

## **Q&A: Kaikōura (Te Tai o Marokura) Marine Management Bill**

### **1. Who are the Te Korowai (Kaikōura Marine Guardians) o Te Tai o Marokura?**

A collaborative group of representatives from iwi and the community that includes Te Rūnanga o Kaikōura, Ngāti Kuri of Ngāi Tahu, recreational fishers, the Kaikōura Boating Club, local commercial fishers (rock lobster, paua and inshore finfish), charter fishing operators, tourism operators and the Kaikōura branch of the Royal Forest and Bird Protection Society.

### **2. What has been the process of developing the Kaikōura Marine Strategy?**

The Te Korowai Group was formed to develop options for marine protection in Kaikōura and produced a draft 'Sustaining our Seas' proposal in 2008 on which the community was extensively consulted. The proposal was the group's vision for the protection of the Kaikōura marine environment using a number of marine protection mechanisms to manage coastal resources. The group also proposed improved protection for fisheries, marine habitats and customary practices.

The proposed Marine Strategy was presented to Dr Nick Smith (then Minister for the Environment) in 2011. The final strategy was put to Government in October 2012. These recommendations have been considered by the Ministry for Primary Industries (MPI) and the Department of Conservation (DOC) over much of last year and this culminated in a proposal being submitted by Minister Nathan Guy and Dr Nick Smith to the Cabinet Economic Growth and Infrastructure Committee in February this year.

The Kaikōura Marine Management Bill is an integrated package of special legislation to implement the Strategy and was approved by Cabinet this week.

### **3. How has Te Korowai been funded?**

- DOC: a total of \$270,000 between 2005-2012
- Kaikōura District Council: \$20,000 per year for three years 2009-2012
- Environment Canterbury: \$20,000 per year for two years 2010-2012
- Canterbury Community Trust: \$225,000 for one year 2010/11
- Ministry for the Environment: a one-off grant of \$10,000.

### **4. Why have marine protection and sustainable use measures been put in place at Kaikōura?**

Kaikōura is a unique biodiversity hotspot with a range of world class marine values to be managed. The Bill is seen as a means of providing integrated marine management for the recognition of customary rights and access to traditional resources and for involvement of stakeholders in the management of the marine environment. A range of issues are placing pressure on the Kaikōura marine environment and posing a risk to livelihoods and the local economy which depend upon that environment. Kaikōura generates significant economic activity through a multi-million dollar marine tourism industry which should be carefully managed and maintained. It also aims to address sustainability concerns with fisheries, including a significant level of illegal activities that have been occurring on the Kaikōura coast.

## **5. Why have whale and seal sanctuaries?**

The Kaikōura coast supports diverse and abundant marine mammal populations. A nationally and internationally significant tourism industry has developed at Kaikōura centred on the viewing of marine mammals.

While best known for its semi-resident sperm whales, dusky dolphins, Hector's dolphins and New Zealand fur seals, numerous other marine mammals visit the area including migrating humpback whales over winter, southern right whales, killer whales (orca) and occasionally blue whales. Some of these are threatened species.

New Zealand fur seals, sperm whales, humpback whales and southern right whales are specifically recognised as taonga species under the Ngāi Tahu Claims Settlement Act 1998.

The marine mammal industry at Kaikōura markets itself as a premier global location. The variety of species and their shoreward proximity close to a major public highway is certainly unique in New Zealand. The industry relies on not just the presence of the whales, dolphins and seals, but also on their predictable distribution, movement and behavioural patterns.

## **6. Why does the whale sanctuary restrict seismic surveying use by the oil and gas industry and for some scientific research?**

“Level 1” seismic survey testing will be prohibited in the sanctuary, however “Level 2” surveys will be permitted but subject to strict conditions. There will be no restriction on “Level 3” seismic survey testing. The Seismic Code will apply throughout the sanctuary to ensure best practice where seismic activity is conducted. While the code sets out best practice to minimise adverse impacts on marine mammals, a minimal degree of risk may remain. The further restrictions imposed in the whale sanctuary will negate this small degree of residual risk and are warranted given the unique whale population and its importance to tangata whenua and tourism.

“Level 1” surveys are used to carry out large scale geophysical investigations. These surveys are largely used by the petroleum industry to gather information regarding the prospectivity of areas.

The petroleum geology of Kaikōura is largely unknown as detailed seismic surveying has not been undertaken, and it is not known whether this area is commercially prospective. However, there is considerable commercial interest in the adjacent Pegasus Basin

## **7. How will the public get to see the New Zealand fur seals at Ohau Point with the new measures in place?**

The seals in the restricted area will still be able to be observed from the existing viewing areas and carparks. The restrictions stop visitors walking amongst the breeding colony – such behaviour is already discouraged as it may disturb the seals and present risks to young seals and to humans. Visitors will also still be able to encounter seals on either side of the Ohau Point colony as well as along the remainder of the Kaikōura coast, including at Kaikōura Peninsula should they wish, and at the nearby Ohau Stream pup crèche.

The seal sanctuary is yet to be given a formal name under the proposed Bill which is yet to be decided in conjunction with the tangata whenua.

## **8. Has the Government considered the potential impacts of the commercial fishing and tourism industry?**

The package minimises impacts on existing users and delivers benefits to a wide range of interests, including tangata whenua, environment, tourism and science sectors. It also provides certainty for commercial interests in and beyond the marine management area.

The economic impact on the fishing sector will be small (up to \$1.1 million annually on commercial fishing), and the impact on the minerals and petroleum sector is also expected to be low as the area is not thought to be currently commercially prospective and current interest in the region is further offshore.

The benefits for the marine tourism sector are not able to be quantified but are likely to be significant based on other experiences, e.g. the Leigh marine reserve.

## **9. What customary fisheries will be protected and what does it mean to local iwi?**

The proposed customary fisheries tools will bring significant benefits to Ngāti Kuri, support the Crown/Maori relationship, and have very low impacts on other fishers. The mātaihai reserves will prohibit commercial fishing but MPI understands there has been little, if any, commercial fishing in those areas in the last five years.

The Strategy signals an intention to recommend restrictions on fishing within the taiāpure-local fisheries. This could impact on commercial fishing depending on the type of restrictions (e.g. approximately 22.3 per cent of the kina fishery for that quota management area is taken within the proposed boundaries). Any such regulations would be subject to specific Cabinet approval following consultation and analysis.

## **10. How have recreational fishermen reacted to the proposed fishing restrictions in the Strategy?**

Recreational fishers were involved in the development of the Strategy and these specific proposals. MPI understands that local fishers are generally highly supportive. The Recreational Fishing Council supported the views of representative clubs and fishers in the region. Industry representatives of the New Zealand Rock Lobster Management Group, endorsed by the Cray Management Advisory Committee Area 5, support the Te Korowai proposals.

## **11. What changes will be made to catch limits in the area?**

The following changes are included in the Bill, and outlined in the table below:

- Reducing daily bag limits for recreational fishers for a number of shellfish and finfish species;
- Introducing a daily limit on harvest of some seaweeds (karengo and bladder kelp) ;
- Prohibiting take of red moki;
- Increasing minimum legal size limits for blue cod;
- Introducing an accumulation limit and telson clipping requirement for recreationally caught rock lobster.

	Current	Proposed change		
Species	Bag limit, minimum legal size (if relevant to discussion)	Proposed daily limit (bag limit or weight limit per person per day)	Proposed minimum legal size	Proposed additional requirements
Karengo and Bladder kelp	No limit	5 litre wet volume measured in a 5 litre bucket		Require handpicking
Black foot paua	10, 125 mm	6		
Yellow foot paua	10, 80mm	6	No change	
Pupu	Part of combined daily bag limit of 50 "other" shellfish	20		
Cockles	150	50		
All "other shellfish" as specified in the regulations	50	30		
Kina	50	20		
Crayfish/Rock Lobster	6 (no accumulation limit)	No change		To require telson clipping for all recreationally harvested lobster.  Accumulation limit of 18 (three day take)
Blue cod	10 30 cm	6	33 cm	
Tarakihi	15	10		
Perch	No limit or minimum size	Introduce bag limit of 20	Introduce minimum size of 26 cm	
Kahawai	15	10		
Butterfish	15	10		
Red Moki	15	NO TAKE		
Blue Moki	15	10		
Kingfish	3 – part of a combined daily bag limit of 5 with hapuku/bass	Daily combined bag limit of five per person		Daily limit of three for any one of these species
Bass and Hapuku	Combined daily bag limit including kingfish of 5			
Bluenose	5			
Ling	30			
Albacore tuna	No limit			
Game sharks (seven-gilled shark, mako shark, blue shark, hammerhead shark, porbeagle shark, thresher shark)	1 for each species	1 game shark total		
School shark	5	3		
Rig	5	3		