

**Proposed Kaikōura Marine Strategy: Sustaining  
Our Sea 2011  
Te Korowai o Te Tai ō Marokura**

**SUMMARY OF SUBMISSIONS  
and  
DECISION DOCUMENT**

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## **SUMMARY OF SUBMISSIONS**

### ***Overview***

The proposed Kaikōura Marine Strategy (the Strategy) was open for public submissions from 1<sup>st</sup> September until 2<sup>nd</sup> December 2011. During this period, 169 submissions were received, 99 by email and 70 by post (some sent a copy by post and email).

Submissions were received from individuals, groups, government agencies/statutory bodies, local people, bach owners and visitors, recreational, commercial and charter fishers, tourism operators, academics and those with an environmental interest.

Submissions were varied in style and length, but broadly fell into the following categories:

- Statements of support
- Statements of support, followed by comments on specific sections of the proposed Strategy
- No general comments, but comments on particular sections of the Strategy
- A statement of opposition to the whole or parts of the Strategy and specific comments
- An outline of the aims and objectives of organisations or agencies and then comments on specific sections relating to these aims

100 submissions have been classified as *'unique'* i.e. not relating to submissions generated from NZ Royal Forest and Bird Protection Society or one of a single submission which has been replicated a number of times. The latter submissions are not attributable to a specific interest group or organisation, but all begin with the line 'Since the introduction of the QMS' and have been recorded as SIQMS. In order to mitigate against the potential for multiple copies of the same issues being raised outweighing issues raised in unique submissions through weight of numbers, these multiple submissions have been considered separately under the headings 'Forest and Bird related submissions' and 'SIQMS' at the end of the document. Additional issues raised by individuals using the Forest and Bird or SIQMS documents have been included in the 'unique' submissions summary.

Of the total 169 submissions, 26 were based on the Forest and Bird generated submission templates and 43 were based on the SIQMS submission. Of the remaining submissions, one submitter made 2 identical submissions, which were treated as a single submission, 4 submitters made identical submissions and two submissions contained a number of signatories, and these again were treated as single submissions.

### **Summary of submissions**

Submissions were received from all over New Zealand, with the majority coming from those living in, or regular visitors to, Kaikōura. Organisational submissions are recorded as from the central office of the organisation. The following table shows total number of submissions, the numbers of Forest and Bird generated submissions and the number of SIQMS submissions.

Location (by region)	Number of submissions		
	Total	FOREST AND BIRD	SIQMS
Northland	2	1	
Auckland	10	5	
Waikato	2	1	
Otago	1		
Gisborne	1	1	
Hawke's Bay	1		
Taranaki	2	2	
Wellington	10	3	1
Nelson Tasman	11	6	1
Marlborough	6		
Kaikōura	85	2	30
Canterbury	26	3	7
Southland	2		
Not known	10	2	4
<b>Total</b>	<b>169</b>	<b>26</b>	<b>43</b>

### **Unique submissions**

The 100 unique submissions can be categorised in terms of the interests and/or sector of the author(s) of the submissions. Decisions on which interest area submitters belonged to were made based on organisational letterhead or title (such as Seafood Industry Council), by inclusion of specific information, such as "*As a commercial fisherman*" or "*As a regular visitor to Kaikōura*" or by the main focus of the submission. Several submitters belonged to more than one category, in which case the first noted has been used.

Interests and sectors identified were:

- Locals (8)
- Government agencies/local government and statutory bodies (4)
- Recreational Fishers (27- including organisations, clubs, individuals)
- Commercial fishers (22 – including 10 organisations/companies and 12 individuals)
- Tourist operators (5 – including charter fishers)
- Local retail (2)
- Environmentalists (9 – 4 organisations and 5 individuals)
- Educationalists/ Academics/marine scientists (5 including 1 school and 1 society)

- Visitors (2)
- Community organisations (2)
- Miscellaneous (submission not readily identified with any particular interest) (14)

Included in the discussion below are comments from 14 Forest and Bird submitters and 6 SIQMS submitters, which were additional to those on the printed submissions.

### ***Summary of submissions by sections of the proposed strategy***

Submitters were encouraged to make submissions by making a general comment and then comments on specific sections of the proposed strategy. It was also noted that the document is an '*integrated strategy*' and submitters were encouraged to view it as a whole package.

The report is structured under three sections and 10 headings.

**A. Introduction** includes 'About Te Korowai' and 'Developing the Strategy'.

**B. Outcomes** are presented under the headings 'Fishing for Abundance', 'Protecting Our Treasures', 'Living Sustainably' and 'Sustaining Customary Practice'.

**C. Implementation** contains 'Engaging Understanding', 'Governance', 'Compliance', and 'Monitoring'.

Each submission was studied to identify issues raised under the different sections and to identify support for, opposition to, or alternative suggestions to the information presented in the proposed strategy.

The summary of the main information provided in the submissions is outlined below, by section. Additional comments, beyond the content of the Strategy, are included at the end of this section.

### ***Part A - Introduction***

#### ***1. About Te Korowai:***

##### **Who is Te Korowai? (10 submissions)**

This section describes the membership of Te Korowai – including a model showing the relationship between locals and supporting agencies and the rationale behind its formation.

Those submitting on this section either supported the current structure of the group (2 submissions), requested inclusion on the group (1 submission), noted that there was insufficient representation of the recreational fishers (3 submissions) or commercial interests based outside the Te Korowai area (2 submissions). One commented positively on a meeting held between members of Te Korowai and commercial fishing representatives. One submitter stated that Te Korowai needed to have a closer relationship with the Ministry of Fisheries. One submitter stated that certain tourism interests had too much influence and another stated that they had difficulties understanding the Egg model. A need for there to be a 'broader conversation between local and national bodies' was also identified. One submitter said there was no consensus in the group around the stated 'gifts and gains'. Another claimed that Te Korowai was a 'closed shop'.

Submitters that requested involvement or a closer relationship with Te Korowai moving forward include the East Coast Community Association, South Island Eel Industry Association, the Hutton's Shearwater Charitable Trust and Burkhart Fisheries Limited as well as the sole licensed seaweed harvester, who expressed disappointment with not having been contacted previously.

**The Te Korowai Vision** (3 submissions)

The Te Korowai vision was supported by all of those who commented on this section, with one submitter stating that the language was not clear. There was support for the vision and for those who had developed it.

**Physical boundaries of the management area** (3 submissions)

The area covered by this Strategy is the coast and sea between Waiau toa (Clarence River), south to Tutaeputa (Conway River) from mean high-water springs out to seaward boundaries defined by the issues being raised.

Three submitters commented on this aspect of the Strategy, with one requested a clear definition of the seaward boundary, giving as an example the 12 nautical mile limit in the Resource Management Act. Another submitter expressed the need for the relationship between Ngai Tahu and Ngāti Kurī to be defined.

**2. Developing the Strategy** (32 submissions)

This section of the Strategy provides an overview of how the Strategy was developed and contains a table outlining the sections of the Strategy and how they fit together. Thirty-two submitters commented on this section of the Strategy.

The philosophy of *gifts and gains* was discussed in submissions with 6 submitters supporting the process and 5 against the process, stating that the philosophy was 'flawed', 'unsound', or 'hijacked'. One supported gifts and gains at a local level but not for commercial fishers. Three submitters highlighted that the environment has been 'gifting away protections' for a long time and that the Strategy was focussed on what could be taken and not on 'sustainability and recuperation' or the 'identification of the most biologically diverse areas' and protecting them.

The consultation process and submission period were raised in 9 submissions. A perceived lack of consultation was raised in three submissions, including the lack of awareness about the Strategy in Christchurch. Four submitters noted a lack of time to comment on the Strategy and one requested an extension to the submissions period.

One requested that the 'status quo' be maintained and another questioned the validity of the whole process due to the 'misrepresentation of interests'. One submitter noted that Te Korowai might find making any changes on the Strategy difficult due to the amount effort already put in.

The Strategy itself raised 11 comments in submissions, with one noting that the 'strategy is a result of compromise'. One stated that the Strategy exists in a 'contextual vacuum' and two submissions indicating that Te Korowai should refer to the Fisheries Plan process, based on the Harvest Strategy Standard. One submission identified a need to develop the Strategy through amending existing institutional arrangements. Two submissions raised the issue of whether or not the Strategy was created under the Marine Protected Areas (MPA) Policy, while one felt the Strategy had gone beyond the scope of the Government's policy under the

MPA. Another suggested that the Strategy should be based on an 'integrated ecosystem management approach' while another stated that a need to take a 'precautionary approach'.

Submitters also commented on details contained in the Strategy suggesting that mātaītai be referred to as 'suggested mātaītai' and another suggesting that the description of the Forest and Bird application as 'stale' should be replaced to 'out of date'. One submitter suggested the inclusion of the advantages of an 'integrated community based/agency supported holistic approach' to taking care of valued marine areas, be included in the Strategy. One suggested that the map key sizes be increased and another suggested that charts and not maps should be used, with all maps drawn to the same scale. Another stated that the current marks are misleading in terms of the lines and waypoints shown.

One suggested that the Strategy should acknowledge those who have funded the process and three support ongoing dialogue and consultation. One submitter expressed its on-going financial support of the Te Korowai process.

One proposed a solution to all of the issues by having the whole area designated as a special management area with local decision-making. Agencies would then implement the actions under the management mandate.

### ***Part B: Outcomes***

Four key outcomes of the Strategy are described in this section. These are: Fishing for Abundance, Protecting Our Treasures, Living Sustainably and Sustaining Customary Practice. Each of these four outcomes is described in terms of the objective, the background, the issues and the proposed solution, followed by a summary of the gifts and gains utilised to ensure the integrity of the whole resource.

Two submitters suggested changes to the structure of the Strategy, with one submitter suggesting that in order to reflect the Kaikōura context better, that the order of the outcomes be changed to: Sustaining Customary Practice, Protecting Our Treasures, Fishing for Abundance and then Living Sustainably. The other suggested that Fishing for Abundance be moved to third, after Protecting our Treasures and Living Sustainably. One submitter supported the four outcomes as stated, while another stated that these should be an example to all of New Zealand.

### ***3. Fishing for Abundance***

This section of the proposed Strategy contained the background information about the Kaikōura fishery, the issues that the fishery faces now and into the future and put forward some solutions. The 'gifts and gains' involved in reaching those solutions were identified at the end of the section.

#### ***Objective*** (16 submissions)

The Te Korowai objective was abundant fish for present and future generations.

Four submitters expressed their support for the objective of abundant fish for present and future generations. One requested further explanation of what was meant by this and by the diagrams of Dr Hilborn's model, while another questioned 'what is abundance?' One submitter felt that the objective was 'laudable...but nebulous' and would prefer the use of

Catch Per Unit Effort and fish size for recreational and customary, and Total Allowable Commercial Catch for commercial.

One suggested that abundance could be the goal but adequacy was acceptable in the meantime, emphasising that with rights come responsibilities. Three submitters raised the issue of the economic benefits of fishing for the Kaikōura Community with two of these highlighting the attraction of the Kaikōura fishery and one concerned that restrictions could lead to loss of business. Two submissions offered suggestions as to how 'abundance' could be achieved - through "setting a stock target, agreeing to monitoring mechanisms, and drawing conclusions...that results in a timely action' or through' appropriate fishing methodology'. One submitter did not want their right to fish removed while another stated that the objective was aimed at the interests of the fisher and not of the fish.

One submitter stated that the Strategy allows commercial tourism operators to diversify and obtain fishing rights that recreational fishers would lose.

**Background** (10 submissions)

This section includes information under headings of 'early days', 'Ngāti Kurī fishing', 'The Quota Management System', 'Recreational Fishing', 'Paua', 'Rock Lobster' and 'Sharks'.

Of the eight submissions on the background section, two noted the benefits of the Quota Management System (QMS) leading to 'good recovery' and 'reduced pressure'. One submitter questioned the effectiveness of the QMS while another noted that it has led to recovery for some stocks but 'distorts pressure on local stocks.' The same submitter also suggested that quota should not be sold-on but withdrawn when no longer required. Another submitter suggested that areas where quota can be fished were limited.

Three submitters noted that commercial fishers should be compensated or their quota purchased by government if part /their entire fishery was in a closed area.

One submitter commented that the oral history presented in this section should be retained in the final Strategy. Another stated that 'we have already given under settlement of the Treaty enough fishing quota and resources for local iwi'.

**Issues** (5 submissions)

The core issue was that inshore fisheries are coming under increasing pressure.

Two submitters made comments about fish theft; stating that the perpetrators were known and more effective policing was necessary and 'do not penalise the majority because of the behaviour of a few'.

Four submitters requested that more research was done on the effects of transfer of effort when areas are closed, before the final strategy was produced. One submission supported the current sustainable lobster fishery management.

One submitter offered to assist with the redrafting of this section to 'closer reflect the intent and purpose of the New Zealand Quota Management System and existing regulatory controls'.

## **Solutions**

The solutions section of Fishing for Abundance generated a large number of responses. In order to reflect the range and detail of the issues raised, the solutions have been analysed one at a time.

Three submitters expressed general support for this section of the Strategy, stating that reducing catch limits and commercial by-catch are necessary if Te Korowai was serious about sustainability and that any law changes must be simple and easy to enforce, with bag limits fair to both recreational and commercial fishers.

### **Minimising Fish Theft (22 submissions)**

The goal of Te Korowai was to minimise fish theft in Kaikōura.

Seven submissions included statements supporting the measures proposed.

Eleven submissions included statements about enhancing the existing enforcement processes, such as 'increase fines and equipment seizures', 'greater enforcement of catch limits' and 'need compliance officers to do their job'. One submitter suggested that there were sufficient government departments involved already but that they 'need to do their jobs'. One submitter questioned the success of reporting illegal activity and also asked 'would reporting to the runanga be additional or the soft option?' One submitter stated that the Ministry of Fisheries was not dealing with repeat offenders. Two submissions were opposed to fines going to Te Korowai with one noting that national fisheries management needs to be funded otherwise this would compound the problem. One submission was in support of some funds raised from fines going to Te Korowai. One submission promoted increased public awareness and encouraging 'dobbing in' as it is theft from all, while another suggested blacklisting companies and individuals who do not comply. Two submitters stated that the current system was working well and three thought that theft by a minority was leading to measures that punish all. One submitter called for more stringent rules under the Fisheries Act for local control to be effective, while another has concerns about the costs and logistics involved in policing the coast.

One submitter was concerned that if his current commercial business was compromised by area closures then 'the door would be opened for far greater illegal trading' to provide lobster for the hospitality sector.

### **Managing localised fisheries locally (57 submissions)**

The goal of Te Korowai was to sustain local abundance of localised fish stocks.

The analysis of the submissions on this section of the document is presented under each of the species with more general comments at the beginning. One submitter suggested a change to the structure of this section to be representative of the order of participants: Customary, Recreational, Commercial with promotion of the advances achieved by CRAMAC5 and PAUAMAC3. This submitter also suggested that an adapted approach to Recreational fishers might be 'respect fish abundance in our back yard'.

#### **General:**

Seventeen submissions supported the proposed local limits as they are expressed in the Strategy, with one submitter stating that current rules are working well. Seven submitters expressed the view that any changes need to apply to commercial fishers as well as recreational fishers, with two stating that future increases in stocks should go to recreational



fishers before commercial 'gifting back to recreational once abundance achieved'. One submitter specified that suggested blue cod limits should be applied to commercial also. One suggested that the limits should be recommendations only.

Two submitters cited good examples of management being seen in the commercial paua (increasing size limit) and rock lobster (turning down quota increases) sectors and that recreational fishers could adopt these strategies. One submitter stated that 'local measures can help manage the abundance of sessile stocks ...However for mobile fish species that are part of wider geographical stocks, localised management initiatives are less likely to be effective in increasing local fish abundance', while two others questioned the proposed 'local' area - asking if it was the same size as the Quota Management Area.

Two submissions suggested that limits should be lowered further and several additional ways of limiting catch were put forward including:

- educating future generations (1),
- providing locals with quota and visitors with a license (1),
- employing ecologically sensitive fishing methods to reduce by-catch (1),
- banning set netting and following best practice guidelines for long-lining and potting (1),
- introducing seasonal closures during spawning (5),
- limiting size of fish (3),
- introducing catch and release (1), and
- banning fishing competitions (1).

Two submitters stated a need for accurate measures of existing stocks and for recreational fishers to record their catch so that evidence of impacts on fishery can accurately be measured. It was suggested by one submitter that the steps required to achieve meaningful data through recreational recording needed to be listed to ensure its success. Another submitter, who stated that all limits should be based on evidence, supported this. One noted that there was currently no Maximum Sustainable Yield for the Kaikōura fishery and that such limit was probably already being exceeded. One noted that any new limits need to have 'strict regulation to build up stocks'.

One submitter asked who would administer the proposed changes and felt that they were based on a combination of science and myth.

One submitter posed the question if the recreational limits apply to customary fishing as well?

One fisher stated that the concept of 'fishing for a feed' does not define rights or fishing interests while another requested the right to 'fish for whanau not just for the fisher'. One submitter stated that the proposed new limits would not impinge on 'fishing for a feed'. Another asked what the relationship was between 'fishing for a feed' and the amount required to 'ensure stock recovery' and suggested that a full explanation of TACC/ACE and total recreational bag limits would let people see the whole issue.

Cutting a local's catch entitlement for 'dubious reasons' was said to be wrong by one submitter, supported by an argument that stocks are slowly recovering due to the QMS. Another noted that the issue was that people need to feed their families in hard economic times and were limited by the weather to the times and areas they can fish.

Fishing practices were identified in three submissions noting that boat limits rather than individual bag limits should be introduced (1), sustainable methods and locations should be identified (1) and that additional information should be sought about harvesting areas and permits provided. Again one submitter raised the issue of compensation for closed areas.

One submission suggested a higher daily limit with lower weekly or monthly accumulation limits stating that 'Management of this approach is not as difficult as some would contest', with another stating that the accumulation limits needed to be fully explained. One submitter supported the concept of 'eating fish fresh'.

Comments relating to individual fish species are outlined below.

#### Seaweed:

There was one person with a permit to harvest *Porphyra* (karengo) in the area. In their submission, they state that:

- If any of the proposed closed areas were applied to their traditional harvesting areas then they would be seeking compensation.
- Support continuation of permitted take of karengo.
- Needs distinct methods and research into sustainable levels.

One submitter stated that live bladder kelp harvesting must be prevented as it protects the shoreline and provides food and shelter for a number of species.

#### Shellfish:

##### Paua:

Two submitters support the proposed increased size and decreased bag limit.

Another suggested reducing the daily limit to 5 and including yellow-footed paua, with one code of practice for all.

One submitter proposed an accumulation limit of 20 while another stated that the daily limit should stay at 10 and, if reduced to 6, the accumulation limit should be 24 (4 days).

Two submitters state that there should be no increase in the minimum size of 125mm. One submission supported localised control - as there is wide variation in size and distribution of paua across the country.

##### Others:

One submitter suggested that a lower catch limit be added or introduce a total limit for shellfish.

##### Cockles:

One submitter suggested that a limit should be identified and the habitat protected. The introduction of a vehicle limit of 150 was suggested.

##### Pupu:

One submitter supported the daily bag limit of 30 and a suggested a vehicle limit of 120

##### Others:

Having a combined daily limit of all other shellfish of 20 was also put forward by one submitter.

Other invertebrates:

Kina:

One submitter supported the change to 20 per day.

Crayfish:

One submitter requested that the daily limit be reduced to 4 per person.

Eight submitters supported the introduction of an accumulation limit of 18 and an annual limit of 150. One submitter proposed that the accumulation limit should be 20.

Eight submitters were against the 150 annual limit, for reasons that include the restriction on 'sharing with non-fishers' and the practice being too hard to police.

The 11 submitters who made comments, support telson clipping to help reduce illegal take. Another submitter suggested an upper limit per recreational boat.

Finfish:

One submitter noted that the rules should apply for all finfish caught in Kaikōura, while another requested that Te Korowai should differentiate between mobile and migratory species.

One submitter stated that the proposed limit of 3 fish for bass, blue nose hapuka and ling was 'dumb' for bigger boats, while another supported the limit of 5 for all of the larger fish noted.

Blue cod:

One submitter suggested a need to reduce the number and size of blue cod being caught. Three submitters support the proposed limit of 6, while another suggested a reduction to 5 and the use of larger hooks. One submitter supported the use of circle hooks when targeting blue cod but that this should not be a requirement for all fishing.

Another submitter was against specifying hook size, but supported the minimum size of 33cm, along with a boat limit of 30.

One submitter noted that there was no need to reduce the limit as they never catch that many anyway.

One submitter noted a need to introduce a reporting system to inform decisions.

Perch:

Two submitters noted that perch could come under pressure - and supported the limited number and size proposed. Another commented that perch needs support, while another expressed opposition to a limit of less than 30 perch per person per day.

Albacore tuna:

One submitter proposed a boat limit of 5.

Kahawai:

One submitter suggested that the limit should be reduced further to 5 per person per day.

### Sharks:

One submitter suggested a limit of 3 school sharks and include rig, while another suggested leaving the limit at 5.

One submitter supported the catching of 1 shark per person and landing them whole, suggesting that more research was needed.

Other species that submitters felt should be included in amended limits were elephant fish with the introduction of a size or bag limit and blue moki.

Set netting received comments in 20 submissions with views divided. Those who supported maintaining the existing ban (12) cite reasons such as to protect other species through by-catch, to minimise waste and one noted that good butterfish are now being caught on hooks. Those who wanted the set net ban rescinded (7), gave the reasons that butterfish were in plentiful supply and that it was a good way for locals to catch fish. One submitter supported no overnight netting and requiring fishers to stay with the net. One submitter felt there was a need to look at the effects of the current set net ban before decisions are made and another suggested that the area of the set net ban needed to be described.

### **Charter Fishing (21 submissions)**

The goal of Te Korowai was to ensure charter fisheries contribute optimally to Kaikōura while not adversely affecting the abundance and productivity of fish locally.

The majority of the submitters supported a view that charter fishing needs reviewing and its status being defined in law. One submitter highlighted an 'inequity between charter fishers and recreational', while another stated that charter fishers were transporting recreational fishers out to take their legal catch. Two submitters suggest that charter fishers needed to become commercial and be allocated quota. Two submitters favoured limiting or capping the number of charter fishers, while others suggested that they could be licensed or have a certificate of approval. It was noted in one submission that there might be difficulties with capping the numbers. One submitter stated that they were against 'casual operators' who were not properly licensed and that Te Korowai should not accept these. One submission supported the best practice certificate but asked 'who *approves* the charter operators?'

Seven submitters supported the requirement for all charter fishers to record their catch (and to include blue cod) and one suggested that this should be independently analysed to allow the whole charter catch to be known.

Other suggestions included limiting the number of fish taken daily, based on the number of people that the boat is surveyed for (2). Another suggested that charter boats may not have 'holding pots' and that particularly crayfish was covered by quota and not supplied to all customers.

Two submitters supported the idea of a charter but would like more information or to see the charter before full support could be given and one submitter suggested that Te Korowai should oversee this process.

One submitter suggested that 'lobbying' was not the way to achieve the outcomes stated and gaining clarification of the law regarding holiday homes may be better, as well as recommending the local code and regulations regarding crayfish pots.

One submitter suggested the term 'high-value visitors' was inappropriate 'suggesting that this implies elitism while another points out that the issue of holiday cottages would fit better elsewhere in the Strategy as this was not specifically a charter issue.

One submitter noted that Charter fishers were important distributors of information regarding the Strategy and of demonstrating good practice.

**Controls on Shared Fisheries** (29 submissions)

The goal of Te Korowai was to ensure that commercial fishing effort did not adversely affect the abundance and productivity of fish locally.

One submitter suggested that workshops should be run to gain specifics around the content and process of developing this voluntary agreement (and also the Charter Fishers Code of practice).

The question of who would initiate the proposals and how the solutions would be paid for was raised in one submission.

The voluntary agreement proposed attracted comments from a commercial enterprise who stated that it would need to agree to any voluntary agreement.

Several submissions requested that agreements include no commercial set netting (2), trawling (3) or purse seining and that any by catch needs to be reduced as it was a vital part of the marine ecosystem. Another suggested that trawling should be limited to 1km off-shore.

A need to know more information about the commercial catch and its effects on perch, hapuku and kahawai were raised by submitters as well as monitoring the harvest of algae, sponges and invertebrates (bioprospecting). One submitter thought that commercial non-farmed fishing should not stop unless stocks were low, and the 'commercial activity should be required to assist developing fish farming'.

Five submitters also suggested that the proposed limits for the recreational sector should also be seen in any agreements with the commercial sector, with one suggesting that this should include any 'closed seasons'.

Eight submissions support the development of a Kaikōura Fishing Accord, with the suggestion that the boundary for this needed to be clearly defined. One submitter stated that they could not yet comment on the 'Accord' as it has not yet been written. Another submitter noted that it was 'not where is fished but what is fished' that is important in a management regime and noted that quota owners have the right to fish within the Quota Management Area.

One submitter requested that TACC be reduced and another supported a reduction in ACE to limit the effects of fishers from elsewhere. Having a clear explanation of ACE and TACC was also requested.

Six submitters expressed concern about this section of the Strategy, stating that: there was a risk of the fishery becoming unsustainable (1), there needs to be more research into the effects of any shift in quota on Kaikōura and that transfer of effort from one area to another

could lead to conflict and stock depletion. Four others stated that they don't want their businesses affected by the Te Korowai proposals.

One submitter stated that commercial fishermen should proactively manage the BCO3 (Blue Cod) fishery and take responsibility for the amount of BCO3 ACE introduced to the local fishery. The suggestion of a code of practice for the Blue Cod commercial harvest was suggested to be limited to a depth of 80 m.

In the matters to be investigated section, one submitter suggested including 'management and use of by catch', while another wishes 'offal disposal' to be addressed.

The establishment of a local statistical reporting area was raised in two submissions, one stating that it was possible, and another stating that it was not required as Te Korowai could requested 'spatial catch information by fish species and method from within the proposed management area 'from MAF, without the need to create a separate area.

#### **Education and Awareness (4 submissions)**

The goal of Te Korowai was that people understand what is required to sustain local fisheries in abundance.

One submitter suggested that once the Strategy was finalised that a comprehensive guide to the Kaikōura Marine Area be produced, such as was done in Fiordland 'Everything in one place makes education more straight forward.'

Educating people that the 'limit is not a target' was put forward by one submitter, while another suggested the importance of raising awareness about the vulnerability of the cray stocks.

One submission noted the importance of 'starting with the children' to ensure people grow up more enlightened.

#### **Fisheries Research and Monitoring (11 submissions)**

The goal of Te Korowai was to maximise the information available on Kaikōura fishing, fish stocks and habitat.

Four submitters supported needing to have good data to support the Strategy, provide evidence of fish stocks and set bag limits - 'better knowledge leads to a better response'.

Three submitters supported recreational fishers reporting their catch and regular catch surveys as well as one supporting charter fishers doing the same, but two were concerned about the mechanics of reporting, maintaining accuracy and who would undertake the work.

One submitter was concerned that monitoring indicator species was a good start but not sufficient.

Another suggested that any fish species of concern should be brought under a reporting system with the information analysed independently.

One suggested that better information could be gained from the Ministry of Fisheries.

One submitter provided information about the catch records he has kept since the 1960s, which include Catch Per Unit Effort (CPUE) for blue cod and perch. Another submitter offered to provide information on the feeding range of Hutton's Shearwaters, once the research was completed.

#### **Supporting reseeded of local fish stocks (4 submissions)**

The goal of Te Korowai was that fisheries recruitment limitations should be alleviated by re-seeding where this can restore local fisheries.

Two submissions supported this outcome and one pointed to the success of reseeded scallops in the Marlborough Sounds.

One submission suggested that more research should be done into reseeded programmes to consider factors such as genetic dilution.

#### **Summary of gifts and gains (8 submissions)**

One submitter noted that reseeded was a 'gift' from commercial to recreational, while another stated that having certainty of the future was a gain.

Four submitters had concerns about the gifts and gains section. Two stated that the gifts can't exist or can't be gifted and that this philosophy was 'unsound'. They stated that commercial fishers can't gift below Maximum Sustainable Yield as this was controlled by the Ministry of Fisheries and delivered through Total Allowable Commercial Catch, based on scientific process. Another said that not all fishers were gifting below MSY and that no consultation has taken place around this. One submitter said that gifts must belong to the giver and that care must be taken to ensure gifts and gains were real and 'not the product of contrived prose delivered to give an impression of substance where none exists'. Several examples of where gifts could not be gifted were identified, such as the customary right to gift open access and the Ministry of Fisheries gift of local management.

Excluding government agencies from making gifts and gains was suggested by one submitter, as it was said that they were limited in their ability to make gifts in the same way others can.

One submitter did not support the gift of localised controls but would support local input.

One submitter suggested that 'reduced seabird catch' would be a gain to add to the list, achieved through better fishing methods.

One submitter stated that the gain of 'more fish for all' cannot be achieved with reduced recreational bag limits, while another stated that this was established through the Fisheries Act and noted 'Increasing biomass would not simply increase yield'.

#### **4. Protecting Our Treasures**

This section prompted the largest number of submissions and is discussed section by section.

##### Objective

The objective of Te Korowai was that future generations can continue to experience the wonders that we have today.

General comments about the objective were received from 13 submitters with 8 submitters supporting the proposals. One noted that the information provided in this section was interesting and some of it would be useful in the final Strategy.

One of these stated that 'protection from threats is most important'. Submitters noted these threats as being 'commercial exploitation of the area' and 'offshore drilling and fracking', while another noted the need to consider the impact on others. One felt that all of the proposals for protection were 'too small'; with another requesting that more protection be included.

One felt that Te Korowai had met all of the objectives of the Marine Protected Areas Policy, whereas another felt that the proposed Strategy failed to meet them. Another felt that, over time, the tools proposed would develop into a Marine Protected Area for Kaikōura coastal areas.

One submitter felt that the intrinsic values of the Kaikōura marine environment should be recognised alongside the value to future generations, and that we needed to restore what we have today, to an earlier state.

One submission was against any closures as these were described as 'entirely unjustified' and another said that the use of the word 'wonders' was 'emotive' and loses precise meaning.

Existing protection measures were raised by two submitters with one stating that the Quota Management System was the best way to achieve sustainability of fish stocks and another stating that all the additional information was unnecessary as the closures come under existing legislation.

One submitter noted that the proposed Strategy did not emphasise the importance of Hutton's shearwaters and other seabirds and their habitats in the Kaikōura marine environment.

#### **Background (2 submissions)**

One submission requested that more emphasis be given to the importance of seabirds and their diversity, with particular mention of Hutton's shearwaters and red-billed gulls.

Another submitter reflected on the development of marine-based tourism activities and the effect that this has had on the area and suggested that locking areas up would be for the benefit of a few and not take account of future changes.

#### **Issues (11 submissions)**

Two submitters suggest that an explanation of the risks and a link to the solutions would be useful, with solutions involving various agencies and statutes be included alongside each risk.

Five of the submissions referred to seals, with four of the submitters suggesting that culling or harvesting take place, with one suggesting that they could be made into biofuel. The fifth submitter asked who was the threat to whom when dealing with seals?

Submitters suggest additional issues to be considered include:

- Protection of birds, with a stop to commercial bird watching
- More emphasis on the protection of Hutton's Shearwaters



- Risks associated with long lines, trawlers and potting
- Bio-prospecting and
- Sea level rise.

One submitter asked whether two dolphin deaths was a good or bad outcome.

One submitter pointed out that a code has already been introduced to reduce whale entanglement with a training programme for fishers in place.

### **Solutions**

Each of the specific solutions received a number of comments and so these would be discussed in turn. General comments on this section of the Strategy were made in 13 submissions.

One submitter suggested an additional solution - getting recognition of the important seabird habitats by seeking "important Seabird Area" designation by Birdlife International and generally featuring seabirds more prominently in this section.

Several submitters expressed concern about locking up areas with two calling for more information about habitats and species and saying that this should be ecological and not political.

Another wanted Te Korowai to examine the evidence for no-take zones.

One sought more adequate protection for the full range of marine communities e.g. rare, distinctive or nationally important.

Four noted that locking areas up caused displacement of effort, limiting the effects of current good management practices of both the paua and crayfish stock. One suggested that further discussions with commercial fishers around this issue would be supported.

One submission stated that they would not support closure without compensation for loss of quota.

Negative effects of closed areas was raised in one submission, stating that there was a decreased safety level involved in having to go further to catch fish, requiring easily accessible areas to be open. Another questioned the ability of boats to go through closed areas with catch on board.

One submitter pointed out that elsewhere in New Zealand, there were significant economic benefits of having closed areas; e.g. Goat Island Marine Reserve.

### **International Recognition (26 submissions)**

The goal of Te Korowai was to have Kaikōura recognised around the world for its natural heritage.

Fifteen of the submitters supported the concept of World Heritage status for Kaikōura, supported by statements regarding the positive impact on eco-tourism, providing evidence of a well managed resource and that it was aspirational and shows a clear commitment to protection beyond the current Strategy. One submitter would like to see World Heritage Status being considered by UNESCO, with another suggesting that existing New Zealand

examples be provided. Another stated that Kaikōura already demonstrated four of the ten criteria provided by UNESCO of which at least one is required for inclusion on the World Heritage list. One also noted that such a status would mean that 'catchment management' was seen as an important protection and would allow for more community awareness and education. 'Well defined boundaries' were also suggested.

Two submitters stated that the concept required more work, with one stating that the prospect for achieving the status was low. A further two submissions questioned the value of World Heritage Status and of the process involved, while a third wondered if World Heritage status would deflect issues of permitting oil exploration and fracking.

Six submitters were opposed to Kaikōura gaining World Heritage status, with reasons being that the resources should be managed for the good of Kaikōura and New Zealand, that it would limit freedom and stifle progress, that it would not be locally managed, and that it would destroy livelihoods and reduce activities.

One submitter asked if creating a World Heritage Area, controlled internationally, was really necessary as Te Korowai was based on a philosophy of 'bottom up', local management and would prefer to see the Kaikōura marine area promoted nationally and internationally.

Another submitter suggested that World Heritage status might come later in the process once other protections were in place for vegetation in the adjacent landscape. This submitter also noted that 'the Kaikōura area constitutes the eastern end of the only place in either the North or South Islands where there are continuous large areas of protected lands extending from coast to coast'.

#### **Protecting the habitat of whales and dolphins (31 submissions)**

The goal of Te Korowai was to protect the habitat of whales and dolphins from future disturbance.

Twenty submitters support the creation of a Marine Mammal Sanctuary. One noted that the area proposed was based on the primary whale watching area and the buffer zone agreed to by Crown Minerals when mineral exploration was occurring in the area. Included in this, 5 submitters called for a complete set net ban, one for commercial set net ban, and 4 for a complete ban on trawling. Others suggest putting in controls for trawlers and a ban on purse seining.

One asked that the area be extended to include Nape Nape and another that it extends into the EEZ. While a third asked for it to be extended significantly and strictly managed.

Controls over fishing were requested by two submitters particularly to protect Hector's dolphins.

Two submitters suggested that ongoing dialogue with stakeholders, including representatives from the oil exploration industry, while another sought clarification of customary mammal use.

The inclusion of seals and seabirds, including Hutton's Shearwaters was suggested by two submitters.

A local code of practice for the protection of Hector's dolphins beyond the proposed area was also supported in one submission.

Another supporter of the Marine Mammal Sanctuary suggested more information was provided on the protection measures and suggested excluding tidal turbines and pollution. Another suggested linking Marine Protected Areas to forest areas that were already on conservation land.

Ten submissions opposed the proposed Marine Mammal Sanctuary (MMS) as presented in the Strategy. Reasons given included: that the area was too big to be supported, that the establishment of the MMS might affect the current petition for the reinstatement of set netting, that the mechanism and its functions need clearer explanation and that the benefits of a MMS were not clear. Another submitter suggested that a wider range of tools should be considered to mitigate against the identified risks, while another stated that a MMS might not be successful on its own, requiring further protections under the Resource Management Act (seismic), Fisheries Act and proposed EEZ legislation.

One submitter would like the area of the current set net ban described.

One submitter was not clear about 'right of passage' of seismic vessels without their guns operating and offered help to explore this further.

#### **Protecting biodiversity hotspots and representative areas**

The goal of Te Korowai was to protect the most biologically rich and unusual areas of the Kaikōura coast and also a representative slice of typical coast in its natural state.

Two key solutions were proposed under this heading and are discussed separately below. General comments on this section included one submitter expressing disappointment with the lack of a marine reserve on the Peninsula. One noted that Te Korowai should look wider than fishermen and consider the economic and environmental gains provided by closed areas; a view held by another submitter who stated that it was the result of compromise.

Another stated that additional protections were not needed as weather and sea conditions limit access and another stated that safety could be compromised if fishers have to go further out to sea to catch fish.

A desire for more information was the subject of four submitters with one stating that more information was needed and that particularly around the ecological importance of the intertidal areas, while another sought more information about habitats and species. One requested evidence of no-take reserves. Information regarding seismic surveys and permits was also requested by one submitter.

One stated that the economic gains of marine reserves were important and could be greater than fishing.

A concern about the shift of effort created by closed areas was the subject of three submissions on this section. The place of the Marine Protected Areas Act was raised by two submitters, with one suggesting that Te Korowai adopt the MPA class 2 standard for the proposed marine reserve, suggesting a need to consider fish stocks across the area, while another questioned why special rules were needed for this marine reserve proposal.

Two submitters suggested further consultation with affected fishers with one requesting compensation if the closed areas affect their quota.

Emphasising the importance of seabirds was also raised, with the suggestion of designation as an 'Important Seabird Area' being sought.

One submitter noted that offshore gas and oil exploration would 'only benefit the long-term marine environment. It was not only possible, but also proven, in other places round the world that structures placed in the ocean attract and enhance the marine life in the area'.

### **Marine reserve for the Canyon (67 submissions)**

This section of the Strategy received more comments from submitters than any other. A total of 97 comments, ideas and suggestions were put forward in relation to the proposed Marine Reserve over the Kaikōura Canyon.

There were 23 submitters who supported the Marine Reserve as proposed. Reasons for their support included that the Marine Reserve would provide protection for biodiversity and near shore environments. One stated that it would provide a baseline for future study while another stated that it would provide additional information on species decline. One stated that it would enhance fish stocks while another noted that it should have minimum impact on existing users. The benefits of the proposed marine reserve were given as economic and educational - providing a focal point with another one stating that the value would be very wide. Two supported the establishment of the Reserve but stated that there was a need to describe what it does and how, and also to justify the closure.

Two supported the reserve. One said that only 0.4% of the coastline was in marine reserves and another stated that although the Canyon was good, the Peninsula was more accessible with rock pools etc.

A further 12 submitters supported the establishment of a marine reserve but with simplified boundaries to improve identification of the area, compliance and policing, to avoid 'edge effects' which act as a buffer zone and with a minimal perimeter to area ratio. One suggested that a need to satisfy the stakeholders involved has weakened the vision while another commercial fisherman provided details of an alternative area that would allow his work to continue. One submitter noted a need to include representative areas within the marine reserve. One submitter noted that fishermen don't consider the benefits of 'fishing the boundary' of a reserve.

Eight submitters supported the marine reserve but suggested that a larger coastal area be included. One of these suggested that having a mātaītai or taiāpure next to the marine reserve might act as a buffer. Another suggested that the full range of ecosystems was not currently protected and needs to include seamounts and a longer coastal strip - proposing a 3km strip from Goose Bay to Riley's lookout. Another proposed an extension towards Oaro where another would like to see a link to freshwater.

Eighteen submitters supported a marine reserve over the Canyon, but not with a coastal connection. Statements to support this included that the reasons for this given in the Strategy were perceived as 'not a good enough reason' and that research purposes were not enough. Five submitters suggested that the transfer of effort through closing this area would have a significant effect and that the effect must be fully explored before a final decision was reached. Six submitters proposed different distances from the coast - 2 kms from shore

(with one stating 2kms offshore or not at all), 200 feet from shore, 200m from shore, from the 80m contour and outwards, or from Barney's Rock. Concern was also expressed about the ability of fishers to prove where they have caught fish, access to boat ramps within the proposed boundary and possible fuel leakages at the boat ramps. One submitter noted that this area was important for recreational fishers, especially in bad weather and another noted that the marine reserve was of little use to locals. One submitter suggested that the corridor strip adopts the Marine Protected Areas Class 2 standard while another suggested creating a mātaimai or taiāpure.

Six submitters support the establishment of a marine reserve but requested that it be much bigger than the area proposed in the Strategy. Two supported it including the Peninsula, as there was easy public access there. Another said that the proposed area does not include the full range of diversity of the coastline. One suggested that the area should be Sharks Tooth to Point Kean to the new wharf. One stated that the shoreline boundary should be three times longer than proposed to be effective. One said that 10% of the area should be in no-take, secure, long-term protection and that it needs to be bigger to be meaningful. One submitter noted that the marine reserve would provide benchmarks for success.

One submitter supported the establishment of a marine reserve but proposed an alternative boundary as the one in the Strategy has a significant impact on their business. It was also suggested in this submission that there should be provision for 'gear drift' at the reserve boundaries.

Seventeen submitters were opposed to any Marine Reserve being created. They said that access would be limited, particularly for those with small boats (3). Displacement of fishing effort, both for commercial and recreational fishers was raised in 5 submissions with one requesting that the full effects of this be explored. One organisation stated that it could no longer support the reserve as the lines they had proposed had been changed. One submitter stated that there was no evidence of increased stocks outside of the marine reserve and that marine reserves were only for scientific study and often reduced biodiversity. Another stated that having a marine reserve would not stop fish theft. One questioned the evidence available for the marine reserve while another noted limited knowledge about the Canyon and their lack of support for a 'private aquarium'.

One submitter stated that exclusion of people would lead to unregulated activity by tourist operators, while another requested that compensation be paid to those commercial fishers affected by the marine reserve. One stated that the establishment of a marine reserve would lead to no fishing for the people of Kaikōura or for visitors in small boats.

Another issue around the proposed marine reserve was access to, and compliance at, the slipways and boat ramps within the boundaries (2 submissions). The use of alternative tools, such as the type 2 Marine Protected Area, was proposed by one submitter while another questioned whether the proposed marine reserve would work as it was developed outside the Marine Protected Areas Policy. One suggested changing the definition of a marine reserve to include 'for protection and conservation of marine ecosystems'.

Seven submitters requested more information. The information sought was on:

- The effects of the marine reserve on existing monitoring collectors which were inside the proposed area,
- Clarity around landing and transporting fish in the marine reserve,
- Having a full impact study carried out,

- Exploring the effects of the current set net ban,
- Further investigations into access and impacts on the fishery, and
- More reasons for establishing the marine reserve.

One submitter stated that on-going dialogue with all stakeholders was important while another stated that if the area was closed, it should be closed to all commercial interests including tourism. One submitter stated that the marks need to be more detailed and provided a harvesting report to support this, while another provided information on the number of craypots within the marine reserve area. One noted that this area includes an important area for paua while another stated that the area was more significant for recreational fishers than for commercial.

#### **Rāhui for the peninsula** (26 submissions)

Eleven submissions indicated their support for the inclusion of one or more rāhui areas of a sufficient size to protect marine biodiversity where fishing would be excluded on a long-term basis.

Six submitters supported the existing rāhui being retained, with three of these stating that the existing rāhui was all that was needed and another stating that any more was 'greed'. One submitter suggested a review of closed areas if stock levels change. One supported a 25-year review while another suggested that this should be 30 years.

One supported two large areas, while two others support one large area, with one of these suggesting that it should be 100 hectares and extend to the boundary of the proposed taiāpure. This submitter also stated that the rāhui would provide a focal point for education and experience, establish a baseline, and help with the World Heritage status application. One would like commitment from the committee to the proposal as well as having stronger recreational and fishing controls.

Eight submitters were opposed to the establishment of rāhui areas, with one stating that it would be difficult to get a feed if there were too many rāhui and one tourism operator stating opposition if it limited their ability to provide their current service. One suggested that the rāhui would not be 'popular'. Two commented on the transfer of effort that would be caused and one stated they would not support any closure without good reason. Two felt that there were enough conservation areas already, while another felt there would be a negative impact on the local economy of overfishing one the remaining dive-able coastline.

One submitter said that the proposed rāhui couldn't ensure protection for the unique habitats.

#### **Summary of gifts and gains** (3 submissions)

One submitter suggested that the gift of loss of a marine reserve on the peninsula would also cause loss of potential social and economic values of a marine reserve there, adding that a marine reserve on the Peninsula was the best method of protecting biodiversity. Another suggested the inclusion of the gift of fishing methods (set netting) to protect seabirds could be added.

One commercial fisher did not agree to gift future fishing opportunities of the Canyon and wished discussions to remain open regarding marine farming.

## **5. Living Sustainably**

### **Objective** (13 submissions)

The objective of Te Korowai was to sustain and enhance the quality of the Kaikōura coastal and marine environment.

The objective as stated above was supported by seven submitters, with one stating that it was worthy of all New Zealand and should be the responsibility of Government. Another stated that it reflects the high priority of integrity in Te Tai o Marokura, protecting the concept of ki uta ki tai (mountains to sea).

One submitter felt that the area described within the Te Korowai boundaries was too large and would affect private property rights and be in conflict with the Resource Management Act. One suggested that everything should be done to prevent oil and gas exploration and another suggested that the section should include weed and pest control and protection of rare plants. One submission described the potential of local government mechanisms to give effect to aspects of the Strategy and highlighted synergies between the proposed Regional Policy Statement - Chapter 8: the Coastal Environment and the Strategy.

Another submitter suggested that Te Korowai discuss with the Ministry of Agriculture and Fisheries about which parts of the plan could be in a Fisheries Plan, under section 11 A of the Fisheries Act. One submitter raised the need for tighter controls on freedom campers/travellers and mitigation against inappropriate development.

One suggested the formation of an on-going marine forum of the various statutory management agencies.

### **Background** (6 submissions)

One submitter noted that the history of the Kaikōura Reserves Board should be included in this section. Another requested that Te Korowai clarify the boundaries of dry land for the Strategy. One noted that the role of sea and shore birds in these habitats was significant and needs protection and enhancement. One stated that through giving effect to the NZ Coastal Policy Statement, issues identified in the Strategy would be addressed where possible and that the Policy Statement encouraged local government to do so. One other supported the establishment of a local body, which could make quick calls to mitigate against erosion, which could include contractors. One submitter expressed their support for the planting of riparian margins.

### **Issues** (4 submissions)

Additional issues were identified as: 'increased tourist numbers', limiting the agricultural pollution of rivers through fencing off stock and including run off from land in future habitat degradation. Another submitter stated that promoting the Kaikōura District Council to become a unitary authority would help with issues of interaction.

### **Solutions**

General comments regarding the proposed solutions generated comments in four submissions.

One supported the solutions as presented. One questioned whether or not this was not current practice and if more legislation was needed. The same submitter also asked if Te Korowai would be taking on government roles and how this would be funded. One

suggested the inclusion of riparian management and stock fencing. One commended the content of this section, stating that it makes a 'very sensible case for local control'.

#### **Integrated Land and Sea Management** (7 submissions)

The goal of Te Korowai was integrated land and sea management that safeguards the sustainable use of Te Tai ō Marokura.

One submission highlighted a need for Te Korowai to collaborate with the Kaikōura Water Zone Committee and to work with local government to develop a regional policy for the coastal environment. Another stated that the regional Coastal Policy Statement could regulate marine surface water activity under the Resource Management Act to manage growth. One asked if, through protecting surf breaks under the Coastal Policy Statement, was there the possibility of leverage for other protection? One submitter noted the importance of 'protecting indigenous biodiversity' and 'protecting and restoring the natural character of the coast' in terms of guiding the Coastal Policy Statement for this area.

One submitter proposed that Te Korowai works with the community to establish measurable outcomes.

#### **Highway Management** (5 submissions)

The goal of Te Korowai was integrated highway management, management of public access and amenities and environmental protection.

Submitters raised the following points in response to this section. The placing of road barriers can guide recreational fishers and limit access to beaches for poachers. One said that this would be difficult to implement, noting that current parking would restrict access to the proposed Marine Reserve.

One submitter requested a reduced speed limit on the road at the Mangamaunu beach access. Another suggested that this section links to the protection of seabird habitats.

#### **Marine Biosecurity** (1 submission)

The goal of Te Korowai was to prevent harmful organisms becoming established in Te Tai ō Marokura.

One submitter highlighted a need for Te Korowai to need to strengthen its links with NIWA (to access research and educational support) and the biosecurity survey it carries out.

#### **Summary of Gifts and Gains** (5 submissions)

One submitter said that gifts and gains were irrelevant.

Another suggested a need to define and agree roles for co-management, rather than for autonomy and the need to include an integration function at the Select Committee stage of the Te Korowai process.

Listing the four authorities mentioned was requested in one submission.

One submitter said that there were restrictions on gifts and gains in relation to legislative functions and that further discussion on local leadership, public access and Resource Management Act planning was required.



The establishment of the Kaikōura Water Management Zone Committee was identified as part of gifting autonomy to local leadership.

One submitter requested that local leaders should be appointed locally.

## **6. Sustaining Customary Practice**

### **Objective**

The objectives of Te Korowai were that traditional fishing areas of special significance to Ngāti Kurī restored and maintained and traditional knowledge (mātauranga) and customs (tikanga) of Ngāti Kurī were utilised to protect the fisheries of Te Tai o Marokura.

Eight submitters supported the objective and specifically noted the constructive dialogue to date and the recognition and acknowledgement of Ngāti Kurī. One stated that this section supported the kaitiaki role of local iwi, while another stressed the importance of the manawhenua of Ngāti Kurī. One congratulated Ngāti Kurī and suggested that the account of traditional fishing given under 'Fishing for Abundance' be moved to this section.

One submitter supported the mātaimai, rāhui and taiāpure and suggested that these form a continuum around the Peninsula to represent all of the land and shore environments.

One submitter noted that caution should be used where customary practices might not be sustainable, but acknowledged that this Strategy was a good attempt to manage any 'blind spots'.

One submitter did not support this section stating that Māori own way more than their fair share of fisheries.

One noted that it was encouraging to see the proposals presented in this section but feels that no supplementary process was needed and the legal provisions for such tools were already in place.

### **Background** (1 submission)

One submitter stated that 'The references to cultural beliefs fly in the face of reason and logic...However, no one person or group has the right to impose their beliefs and practices on other communities'.

### **Issues** (3 submissions)

Submissions on the issues focused on a need for more information. Firstly about who can fish in a mātaimai, and secondly about providing information about taiāpure and mātaimai on permanent display boards in Kaikōura.

One submitter stated that customary permits were 'theft'.

### **Solutions**

Each of the four proposed solutions is covered separately below.

### **Tāngata whenua management of food baskets** (21 submissions)

The goal of Te Korowai was to support tāngata whenua gaining direct control of their most important food gathering places. The key solution proposed was mātaimai managed by tāngata whenua

Eleven submitters were supportive of the proposed mātaimai, with one stating that they would support bigger areas.

Seven submitters requested further information. Specifically on: the affects of mātaimai (and rāhui) and the ability for continued harvest in these areas, the reason for the mātaimai and evidence of fisheries in danger, clarity of the boundaries, and the explicit rationale for these, the effects of mātaimai on fishing effort, more information regarding the freshwater mātaimai and the need for ongoing dialogue with stakeholders.

One submitter noted a need to have customary areas marked with highly visible markers, such as those used at Moeraki.

Opposition to the proposed mātaimai was expressed in six submissions. Reasons for this were: that the areas belong to all New Zealanders, that these were serving commercial and Maori interests, that there was a need to reduce the customary allocation, that there was no need for any more legislation and that the proposal does not meet part 9 section 174 of the Fisheries Act. One also was concerned that river closures could lead to conflict. One was opposed on the grounds that effort would be displaced.

One submitter suggested that conflict about issuing kaimoana permits between Kaikōura and Marlborough iwi needed to be addressed.

#### **Local control of traditional fishing areas (28 submissions)**

The goal of Te Korowai was to support tāngata whenua leading local management of fisheries associated with key traditional occupation sites.

The key solution proposed was a taiāpure around the Kaikōura peninsula and at Oaro Blocks/Haumuri, managed by a committee with equal representation of tāngata whenua and other local interests.

Eighteen submitters supported the taiāpure and the proposed rāhui within the Peninsula area.

One of these supported the taiāpure, but not any closure, due to the displacement of effort.

One suggested enlarging the taiāpure area at Oaro out to the 10m contour. While another said that fishing controls were also needed in this area and asked if these regulations could be brought in under the taiāpure regulations.

Three noted the importance of the Peninsula and the need to protect habitats and biodiversity hotspots. Another stated that the Peninsula needed protection from exploitation and emphasised that the Peninsula provided easy access to diverse habitats. One suggested the rāhui should include South Bay to Atia Point and inshore to the boat ramp, stating that the area would provide tourism opportunities and that good public access was vital.

One said that the Peninsula needs to be the 'jewel in the crown' and has everything that needed to be preserved forever, while another stated that a permanent rāhui would protect the landscape, birds, seals and marine life.

One suggested that their experience has shown that the taiāpure would be enhanced by incorporating scientific collaboration and the inclusion of 'one or more scientific advisors with appropriate skills would be an essential part of future management committees'.

Eight submitters opposed the proposals. One would not support it if it impacted on seaweed harvest.

One expressed a need to restrict customary areas, stating it was 'unfair' to have customary plus recreational allowances.

Three submitters were not supportive of any closure on the north side of the Peninsula, with one of these not supporting closure on the front of the Peninsula either, but suggesting the area to the south of the Peninsula for the taiāpure.

Another did not think this taiāpure was needed and expresses concern about the effect on local businesses, while another thinks that the proposals do not meet part 9 section 174 of the Fisheries Act.

One stated that the area already has an abundance of sea life 'with crayfish and butterfish more plentiful than ever'.

The taiāpure management committee was raised in five submissions. One submitter was opposed to the proposed leadership role of tāngata whenua. Another was not in favour of a chair with a casting vote, but favoured consensus. One felt that the decisions of a few would affect everyone, and two others requested representation on the committee, with clear management rules from the start. One of these commercial groups was willing to provide the committee with any information needed to support decision-making. Another would support broad community representation,

**Public awareness and acceptance of traditional methods** (4 submissions)

The goal of Te Korowai was that the general public accept and support the use of traditional fishing practices and management methods in all parts of Te Tai ō Marokura and respect the rules of special areas.

The key proposed solution was an education programme for the general public on customary rights and area management tools such as mātaimai and taiāpure.

One submitter supported this solution stating that 'understanding customary practices and the need for better knowledge and appreciation of the value of the sea to the well-being of everyone was paramount'. Another noted a need to include reference to the Iwi Management Plan in the Strategy.

One stated that rules should apply to all New Zealanders, while another was concerned that if the taiāpure committee was mismanaged then something would be taken away that all people of New Zealand were entitled to under current legislation.

Public display boards were supported to provide detailed information on mātaimai and taiāpure.

**Monitoring and adaptive management** (1 submission)

The goal of Te Korowai was that management of mātaītai and taiāpure was effective. One submitter supported more monitoring to inform decisions.

**Summary of gifts and gains** (5 submissions)

Three submitters supported the gifts and gains as expressed in the Strategy. One stated that the gifts can't exist while another stated that they were contrived.

One identified a need to ensure that all 'take' was sustainable, while another would like the role of tāngata whenua more clearly defined.

**Part C: Implementation**

This section of the Strategy contains four cross cutting implementation actions that are needed for all four of the outcomes in Part B, above.

As with other sections, each one was discussed separately following general comments about this section.

One submission supported the proposals put forward stating that they were clear and key to the success of the Strategy.

**7. Engaging Understanding****Objective** (7 submissions)

The objective was to move the whole community into consciously caring for Te Tai ō Marokura. Three submitters supported this objective with one stating that the Strategy needed to be more explicit about the actions required to achieve it. One was happy to be involved in discussions about kaitiaki while two others support a need for education. One submitter wanted to commend Whale Watch for its work in achieving the objective to date. One submitter highlighted difficulties 'getting an apathetic community like that of Kaikōura' fully engaged in the aims and objectives as stated.

One stated that 'information and education are power and the more people are aware of the environment the more likely they are to care for it'.

**Background** (2 submissions)

One submitter raised the issue of ensuring that information was suitable for the audience that it was intended to reach. Another supported this and said it was important that monitoring reports were easy to read and should 'also be entertaining - people will want to read them'. Another highlighted that Te Korowai appears to have had difficulty interpreting information that they have been able to access and suggest the importance of independent scientific advice as well as utilising the expertise based at the University of Canterbury's research centre in Kaikōura.

**Issues** (0 submissions)

## **Solutions**

### **Sustaining traditional and local knowledge** (2 submission)

The goal of Te Korowai was that local knowledge was secured for future use and was readily available to the community.

One submitter stated that 'our history was a written one and can easily be researched', giving examples of inaccuracies in the Characterisation Report written by Te Korowai.

Another expressed a view that much of the language within the Strategy was "ill-informed and does not correctly reflect many of the fishing practices and behaviours in the area", with the offer of providing education on this for both Te Korowai and the public.

### **Growing new knowledge** (9 submissions)

The goal of Te Korowai was to encourage research and monitoring of Te Tai ō Marokura.

One submitter offered to interpret and present monitoring data to Te Korowai on resource management issues. Another suggested working closely with the University of Canterbury to identify opportunities for research and teaching as well as stating the range of knowledge held by marine scientists in New Zealand.

One submitter highlighted a need for more information about the protection of marine biogenic habitats, with another calling for a scientific monitoring programme to be introduced.

One would like a long-term programme to monitor the effects of the proposed Marine Reserve and another stated that this would show people what the natural system can be like.

One submitter asked who would do the monitoring and how it would be funded. Another suggested identifying the steps needed to get recreational fishers to record their catch to provide information about fish stocks.

### **Informing People** (9 submissions)

The goal of Te Korowai was that people were aware of the values of Te Tai ō Marokura and supportive of its management.

All nine submitters that commented supported the solution with additional suggestions as to how it might be achieved being offered. One submitter proposed providing information in small doses and providing field trips for adults and schools as well as a special week of events related to the Te Korowai Strategy. One submitter suggested providing best practice information for recreational fishers on notice boards.

One submitter stated that educating the public about conservation was more important than having no-go zones, while another suggested that people can be informed if they have good access to protected areas. Marine Reserves were said to be educational by one submitter, as well as good for tourism.

### **Marine Education** (4 submissions)

The goal of Te Korowai was to bring understanding of Te Tai ō Marokura into mainstream education processes.

One submitter pointed out that marine education was only a very small part of what was taught in schools, while another would like to see the marine reserve proposal more closely linked with educational benefits. One submitter stated that what was needed was a change in attitudes towards fish and fishing, marine education was seen by one submitter as important as it ensures children grow up aware of the need for protection. One submitter aspired to Kaikōura having a tertiary facility - the 'Oceanographic Institute of the South', which would attract researchers, help students and provide knowledge as well as collect it. It could also house the local and traditional knowledge that was being collected.

**Direct engagement** (0 submissions)

The goal of Te Korowai was to ensure that key stakeholder groups share in kaitiakitanga.

**8. Governance** (13 submissions)

Objective

Effective steps to implement the plan.

Several submitters suggested ways that Te Korowai should be structured in the future including 'management should be shared equally by democratically elected board members elected tāngata whenua in conjunction with Crown ministries all with the same mana', while another stated that it must be seen as democratic and not a 'smokescreen masking local interests'. One stated they were opposed to tāngata whenua as the lead body while another supported the election of members.

Special legislation received 5 comments including two opposed to this, with one of these stating that this would avoid consultation and obligations under the Treaty. Another suggested that special legislation was 'aspirational' and would build unrealistic expectations. One noted that achieving special legislation would take persistence and recommended getting the Green Party involved.

One thought that governance should remain under the control of existing bodies, while another supported Te Korowai being involved in decision making rather than having delegated functions. One submitter stated that legislative changes 'hint at rewriting the fabric of society' and noted that 'we are all equal'.

One requested an independent review of the existing structure and how decisions were reached, while another emphasised the need for Te Korowai to be actively involved in the statutory process.

One submitter offered their involvement in Te Korowai.

**9. Compliance with the Strategy** (4 submissions)

Objective

Legal rights and obligations and local customs and codes of practice were respected and complied with.

One submitter stated that legal processes should be controlled by Government only.

Another suggested that companies could be given a certificate of excellence for compliance with the Strategy.

One submitter supported the process outlined and would continue to work with Te Korowai to support this.

### **10. Monitoring Performance of the Strategy** (9 submissions)

#### Objective

The Strategy remains up-to-date and implementation was adapted over time.

This was supported by four submitters as proposed, with one submitter stating that real outcome measures needed to be developed. Another questioned whether the review period should be 5 or 10 years, as 5 years was mentioned at an open meeting. This submitter stated that if it was to be a living document, then 5 years was appropriate. Another submitter acknowledged that as a living document the Strategy could be subject to change based on information gained. One stated that the 25 year review period for protection mechanisms was too long, while another supported this review period for all tools and the Strategy as a whole.

#### **Comments about the overall plan**

In addition to the specific comments outlined above, submitters expressed their overall support for or opposition to the plan as a whole.

56 submitters expressed their support for the plan, with 13 expressing opposition.

Statements of support included: 'commending the collaborative approach, the hard work, 'a sterling effort', 'a common sense approach', 'an excellent example of stakeholder collaboration', a holistic approach - ambitious but needed, and 'your work was providing leadership for the rest of us'.

Comments from those opposed to the overall plan included: 'the plan doubles administration costs through duplication of effort', 'the Strategy was based on tourism', 'maintain the status quo', 'not enough public consultation', and there was 'enough bureaucracy in Kaikōura already' as well as 'Kaikōura's bounty of the sea was too valuable to be locked up and dished out to the privileged few.'

#### **Additional points raised which were not proposed in the Strategy.**

One submitter requested that Te Korowai lead a discussion on marine farming.

Another questioned the neutrality of the submissions analysis suggesting that sending submissions to the Conservation Department or Te Korowai seem like 'leaving the fox in charge of the henhouse'.

Comments beyond the scope of the Strategy included the rights of hunter gatherers and the apparent greed of those involved in writing the Strategy.

### **Forest and Bird related submissions**

During the submissions period, The Royal Forest and Bird Protection Society of New Zealand created a web page entitled “Marine Protection around Kaikōura” ([www.forestandbird.org.nz/what-we-do/campaigns/we-love-marine-reserves/marine-protection-around-Kaikōura](http://www.forestandbird.org.nz/what-we-do/campaigns/we-love-marine-reserves/marine-protection-around-Kaikōura) )

The web page provided some background to Forest and Bird’s involvement in the Kaikōura region and in Te Korowai.

With reference to the Strategy, Forest and Bird stated that ‘the Strategy was a good starting point but more protection was needed to fulfil the overall objectives. Forest and Bird said Te Korowai has not met all of the objectives of the Marine Protected Areas (MPA) Policy. Specifically, it does not protect “*representative examples of the full range of marine communities and ecosystems and outstanding, rare, distinctive or nationally important marine habitats*” (MPA Policy).’ Forest and Bird then encouraged people to make submissions and provided a quick submissions guide, an in-depth submission guide and a template.

In deciding whether submissions were ‘Forest and Bird related’ the following criteria were used:

- Submitter used the template provided by Forest and Bird
- Submissions followed the layout provided in either of the guides
- Submissions referred to the two maps with boundary adjustments proposed by Forest and Bird
- Submissions were from branches of Forest and Bird
- Submissions mentioned Forest and Bird and supported the information in the guides.

In total 27 submissions met the above criteria, with 17 of these based on the quick submissions guide/template and 8 using the in-depth submissions guide. Two others contained sections of information from the guide.

As stated earlier, additional comments beyond those provided by Forest and Bird were included in the unique submissions section.

### **Summary**

The **quick submissions guide** identifies five key points.

1. World Heritage Status

Forest and Bird support the goal of creating a World Heritage Status for Kaikōura

2. Marine Reserve

Support, but only with the boundary adjustments and extensions suggested by Forest and Bird

3. Marine Mammal Sanctuary

Support, but only with stronger marine mammal protection including fisheries controls. Set net bans and trawl controls and exclusion areas were developed.

4. Marine Protection around the Kaikōura Peninsula



Support the proposed taiāpure but only with the boundary adjustments and extensions suggested by Forest and Bird. In addition, stronger fisheries controls and at least two no-take rāhui areas which have generational review. The proposed location of these was provided in the National Office submission.

#### 5. Fishing Limit reductions

Support 'fishing for feed' and the reductions in bag limits, but suggested further reductions were needed. A list of these was provided.

The **template** provided has a space for general comments and statements stating what the Kaikōura area means and the submitter's relationship to Kaikōura.

This was followed by the statement:

'The Te Korowai strategy is a good starting point but more protection is needed to fulfil the overall objectives.'

The five headings listed above are then provided with the two figures for the proposed Marine Reserve and Taiāpure on the peninsula.

The **long submission guide** has an introductory paragraph which stated Forest and Bird's involvement in Te Korowai to date and the statement saying that Te Korowai has not met all the objectives of the Marine Protected Areas Policy (as provided above).

Again the comment was made that the Strategy was a good starting point but that more protection was needed.

There was overall support for the four objectives: fishing for abundance, protecting our treasures, living sustainably and sustaining customary practices.

Headings for each of the outcomes are provided as well as detailed information to support Forest and Bird's position.

#### **Fishing for abundance**

Bag limits as per the quick submission, plus supporting the recreational regulations being applied across the whole coastal area.

Support for the charter fishers code of practice but requesting more detail and suggesting a daily fish limit based on the surveyed number of passengers and mandatory recording of catch.

Support goal of Te Korowai working with commercial fishers to protect local abundance and suggest inclusion of measures to protect habitats and reduce by-catch.

#### **Protecting our treasures**

Support for World Heritage Status.

Support for Marine Mammal Sanctuary but only with stronger protection (as in quick submission).

Support Marine reserve but only with boundary adjustments and extensions (map provided).

Support the Taiāpure, again only with the conditions described in the quick submission (map provided).

**Living sustainably**

Support the solutions proposed.

**Sustaining Customary Practice**

Support the objectives of customary fisheries management tools like mātaimai and taiāpure managed by Ngāti Kuri.

Suggest more mātaimai along the coast and extended in size to be effective.

Support taiāpure with adjustments as stated above.

Support stronger fisheries controls.

Support two, no-take rāhui areas with generational review.

### **SIQMS submissions**

Three versions of a pro-forma submission were received, each having been copied and sent by a number of submitters.

These submissions were not attributable to a particular group or organisation and so have been given a title based on the opening line of the submission "Since the introduction of the QMS" (SIQMS).

Version 1 of this submission was the longest version and includes comments on the Strategy sections 'Fishing for Abundance' 'Protecting our Treasures', 'Living Sustainably', 'Sustaining Customary Practice'. 'Engaging Understanding', 'Governance', 'Compliance' and 'Monitoring' and then has a specific section under the heading 'Set Netting'. 6 copies of this submission were received.

Version two includes comments on the same sections of the Strategy as version 1, but does not have the extra section on set netting. 30 copies of this version were received.

Version 3, the shortest version, contains the first part of the Fishing for Abundance section in versions 1 and 2 and the section on 'Protecting our treasures'. 7 copies of this version were received.

Comments beyond those on the copied sheets were included in the 'unique' submissions analysis.

### **Summary**

All of the submissions begin with the statement that the points made were opposed to the Strategy and reasons are given.

### **Fishing for Abundance**

The submissions stated that there was no evidence of inshore fishery depletion. In relation to the proposed Marine Reserve, the SIQMS submissions noted the extra pressure put on other areas by recreational fishers, would not reduce fish theft and questioned the evidence to show that marine reserves increase the fish stocks outside the reserve area. It was also noted that the Marine Reserves Act was to protect for scientific study and not to protect biodiversity, claiming that biodiversity was often decreased in marine reserves.

The submission called for holistic fishing plans, not local ones to support migratory fish stocks and that there were currently no permits for live seaweed harvesting.

The submissions noted that recreational fishers were not against decreasing catch size as long as it was equitable with commercial and question the adherence of commercial fishers to voluntary codes.

The submissions also questioned the recreational fisher numbers in the Strategy.

Clarifying the rules for Charter fishers in law was suggested.

*Version 3 of the SIQMS submission stops at this point and restarts at the section headed 'Protecting Our Treasures'.*

The SIQMS supported the proposals for sea perch and telson clipping and the finfish, especially blue cod but noted that commercial fisheries need to be looked at as well. All points proposed by Te Korowai under 'managing local fisheries locally' were supported except for the annual limit for crayfish and accumulative limits for each person, as it would be too hard to police.

The submissions question who would pay for education, research and monitoring and supported strong fines for fish theft, but not that the fines should go back to Te Korowai, as they were needed nationally. Accountability to the runanga was questioned as being additional to fines or a soft option and noted that locals do not report thieves.

The SIQMS submissions questioned how a voluntary agreement with commercial fishers would work and said that much education was already being done and proposed solutions were already under the Fisheries Act.

The question of how research was going to be funded was raised and as was how reporting systems for recreational fishers would be policed and managed.

The submissions questioned how more fish can be counted as a 'gain' when there were less fish available and stated that local input rather than control was the best idea.

#### **Protecting Our Treasures** *(all three versions)*

Support was expressed for the Marine Reserve over the Canyon.

World Heritage status was not supported as it would require too many changes and destroy livelihoods.

The coastal marine reserve was opposed as it stands as was a significant recreational area, more than commercial, although an important paua fishing area was included which would shift effort elsewhere.

Concerns about boat access, landing catch caught outside the area and potential fuel leakages were expressed.

#### **Living Sustainably** *(versions 1 and 2)*

The submission suggested that this was currently what the local council does with Ecan and questioned whether locals have the expertise required to deal with the issues, suggesting that the section should not be included in the document.

#### **Sustaining Customary Practice**

Support local committees with full representation.

#### **Engaging Understanding**

Support ideas but question where funding would come from for research, education and making information understandable for lay people.

The submissions also noted marine education was only a small part of the curriculum.

**Governance**

The submissions questioned how easy it would be to get statutory recognition and if locals have the skills needed to do this job, and again where funding would come from to pay them.

**Compliance**

The submitters felt this was the biggest issue, which was given the least amount of space in the proposed strategy, and question how agencies would be provided with sufficient resource to deliver the necessary compliance.

Instigating a social shift to get locals to 'dob in' offenders was signalled as a major undertaking and questioned what would incentivise people to do this.

**Monitoring**

The SIQMS submissions questioned the willingness of government departments to monitor a 'special' situation in Kaikōura.

**Set netting** (*version 1 only*)

The submissions supported reinstatement of set netting for butterfish along the Kaikōura Coast, with requirements on the time, place, size of net and a requirement for fishers to stay with their nets.