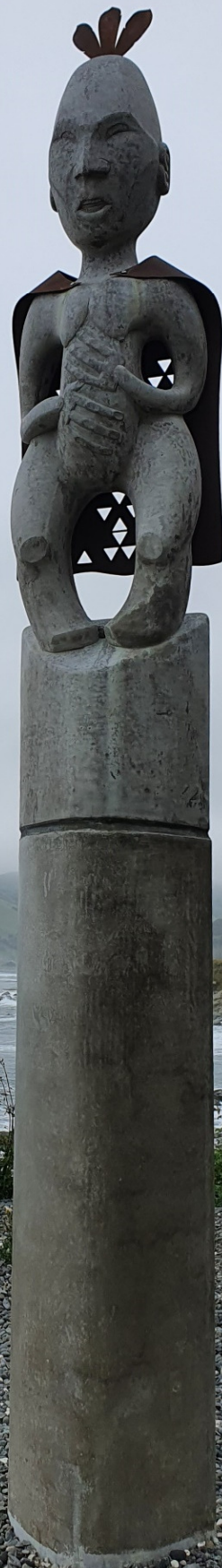


# Kaikōura Marine Guardians Annual Report 2020/2021

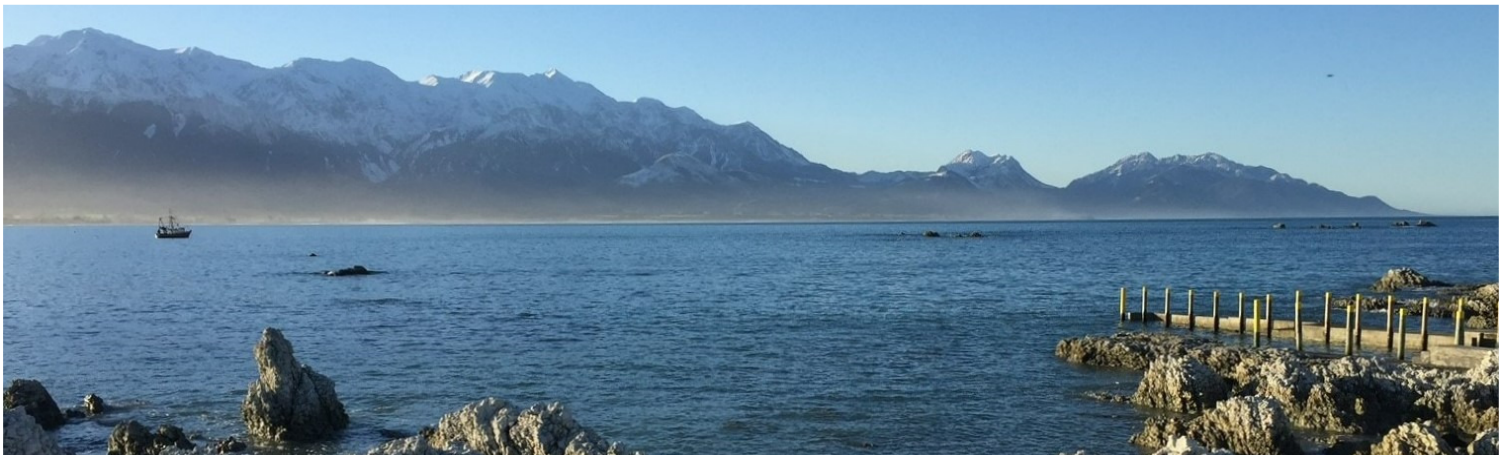






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# Message from the Chair – Larnce Wichman



## Greetings

December 2020 saw the North Canterbury Transport Infrastructure Recovery pack up the Kaikōura coastal roadworks and hand the remainder of the finishing work to Transit New Zealand. This project has been a four-year marathon of coastal engineering to give New Zealand what is now a wonderful coastal road. In looking back at all the work, the impact on the coastal environment has been minimal, which is a great achievement considering the scale of the project.

Four years on, the coastal marine environment continues to return. Although recovery remains slow in several areas with the likes of the seaweeds being continually impacted by ongoing sedimentation from all the in-land slips that will continue to happen for many years to come.

The pāua abundance is at a level that the fishery will reopen. Te Korowai o Te Tai o Marokura conducted the community engagement, a community discussion paper was distributed to seek community feedback, and the responses received provided the basis of establishing how the pāua fishery could be reopened.

From those suggestions a draft recommendation paper was created, and from there a well-attended public meeting was held at the Kaikōura Racecourse with several scientists presenting their work. From this meeting Te Korowai put out a public consultation paper and the feedback from the public provided the basis of a recommendations paper to the Kaikōura Marine Guardians to assess the bigger picture. From there, the Guardians provided advice to the Minister for Oceans and Fisheries that included a set of recommendations for reopening the pāua fishery.

Rock lobster biomass within and outside of the Hikurangi Marine Reserve has now been surveyed for a second time. We look forward to seeing the results on how the biomass has performed since the establishment of the reserve.

I would like to thank the committee and agencies for the work that has been undertaken in the past year. We have all been affected by the Covid-19 pandemic, both personally and in our professions.

This year, the Guardians have had Barry Dunnett (environmental) retire, John Hellstrom (biosecurity) resign due to family commitments, Sharyn Goldstien (marine science and education) move to Sydney with her partner, and Carol Scott (fisheries) is working towards full retirement. All members will be missed as they contributed greatly to the Guardians.

This now leaves five places to be filled (Doug Hitchon resigned in 2019). New appointments will be made as part of this year's five-year review of the Guardians' Terms of Reference.

Larnce Wichman  
Chairman  
Kaikōura Marine Guardians

# Introduction

The Kaikōura Marine Guardians was established under the Kaikōura (Te Tai o Marokura) Marine Management Act 2014 (the Act). Members are appointed by the Ministers responsible for conservation and fisheries.

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

The Guardians are an advisory committee to provide advice on any biosecurity, conservation, and fisheries matter related to the marine and coastal environment within Te Whata Kai o Rākihōuia i Te Tai o Marokura – the Kaikōura Marine Area.

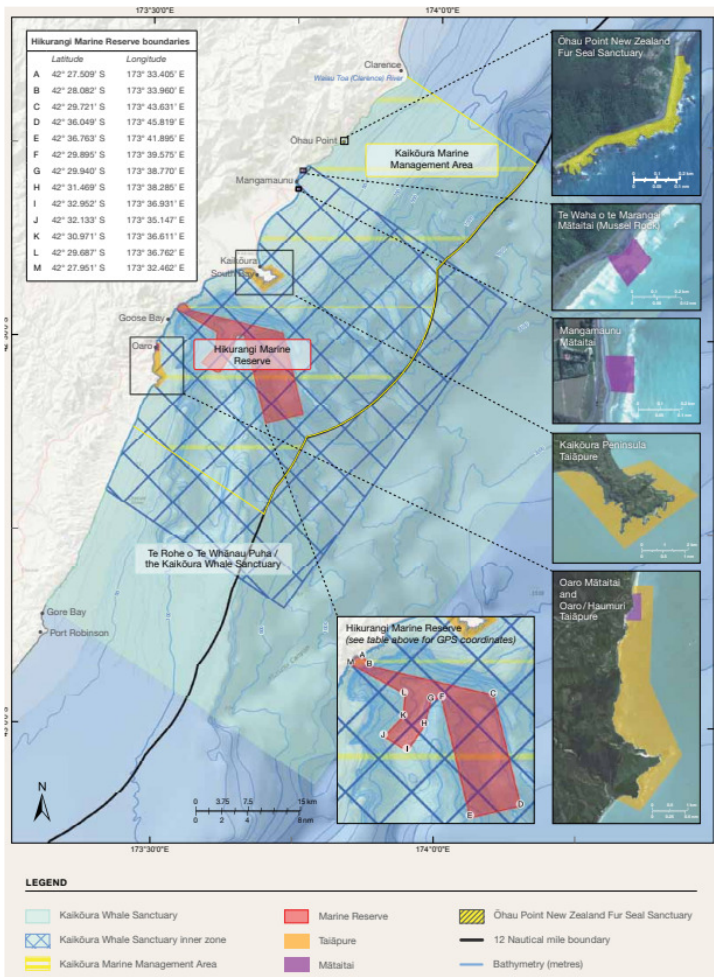
Ministers and persons exercising statutory powers and performing statutory functions under the Act must take into account the Guardians’ advice when making a decision that relates to the Kaikōura Marine Area.

The Guardians and Te Korowai are closely linked with four out of six Guardians current members of Te Korowai.

The Guardians’ Terms of Reference is found in Appendix 1.

The Act also establishes several marine protection and customary fisheries management areas 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 encompasses 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.
- **Te Taumanu o Te Waka a Maui** and the **Oaro-Haumuri Taiāpure reserves** to provide traditional food gathering areas around the Kaikōura Peninsula while allowing commercial fishing to continue.
- The **Mangamaunu, Oaro and Te Waha o te Marangi Mātaitai Reserves** where commercial fishing is prohibited to protect the traditional food gathering areas while allowing recreational fishing to continue.



# 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?

- The marine reserve covers 10,416 hectares in size, extends offshore for 23.4 kilometers, and includes 1.95 kilometers of shoreline near Goose Bay, south of the Kaikōura Township.
- The reserve encompasses much of the floor and part of the head of the Canyon.

### What marine values are protected?

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

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

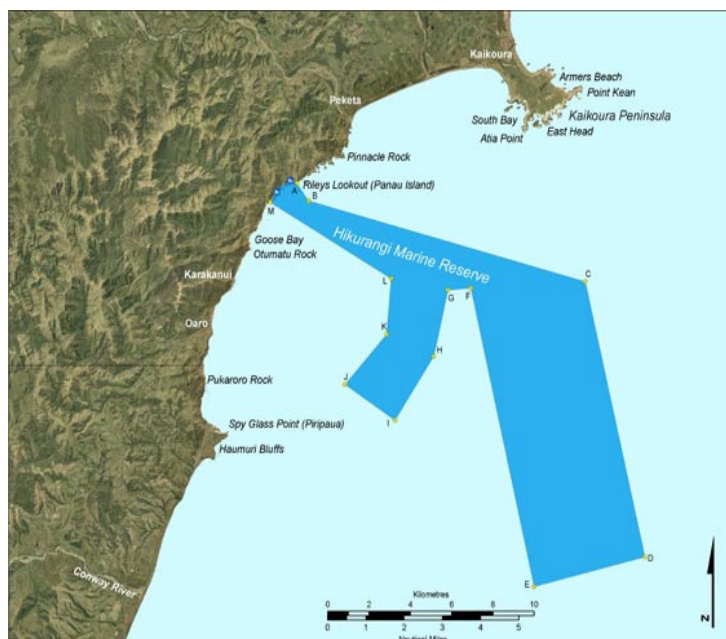
Te Rohe o Te Whānau Puha/Kaikōura Whale Sanctuary protects whales and their habitat by reducing or eliminating the potential impacts of seismic survey activities used in mineral and petroleum exploration and some scientific research.

### 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 in the south.
- The sanctuary encompasses 91 kilometres of shoreline and covers an area of 4,686 square kilometres. It extends out beyond the 12 nautical mile limit to a maximum of 56 kilometres 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, and provides greater certainty of whale locations for tourism operators.





## Ōhau Point New Zealand Fur Seal Sanctuary

Ōhau Point is the most significant breeding colony for New Zealand fur seals along the eastern coast of the South Island. Fur seals are susceptible to human disturbance and this puts them at risk. Seals also can be aggressive when disturbed and 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. Due to the earthquakes, access to the crèche waterfall pond is now unobtainable.
- A portion of the shoreline and intertidal seal habitat is a legal sanctuary. Public walking access into the sanctuary 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.
- All commercial fishing is prohibited within these mātaitai reserves.
- Tangata Tiaki/Kaitiaki can recommend changes to the rules in a mātaitai reserve 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/Haumuri Bluff.
- All fishing can continue within taiāpure-local fisheries 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.

# Guardian membership

The Kaikōura Marine Guardians consist of the following members:

- Larnce Wichman (Chair)
- Kauahi Ngapora
- Ta Mark Solomon
- Ted Howard
- Carol Scott
- Gina Solomon
- Richard Craig
- Dr Sharyn Goldstien
- Three vacancies

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

John Hellstrom resigned from the group in 2021.

## Attendance

Four meetings took place in 2020-21:

11 August 2020	Kaikōura
10 November 2020	Virtual Meeting
24 February 2021	Kaikōura
11 May 2021	Virtual Meeting

Member	Home	Attended
Larnce Wichman	Blenheim	4
Tā Mark Solomon	Christchurch	4
Richard Craig	Kaikōura	3
Dr Sharyn Goldstien	Australia	3
Dr John Hellstrom	Picton	2
Ted Howard	Kaikōura	4
Gina Solomon	Kaikōura	2
Carol Scott	Nelson	3
Kauahi Ngapora	Kaikōura	4

## Members profiles

### Larnce Wichman (Chair)

Larnce has been involved in the rock lobster industry for over 38 years. Over this time, he has gained vast knowledge of the whole of industry from vessel to the consumer's table and everything in-between.



Having an understanding of the dynamics of the Kaikōura coastline and those that utilise the resources within, is part of this knowledge. Two of his several hats are being the Executive Officer, CRAMAC 5 (Canterbury Marlborough Commercial Rock Lobster Stakeholder Group) and Director of the New Zealand 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 in utilising a natural resource. CRA 5 is the only region that holds this certification.

Helping to develop new electronic devices for the lobster fleet to collect more accurate catch data, Larnce has assisted to better manage the commercial effort and to explore ways to harvest smarter. A new device that measures the seabed temperature now allows the fishermen to better understand the lobster biological triggers. These devices have now gone international. It gives him an immense satisfaction in knowing you can utilise a natural resource within environmental limits.

### Kauahi Ngapora

Ngāi Tahu (Ngāti Kuri), Waikato-Tainui (Ngāti Hauā/Ngāti Mahanga) Kauahi is General Manager of Whale Watch Kaikōura; one of New Zealand's leading and most recognised Māori tourism experiences, as well as a multi-national and international award-winning nature-based tourism company.



Kauahi was first employed by Whale Watch as a fifteen-year-old. He has moved through the ranks from his entry role as a caregiver (spew bucket emptier) to a General Manager.



He considers himself a proud product of the tourism industry (apart from his first paid job mowing the lawns at Takahanga Marae in Kaikōura) and has developed his career through the tourism and maritime industries. Kauahi is a member on the Tourism New Zealand Board, a community member of Te Korowai o Te Tai o Marokura, a panel member of the New Zealand Tourism Infrastructure Fund, and a member of the New Zealand International Conservation and Tourism Visitor Levy Investment Advisory Group. He currently represents the tourism sector on the Kaikōura Marine Guardians.

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

### **Tā Mark Solomon**

Tā Mark is committed to betterment of his iwi, kotahitanga for Māori, and the wider wellbeing 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 2016 and represented his local Papatipu Rūnanga, Te Rūnanga o Kaikōura from 1995 to 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 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 was Deputy Chair of the Canterbury District Health Board. His current directorships include: the National Science Challenge for Sustainable Seas and Deep South, Te Ohu Kaimoana, Pure Advantage, SEED New Zealand Charitable Trust, QuakeCoRE, Ngāti Ruanui Holdings, Maori Carbon Foundation Limited, and Maori 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.

### **Ted Howard**

Ted met his wife Ailsa in Kaikōura in was married here in 1994, and a local resident since 1998.



Ted was president of the Boating Club from 2005 until January 2021 and a life member since January 2020, chair of the Kaikōura Zone Water Management Committee since 2013, chair of the Hutton's Shearwater Charitable Trust since 2016.

He is a current RMA commissioner, a current member of Lions Club, Forest and Bird, golf club, tramping club, and has run a software and consulting company since 1986. He remains 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. He has survived a 2010 terminal cancer diagnosis. Ted has a BSc in zoology, with systems interests in biochemistry, marine ecology, and evolution. He has a practical background 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.

**Carol Scott**

Carol is Chief Executive, Southern Inshore Fisheries Management Co Ltd, Executive Member of the New Zealand Federation of Commercial Fishermen, Secretary of Port Nelson Fishermen’s Association, member of Nelson City Council’s Biodiversity Forum, Ministry for Primary Industries’ Marlborough Sounds Blue Cod Management Group, Kaikōura Marine Guardians, and a member of 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 tīkanga 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. These include Te Korowai o Te Tai o Marokura/Kaikōura Coastal Marine Guardians, Kaikōura Marine Guardians, Kaikōura Zone Committee, and the Nature Heritage Fund.

Gina is a Life Member of Tītī/Hutton’s Shearwater Charitable Trust and a member of the New Zealand Institute of Directors. She stepped down from the Nelson/Marlborough Conservation Board in June 2021 having served 15 years. She has also provided facilitation workshops to Irrigation New Zealand and the Ministry for Primary Industries. Gina was awarded the New Zealand Order of Merit in June 2021 for services to conservation and governance.





**Richard Craig**

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



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 and in-country initiatives of spatial management.

**Dr Sharyn Goldstien**

Sharyn represents marine science and education on the Kaikōura Marine Guardians. She has worked at the University of Canterbury between 2009 and 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.



In Kaikōura, Sharyn works with the Hutton’s Shearwater 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 University of Canterbury, Te Rūnanga o Kaikōura, Te Korowai, and the Kaikōura District Council.

Sharyn 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.



# Member Reports

## Fisheries

New setnet restrictions were introduced from 1<sup>st</sup> October 2020 to support the Threat Management Plan for Hector's and Māui dolphins. In 2018, a number of restrictions were introduced throughout the country. The more recent prohibitions are based on additional sighting information. Kaikōura fishers were instrumental in designing the recent proposed closures. Those proposed by Fisheries New Zealand were far too restrictive and beyond the limit needed to protect Hector's dolphins. The fishers designed an area that enhanced the local population, but still allowed for commercial fishing to continue without putting marine mammals at undue risk. Discussions are ongoing on how to improve mitigation measures.

The local blue cod fishery also saw additional restrictions as of 1<sup>st</sup> July 2020 to the minimum catch size being standardised to 33cm across most areas. Under the *National Blue Cod Strategy*, a 'traffic light system' was developed to indicate the daily bag limit for different areas with the colour ranges reflecting those areas at more risk than others.

The bottom trawl survey of the east coast South Island trawl was delayed last year due to Covid-19 restrictions. Since it was already cost recovered from the commercial fishing industry, it was agreed that the survey would be undertaken in 2021 and the regularly timed biennial survey will also be conducted in 2022. The NIWA vessel *RV Kaharoa* sailed on 28<sup>th</sup> April 2021 to complete the two-week stratified random survey and results will be available later in the year. Whilst the survey does not explicitly cover the Kaikōura region, it does collect data for assessment purposes on a number of east coast fishstocks important to customary, recreational, and commercial fishers.

Carol Scott

## Reopening of the Pāua Fishery

Kaikōura Marine Guardians in collaboration with Te Korowai te Tai o Marokura undertook substantial work in engaging the community on matters that should be considered with reopening the pāua fishery. We fully understood the position of the local pāua commercial stakeholder group, PāuaMAC 3, and their recently approved PAU 3 Fishery Management Plan was totally supported by Te Korowai and the Guardians. The principal of *adaptive management* is the future of fisheries management.

Te Korowai put together a public discussion paper on all the matters that held merit from engaging with the community. Given time restraints a quick community meeting was announced and held at the Kaikōura Racecourse and was well attended by the community, recreational fishers, and customary folk. We were disappointed that the local rūnanga did not attend the meeting, as scientists and researchers provided very informative presentations. The local Kaikōura Boating and Recreational Fishing Club also did not attend; just prior to the community meeting they became affiliated with the New Zealand Sports Fishing Council and started using their advocacy body *Legasea* as their new pathway forward, which was never discussed with Te Korowai.

Te Korowai took all the matters that were debated at the community meeting and produced a public consultation paper. Most of the submissions were in favour of the conditions to reopen the pāua fishery. A few including *Legasea* believed it should be reopened based on the current management regulations with a couple of additional managements measures: a vehicle daily bag limit cap and catch reporting were the two main items contributed.

Once Te Korowai completed the draft discussion paper it was passed on to Guardians to formulate a manageable reopening of the pāua fishery and advised the Minister for Oceans and Fisheries.



Te Korowai is planning to assist Fisheries New Zealand with the reopening of the pāua fishery by way of roving along the coast and stopping where people are accessing the sea to help educate and hand out a brochure explaining about the responsibility every person has in utilising the marine environment.

Larncé Wichman

## Kaikōura Marine Development Programme

Kaikōura Marine Guardians are engaging with Kaikōura Marine Development Programme organisers. We see value that it will contribute to the South Bay Harbour/Marina Development. It does provide the potential future growth for Kaikōura by bringing in more people that have a passion for seeing the high level of marine life along such a small section of New Zealand's coastline.

We will be monitoring that the development does not impede on the coastal wildlife values and/or looking at ways of mitigating any impacts on the marine environment.

Larncé Wichman

## Tourism, Dominated by Covid-19

Tourism is a key economic driver for Kaikōura. Prior to Covid-19, the district had the 4<sup>th</sup> highest ratio of guest nights per resident in 2019 (behind only Queenstown, Mackenzie and Westland Districts) at 85.3 with the national average standing at 8.3. Covid-19 restrictions have caused a significant toll on Kaikōura that has a heavy reliance on tourism (both international and domestic) and contributed \$119m of the \$228m of GDP in 2019; international represented \$61.4m of that figure. (*source: MBIE, Infometrics*).

In recent times, domestic tourism has now seen a significant resurgence as Kiwi's are encouraged to explore their backyard. This has provided a much-needed injection for local tourism businesses and the industry is very grateful for their continued support.

Unfortunately, the hole left behind due to the absence of international visitors is far too great for domestic visitors to fill on their own. Until borders are able to reopen safely to reliable quarantine free travel, local tourism-reliant businesses will continue to find the road ahead difficult and uncertain.

Kauahi Ngapora

## Kaikōura Marine Guardians and Te Korowai O Te Tai O Marokura

**Inā kei te mohio koe ko wai koe, I anga mai koe i hea, kei te mohio koe. Kei te anga atu ki hea.**

*If you know who you are and where you are from, then you will know where you are going.*

Just wanting to reflect and share why the Kaikōura Marine Guardians and Te Korowai o Te Tai o Marokura are two groups we belong to, why they are so important to us, and why we are so invested in continuing and supporting this essential mahi.

Like so many of you, who we are and where we are from defines our hikoi in life. Our childhood, our parents and whanau who brought us up and who we learnt from and who showed us the way forward; the values that were set and taught to us; our humble way of life, not always good with plenty of struggles and hardships; our whanau; our children and mokopuna; our place and the love we have for our home; our happiness! These are what we are passionate about, what motivates us, what drives us, and why we are happy and grateful to wake up every day.



Our special place is Kaikōura and in particular, Oaro, 25 kilometers south of the Kaikōura Peninsula. When driving, you'll miss it if you blink. This special place is where we were brought up. It's our grandmother's Tūrangawaewae and its where our grandfather fished with Gina's dad for many years and for some of those alongside our uncles too.

Our whanau were hard working, ordinary, kind people. We had a large whanau who all came home to Oaro for holidays. There were a lot of us and many mouths to feed and although in monetary terms we were probably quite poor, our lives were so rich with love, life experiences, and the beautiful place we lived. Many of us didn't realize we were poor.

Our whānau lived off the whenua, out of the moana, and our Oaro awa. The land, sea and river provided much needed kai for our whanau. Right from small children we were taught to only take enough for a feed for today, a taste. It was never the only food on our table. Our cooks were experts in making kai go a long way. We only needed a few pāua, crayfish, eels etc - they had to; it was common sense to make sure we did not fish or hunt out our kai resources. We had to make sure the methods we used, when and how we gathered would not hinder that resource for tomorrow, for the next day, weeks, months, and years to come. There were plenty of whanau to come, those next generations who we had to make sure they too would enjoy the kai as we had, as our parents and

grandparents had, and all those whānau who came before us. Carrying on our traditions and practices is what helps us to identify who we are and where we are from, and enables us to continue our mahinga kai regenerating practices and our Māori tikanga and customs – it is what makes us Māori.

Sharing our love for our place, our life experiences, and our whānau values is what motivates us around our Kaikōura Marine Guardians and Te Korowai meeting tables. We have a responsibility to continue the good work of our own parents, grandparents, and our special whānau that came before us. To share our knowledge and traditions that have encouraged and enabled us to make sure our resources continue to regenerate and be abundant.

A lot of our whānau have passed and are resting, waiting for us on our hill at our Oaro Urupa. This overlooks our Oaro River and our Oaro coastal waters and beaches that we played, gathered, and enjoyed. Our whānau are watching over us and this beautiful place, and we know their expectation is that we must continue their good work. We must protect, rejuvenate, share our important values, and look after these special places and all the resources they hold. Like them, we must do this together.

Nga mihi

**Toitū te marae a Tāne-Mahuta, Toitū te marae a Tangaroa, Toitū te tangata.**

*If the land is well and the sea is well, the people will thrive.*

Mark and Gina Solomon





# Agency Updates

## Department of Conservation Update

### Hutton's Shearwater/Kaikōura tītī

The nationally vulnerable Hutton's Shearwater is the only seabird globally to breed in a sub-alpine environment. Nest monitoring of burrows in the Kōwhai Valley was completed in November 2020 and early March 2021. 53% of identifiable nests had chicks survive to fledging, which is similar to the pre-earthquake survival rate. The Peninsula Te Rae o Atiu colony had a 70% survival rate. The Department of Conservation ran the educational 'fly safe' programme this year with the assistance of volunteers who patrolled coastal sites and rescued crash-landed birds.

### Whale Disentanglement Team

Led by the Department of Conservation, the Whale Disentanglement Team is going through new training and safety measures, being led by Jody Weir (Senior Ranger Biodiversity, Marine). Shortly after their training in May, the team successfully disentangled a juvenile humpback whale south of Kaikōura.



## Fisheries New Zealand Update

### Reopening of the Kaikōura coastline to pāua and kina fishing

Fisheries New Zealand thanks the Kaikōura Marine Guardians for the significant work undertaken to provide advice to the Minister for Oceans and Fisheries to reopen the Kaikōura Marine Area to limited commercial and recreational pāua fishing. The proposal received widespread feedback (over 1,000 submissions) from a range of individuals, iwi, and local and national commercial and recreational fishing organisations. Fisheries New Zealand discussed the submissions with the Guardians to help formulate final advice for the Minister.

In September 2021, the Minister agreed to reopen the wider coastline between Marfell's Beach/Cape Campbell and Conway River to commercial and recreational pāua fishing for an initial three-month period, beginning 1<sup>st</sup> December. During this period, fishing will be closely monitored through pre- and post-fishing surveys, together with a dedicated recreational fishing survey. This information will be reviewed by Fisheries New Zealand in collaboration with the Guardians in March-April next year to consider a more permanent reopening and any additional management measures if required.

The Minister also agreed to reopen the commercial and recreational kina fishery from 1<sup>st</sup> December onwards.

### Review of the Hector's Dolphin Threat Management Plan

Fisheries New Zealand met with the Guardians to discuss the current review of the Hector's Dolphin Threat Management Plan in regard to the Kaikōura Marine Area. Feedback was received and this has helped the development of proposals that include applying a bycatch reduction plan that would apply along the Kaikōura coastline to avoid dolphin mortality while allowing fishing to continue where

### New PAU 3A fishery

On 1<sup>st</sup> October 2021, the PAU 3 QMA was subdivided into two smaller QMAs – PAU 3A (Kaikōura) and PAU 3B (Canterbury). This subdivision supports finer scale management of the Kaikōura pāua fishery affected by the 2016 earthquakes. As part of the subdivision, a new Total Allowable Catch, Total Allowable Commercial Catch, and recreational and customary allowances were set for each new pāua stock for the 2021-22 fishing year.

Fisheries New Zealand engaged with the Guardians on the proposed management settings for the new PAU 3A stock.

### Blue Cod (BCO 3) fishery

Fisheries New Zealand has reviewed the BCO 3 stock as part of the *National Blue Cod Strategy* to address concerns about localised depletion in key areas of the fishery. Up until the review, BCO 3 only had a Total Allowable Commercial Catch limit.

The Minister has now set a Total Allowable Catch that applies across all sectors with allowances for recreational and customary fishing, and other sources of fishing-related mortality. This led to a lower commercial catch limit, as well as lower recreational catch allowance by approximately 20% to ensure the fishery remains sustainable into the future.

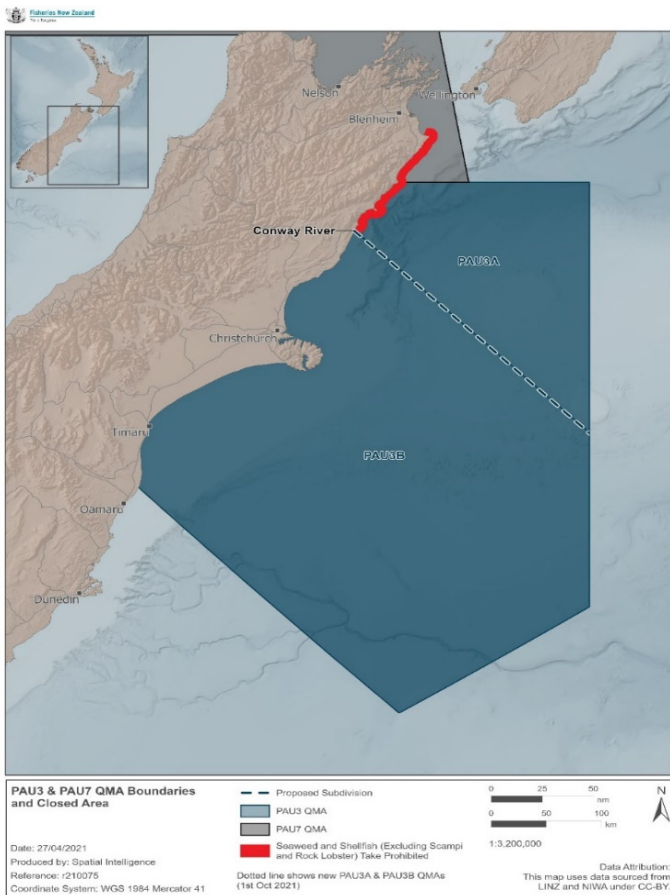
### Amateur charter vessels

Fisheries New Zealand continues to work with the amateur charter vessel fleet following recommendations from the Fiordland Marine Guardians and the Kaikōura Marine Guardians.

A key outcome of a series of workshops held with both Guardians and charter vessel operators last year was a recommendation for an electronic reporting system for the fleet. The system is critical for improving accuracy and ease of reporting, but is currently based on a paper reporting system.

An electronic reporting system would include geographic position reporting to enable more fine scale catch and effort reporting. Both Guardians are confident such improvements would support more timely and informed management of fish stocks in the Fiordland and Kaikōura areas.

In addition to this, Fisheries New Zealand continues to support the work of the local fleet in developing and implementing a Code of Practice around how charter vessels operate in the Kaikōura Marine Area.





# 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.





RARAMAI

Hikurangi  
Marine Reserve  
Ends in 1.60 miles