

**KAIKOURA DISTRICT COUNCIL MEETING HELD AT 9.00AM ON
WEDNESDAY 16 APRIL 2014 AT MEMORIAL HALL SUPPER ROOM,
ESPLANADE, KAIKOURA.**

AGENDA

1. Apologies

2. Open Forum – Session for members of the public wishing to comment on items included in this agenda.

The Council meeting will adjourn following this item and will resume following the Finance and Policy Committee meeting.

3. Matters of Importance to be raised as Urgent Business

4. Kaikoura (Te Tai-o-Marokura) Marine Management Bill *page 53*

5. Kaikoura Information and Tourism Business Plan April 2014 - March 2015 *page 114*
• *It is recommended Council endorse the Kaikoura Information and Tourism Business Plan April 2014 – March 2015.*

6. Civil Building Update *page 129*

7. 11.30am NZ Police Update

- An update from Kaikoura Police will be provided in Public Excluded

8. Public Forum

TIME	NAME	SUBJECT
-	-	-

9. Youth Council

- A representative of the Youth Council will be in attendance at 1.30pm to present this item.

10. Committee Updates

11. Mayor's Report *page 136*

12. Minutes to be Confirmed:

- **Council 19/03/2014** *page 137*

13. Reports to be Adopted:

- **Works & Services Committee 19/03/2014** *page 140*
- **Environmental Services Committee 19/03/2014** *page 142*
- **Finance and Policy Committee 19/03/2014** *page 145*

14. Urgent Business

15. Council Public Excluded Session

Moved, seconded that the public be excluded from the following parts of the proceedings of this meeting, namely

- a. Confirmation of Minutes of Council Public Excluded meeting on 19/03/2014***
- b. Appointment of Representatives to Council Committees***
- c. Expressions of Interest Hearings and Applications Committee***

The general subject matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) and 7(2)(i) of the Local Government Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each to be considered	Reason for passing this resolution in relation to each matter	Grounds of the Act under which this resolution is made
Minutes of the Council Public Excluded meeting 19/03/2014	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to protect the privacy of natural persons.	Section 48(1)(a) and 7(2)(a)
Appointment of Representatives to Council Committees	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to protect the privacy of natural persons.	Section 48(1)(a) and 7(2)(a)
Expressions of Interest Hearings and Applications Committee	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to protect the privacy of natural persons	Section 48(1)(a) and 7(2)(a)

Kaikoura (Te Tai-o-Marokura) Marine Management Bill

Issue

Following notification of the final Kaikoura Marine Strategy in October 2012, the Strategy has been before cabinet for consideration in regard to implementation. In March 2014, the Right Honourable Dr Nick Smith introduced the Bill for its first reading. The Bill has now been referred to the Local Government and Environment Committee for consideration. The aim of the Bill is to put in place management measures for the coast and sea around Kaikoura (Te Tai-o-Marokura) including a marine reserve, whale and New Zealand fur seal sanctuaries, five customary fisheries areas, an advisory committee, and fishing regulations specific to the area.

A summary of the dates around the Bill are shown below:

Member in charge:	Hon Dr Nick Smith
Type of bill:	Government
Parliament:	50
Bill no:	194-1
Introduction:	17/3/14
First reading:	20/3/14
Referred to:	Local Government and Environment Committee
Submissions due:	17/4/14
Report due:	20/9/14

Discussion

The attached submission reflects the good faith with which the Kaikoura Marine Strategy was prepared. The submission is seeking to implement the Strategy as it was written, and consulted on with the Kaikoura Community. The submission seeks to give effect to the Strategy as it was written and remove an ambiguity around implementation.

The submissions are due for lodgement on 17 April 2014, which is the day after this Council meeting. If Councillors wish any changes to be made to the submission these can be made prior to lodging the submission.

Conclusion

It is recommended that the Council receives the information in this report and endorses the submission as being consistent with the position on the Te Korowai Kaikoura Marine Strategy.

Recommendation

It is recommended that the Council:

- 1. Receive the information contained in this report.*
- 2. Endorse the attached submission and direct staff to lodge with the Secretary Local Government and Environment Committee.*

To the: Local Government and Environment Committee

Submission on Kaikoura (Te Tai-o-Marokura) Marine Management Bill

Kaikoura District Council
34 Esplanade
PO Box 6
KAIKOURA

Phone: 03 3195026
Email: rachel.vaughan@kaikoura.govt.nz

Contact: Rachel Vaughan

Kaikoura District Council is willing to appear before the Committee in regard to this submission

The Kaikoura District Council thank the Committee for the opportunity to make this submission.

About Kaikoura District - as background to our position

1. Kaikoura District is the smallest local authority in Mainland New Zealand. The Kaikoura District spans from the Haumuri Bluffs in the south to the Kekerengu valley in the north, covering 2,048 square kilometres of diverse landscape. Kaikoura District is located between the Pacific Ocean and the Inland Kaikoura Range. The Kaikoura District has wonderful environmental diversity and which ranges from sea level to snow capped mountain of 2,885 metres. The spectacular coastline provides excellent fishing, sporting and recreation for Kaikoura's residents and visitors. The Kaikoura Canyon, at around 1,300 metres deep, provides the natural habitat for the sperm whale, and is also host to over 200 species of marine life. The Kaikoura coastline also experiences a large number of migratory and visiting whale and dolphin species close to shore. The regular visitors include Southern Right Whale, Orca, Humpback, Sperm Whale and Dusky and Hector Dolphin Species.
2. Historically the District has thrived in the fishing, farming and forestry industries. Today Kaikoura is a world-class tourism destination, yet still maintains its fishing and farming heritage. The District boasts award-winning restaurants, cafés and accommodation facilities, wineries and modern small boat facilities.

3. The vision for the district is described in the Long Term Council Community Plan as:

“The Kaikoura community displays responsible custodianship of its unique natural, social, cultural and environmental resources by ensuring the sustainable utilisation and management of these resources.

It is a community that treasures the present small-scale town atmosphere and retains and enhances this coastal village character.”

4. The Kaikoura Community is entwined with the natural environment and the future of the community depends on it. The Kaikoura District Council is a lead agency for environmental sustainability and uses a voluntary environmental certification scheme to measure the Community’s environmental impact. The Community has been collecting environmental impact data since 1999, and has achieved Environmental Certification every year since 2004. Being a small council the “silos” which are often found in large organisations are easily removed and our size also ensures that Kaikoura District Council are well connected to the community.

Te Korowai o Te Tai o Marokura

5. Kaikoura District Council works closely with the Te Runanga o Kaikoura on a shared governance model. Kaikoura District Council had staff representation on Te Korowai o Te Tai o Marokura from inception and gave financial support to the group.
6. The level of compromises and commitments from all stakeholders in the process is the core of a successful strategy; Kaikoura District Council fully supports the strategy that has formed the foundation of this Bill, it is very important that the strategy remains intact to retain and preserve the integrity of the strategy and reflect the proactive local management that is proposed through the strategy.
7. Where the Bill has departed from the Strategy, Kaikoura District Council ask that the intent of the Strategy be fulfilled to protect the good faith with which the strategy was prepared. Kaikoura District Council make detailed recommendations in Table 1 on changes in support of that goal. In particular Kaikoura District Council submit:
 - a. That Bill should be better ordered to allow a plain understanding of its intent.
 - b. That the Bill include fuller reference to the Te Korowai vision.
 - c. That the whale sanctuary should be a whale and dolphin sanctuary to reflect the full range of marine mammal diversity in Te Tai o Marokura.

- d. That Ngati Kuri names are used exactly as given by the iwi without additional English words.
- e. That the boundary points for the marine reserve should accurately reflect those in the Strategy honouring the gifts of the relevant stakeholders.
- f. That the Bill accurately reflect of the South Island Customary Fisheries Regulations to preserve the integrity of that code.
- g. That the recreational fisheries regulations should contain enforceable provisions relating to fish caught within the management area rather than creating loopholes for fish taken out of, or brought into, the management area.
- h. That the size limits proposed for paua in the Strategy should be reflected in the Bill as that was an important trade-off for commercial fishers that have given up fishable areas.
- i. That the role and functions of the Ministerial Advisory Committee should be extended and better specified to create a more enduring and effective role in implementing the Bill.

Table 1: Specific submission points:

Clause	Proposition	Outcome Sought
<p>General:</p> <p>Hierarchy of Clauses in Bill</p>	<p>The Clauses of the Bill are not in an order that gives a clear understanding or appreciation of the Act, where the mechanisms have come from, and how they fit together.</p>	<p>A sequence that might make better sense is:</p> <ul style="list-style-type: none"> • Purpose of the Act • Definition of the Kaikoura Marine Management Area - then the readers know where the area is located and the extent of the area to which all the provisions relate. • The Government Ministers/agencies that have responsibilities for management and the mechanisms that will be implemented within the Kaikoura Marine Management Area. • The creation of the Te Korowai o Te Tai o Marokura “advisory committee”, a group extending the role of Te Korowai to perform

		<p>a range of functions within the Kaikoura Marine Management Area together with government.</p> <ul style="list-style-type: none"> The existing Part 2 then follows with the actual management mechanisms - marine reserve, sanctuaries, mataitai, taiapure and fisheries regulations.
Clause	Proposition	Outcome Sought
Explanatory notes	<p>The explanatory notes do not reference the Strategy except in regard protection areas and new recreational fishing regulations. Te Korowai o Te Tai o Marokura would like to see reference to the kaitiaki of the Tangaroa’s taonga in terms of future restoration and enhancement of the fisheries in the Kaikoura Te Whata Kai o Rakihouia i Te Tai o Marokura Marine Area.</p>	<p>The explanatory notes and purpose of the Bill need to reflect the vision outlined in the Kaikoura marine strategy by stating in the explanation:</p> <p><i>By perpetuating the mauri and wairua of Te Tai o Marokura, our community, as kaitiaki of Tangaroa’s tāonga, are sustaining a flourishing, rich and healthy environment, where opportunities abound to sustain the needs of present and future generations.</i></p> <p>The explanatory notes need to take into account new restoration and enhancement initiatives and technology that achieve the vision of Te Korowai o Te Tai o Marokura, by stating:</p> <p><i>To achieve Te Korowai’s core objectives new restoration and enhancement initiatives and technology need to be allowed for in the future.</i></p>
Clause	Proposition	Outcome Sought
Clause 3: Objectives and principles to be included in the Bill	<p>The purpose condenses the ideas in the Strategy. The purpose misses some important things. The most important concept missing is “abundance”. This goes beyond sustainability and is a core philosophy of the Strategy. The other things missing are “wairua” and “mauri”. The recognition of biological diversity is good, but misses the</p>	<p>Add the following:</p> <p>Objectives</p> <p><i>The objectives of this Act are:</i></p> <p>a. <i>traditional fishing areas of special significance to Ngāti Kuri are restored and maintained and traditional knowledge and customs are utilised to protect the fisheries of Te Whata Kai o Rakihouia i Te Tai o Marokura; and</i></p>

	<p>outstanding landscape and geological character of the area. More of the Strategy should be reflected in the Bill as objectives and principles to shape interpretation and behaviour to better give effect to the Kaikoura Marine Strategy.</p> <p>If the proposals in the next column are seen to be too much, an alternative purpose would be:</p> <p><i>The purpose of this Act is to perpetuate the mauri and wairua of Te Whata Kai o Rakihouia i Te Tai o Marokura, the Kaikōura Marine Management Area, to achieve a flourishing, rich and healthy environment where opportunities abound to sustain the needs of present and future generations.</i></p>	<p>b. <i>the marine treasures of Te Whata Kai o Rakihouia i Te Tai o Marokura are protected so that future generations can continue to experience the wonders we have today; and</i></p> <p>c. <i>there are abundant fish in Te Whata Kai o Rakihouia i Te Tai o Marokura for present and future generations; and</i></p> <p>d. <i>the quality of the Kaikōura coastal and marine environment, including that of Te Whata Kai o Rakihouia i Te Tai o Marokura, is sustained.</i></p> <p>Principles</p> <p><i>In achieving the purpose of this Act, all persons exercising functions and powers in relation to Te Whata Kai o Rakihouia i Te Tai o Marokura shall recognise and take into account the following principles:</i></p> <p>a. <i>the whole community is engaged as kaitiaki in caring for Te Whata Kai o Rakihouia i Te Tai o Marokura; and</i></p> <p>b. <i>local kaitiakitanga is recognised and incorporated into decisions; and</i></p> <p>c. <i>legal rights, obligations, local customs and local codes of practice are respected.</i></p>
Clause	Proposition	Outcome Sought
<p>Clause 3</p> <p>Role of the Committee</p>	<p>The purpose should signal a role for the committee beyond advising the Ministers. It should recognise that the committee might provide advice to anyone. It should include a role for the advisory committee in integrating management, and identifying appropriate provisions for the entire area, and for all groups.</p>	<p>Change Clause 3 (d) to:</p> <p><i>establish a committee known as Te Korowai o Te Tai o Marokura to provide advice regarding conservation, biosecurity, sustainable management and fisheries matters within the marine management area</i></p>

Clause 3 Integrative role for the Act	<p>The <i>purpose</i> relating to the Fiordland Marine Guardians in their Act is well worth considering for its broader implications for the role of the Act:</p> <p>This Act:</p> <p><i>S3(d) facilitates and promotes co-operation between the Guardians and management agencies, to assist in achieving the integrated management of the Fiordland Marine Area.</i></p>	<p>Add a new subclause to Clause 3:</p> <p><i>facilitate and promote co-operation to assist in achieving the integrated management of Kaikōura (Te Whata-Kai-o-Rakihouia-i-Te-Tai-o-Marokura) Marine Area</i></p>
Clause	Proposition	Outcome Sought
Clause 4 Biosecurity Act	<p>The Biosecurity Act 1993 is a responsibility of the Minister for Primary Industries and marine biosecurity is a core determinant of the future environmental health of Te Tai o Marokura. Reference to this Act should be included in the Bill.</p>	<p>Add <i>Biosecurity Act 1993</i> to the of <i>conservation and fisheries legislation</i>.</p>
Clause	Proposition	Outcome Sought
Clause 10 Names	<p>Ohau Point New Zealand Fur Seal Sanctuary should use a Ngati Kuri name.</p>	<p>Change Clause 10 to :</p> <p><i>Ohau New Zealand Fur Seal Sanctuary</i></p>
Clause	Proposition	Outcome Sought
Sub-clause 17(2) and Schedule 3 Clause	<p>The word 'Reserve' is inadvertently included in the current name of the reserve. As a rule, Pākehā wording is not used in the names of customary fishing areas. The mātaimai</p>	<p>Change Clause 17 to read: <i>Mangamaunu Mātaitai</i></p>

	reserve should be named the <i>Mangamaunu Mātaitai</i> .	
Clause	Proposition	Outcome Sought
Sub-clause 19(2) and Schedule 3 Clause	The word 'Reserve' is inadvertently included in the current name of the reserve. The mātaitai reserve should be named the <i>Te Waha o te Marangai Mātaitai</i> .	Change Clause 18 to read: <i>Te Waha o te Marangai Mātaitai</i>
Clause	Proposition	Outcome Sought
Sub-clause 22(2) and Schedule 3 Clause	The Ngāi Tahu name has not been used for the taiāpure and the words 'local-fishery' are inadvertently included in the current name of the taiāpure. The taiāpure should be named the Te Taumanu o Te Waka a Māui Taiāpure.	Change Clause 22(2) to read: <i>Te Taumanu o Te Waka a Māui Taiāpure</i>
Clause	Proposition	Outcome Sought
Clause 25 Ministerial Advisory Committee	<p>The Kaikoura Marine Guardians should be performing a role that ensures the continuing integration between the agencies and Guardians and between the agencies themselves. There is a need for a provision to ensure the integrated approach continues between the Guardians and the agencies and between the agencies themselves.</p> <p>A new statutory entity that is fundamental to the successful</p>	<p>Redraft Clause 25 as below:</p> <p>25 Te Korowai o Te Tai-o-Marokura Advisory Committee established</p> <p>(1) This section establishes an advisory committee for the Kaikōura (Te Whata-Kai-o-Rakihouia-i-Te-Tai-o-Marokura) Marine Area.</p> <p>(2) The advisory committee is named Te Korowai o Te Tai-o-Marokura.</p> <p>(3) The Ministers may—</p> <p>(a) appoint and remove members of the advisory committee:</p>

	<p>operation of the Act deserves a title that is commensurate with its status. For instance, the title Fiordland Marine Guardians clearly conveys the group’s status but without defining how it will function. An “advisory committee” label defines the nature of its operation - to only “provide advice”. And a “committee” label does nothing to reflect the unique contribution of Te Korowai and an ongoing role of that nature.</p> <p>The Ministers appoint and remove members with no apparent reference to the Kaikoura Marine Guardians. The Guardians extensive network throughout the community and beyond and their understanding of what qualities may be needed justify the group’s involvement in the recruitment process - either by protocol or amendment to S25. For instance the Fiordland Marine Guardians have been dealing with a membership issue for more than a year - an issue that could have been avoided if the Ministers had involved them.</p> <p>25 (5) should be extended to describe the relationship with officials.</p>	<p>(b) disestablish the advisory committee.</p> <p>(4) Before appointing or removing any member of the advisory committee in accordance with subsection (3)(a), the Ministers must be satisfied that, following the appointment or removal, the interests of the following will be represented on the advisory committee:</p> <p>(a) iwi; and</p> <p>(b) the Kaikōura community; and</p> <p>(c) the environment, tourism, and fishing.</p> <p>(5) The advisory committee may, subject to any directions given to it by the Ministers (or one of them), determine its own procedure noting that:</p> <p>a) An employee of a management agency may attend and participate in any meeting of the Committee.</p> <p>b) The attendance and participation of an employee is subject to the consent of the Committee.</p> <p>c) An employee has no voting rights in respect of the meeting.</p>
<p>Clause 25 New Clause</p>	<p>The way clause 25 worded does not mean that there cannot be other committee appointed for the reserves in the area e.g. a</p>	<p>Add:</p>

	<p>marine reserve committee. It would be confusing to have a range of overlapping committees.</p>	<p><i>Te Korowai o Te Tai-o-Marokura may be appointed as committee under Conservation Act 1987</i></p> <p>(1) This Clause applies to appointments in respect of any marine reserve established in the Kaikōura (Te Whata-Kai-o-Rakihouia-i-Te-Tai-o-Marokura) Marine Area Te Korowai o Te Tai-o-Marokura must be appointed as that committee.</p> <p>(2) If the Ministers of Conservation decides to appoint an advisory committee under Clause 56 of the Conservation Act 1987, Te Korowai o Te Tai-o-Marokura must be appointed as that committee.</p> <p>(3) If the Nelson Marlborough Conservation Board decides to appoint a committee under Clause 6N(2)(b) of the Conservation Act 1987, Te Korowai o Te Tai-o-Marokura must be appointed as that committee.</p>
<p>Clause 26</p>	<p>The Advisory Committee can only provide advice and the Ministers are not obliged to ask for it or do other than consider it. This is a serious restriction on its potential functions and could be interpreted as a move back to a top down approach on the part of Government.</p> <p>Functions of Advisory Committee Clause 26(2) may need to be extended to include the Director</p>	<p>Rewrite clause 26 as below:</p> <p><i>26 Te Korowai o Te Tai-o-Marokura may advise Ministers and persons exercising statutory powers and performing statutory functions</i></p> <p><i>(1) Te Korowai o Te Tai-o-Marokura may, on request or on its own initiative, provide advice to the Ministers (or one of them) or to the Directors General of Conservation and Primary Industries (or one of them) on any conservation, biosecurity or fisheries matter related to the marine and coastal environment within the Kaikōura (Te Whata-Kai-o-</i></p>

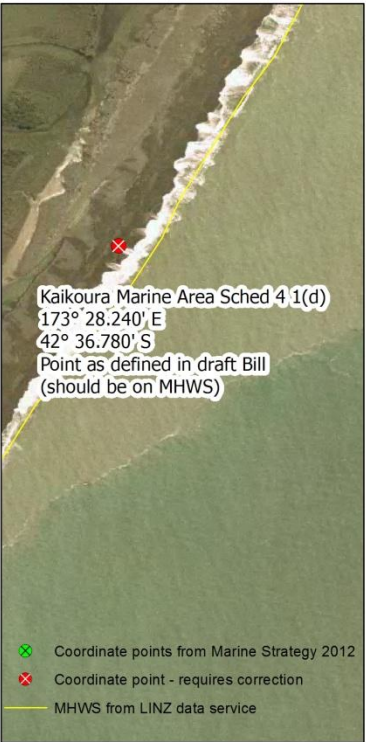
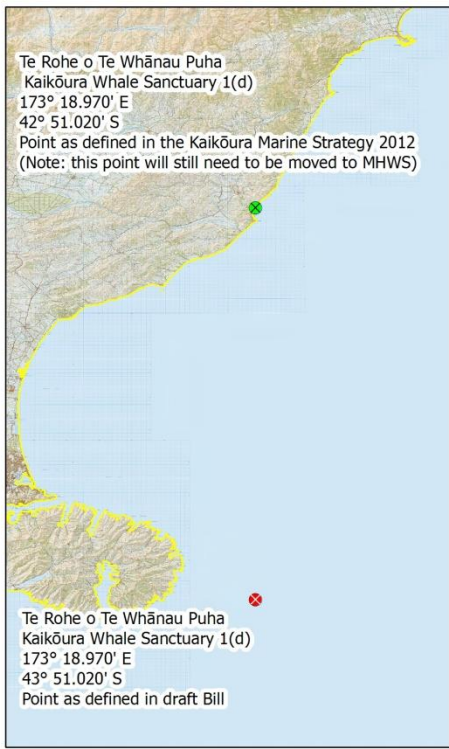
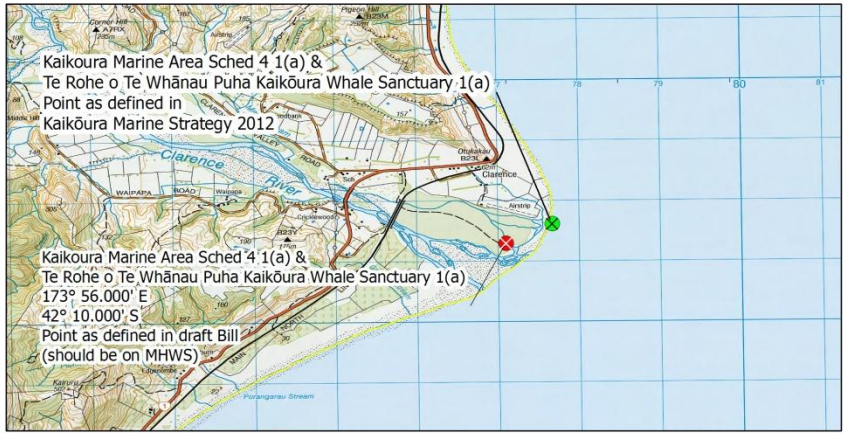
	<p>General of Conservation and Minister for Primary Industries. 26(2) may need to be extended to include the Director’s General of Conservation and MPI. For example the powers of the DG of DOC under Clause 53 of the Conservation Act appear to not be derived from the Minister and therefore escape the effect of 26(2):</p> <p>53 Powers of Director-General</p> <p><i>(1) The Director-General has all powers that are reasonably necessary or expedient to enable the Department to perform its functions.</i></p> <p>26(4) is too narrow in that it restricts matters to conservation or fisheries legislation. This excludes the RMA, Transport and Maritime Transport, EEZ, Crown Minerals, Local Government and foreshore and seabed legislation. As this is just a “may offer advice” clause there should be no problem in extending it to “any person who exercises a power or function that may affect the management area.”</p> <p>26 (5) is too weak given the lack of role definition for the committee. The critical test is that it does not give a role stronger than the public generally for TK under the RMA or maritime transport laws even when regulation under those laws may be critical to protecting</p>	<p><i>Rakihouia-i-Te-Tai-o-Marokura) Marine Area including, but not limited to,—</i></p> <ul style="list-style-type: none"> <i>i. advice and recommendations on the effectiveness of management measures in the Kaikōura (Te Whata-Kai-o-Rakihouia-i-Te-Tai-o-Marokura) Marine Area:</i> <i>ii. advice and recommendations on activities occurring outside the Kaikōura (Te Whata-Kai-o-Rakihouia-i-Te-Tai-o-Marokura) Marine Area if those activities impact, or are likely to impact, on the Kaikōura (Te Whata-Kai-o-Rakihouia-i-Te-Tai-o-Marokura) Marine Area:</i> <i>iii. advice and recommendations on likely threats to the Kaikōura (Te Whata-Kai-o-Rakihouia-i-Te-Tai-o-Marokura) Marine Area:</i> <p><i>(2) If the matter relates to management of the Kaikōura (Te Whata-Kai-o-Rakihouia-i-Te-Tai-o-Marokura) Marine Area, the Ministers must take the Te Korowai o Te Tai-o-Marokura’s advice into account.</i></p> <p><i>(3) If the matter relates to management of any area outside of the Kaikōura (Te Whata-Kai-o-Rakihouia-i-Te-Tai-o-Marokura) Marine Area, the Ministers may, but are not required to, take Te Korowai o Te Tai-o-Marokura’s advice into account in relation to that area.</i></p> <p><i>(4) Te Korowai o Te Tai-o-Marokura may provide advice on any matter related to the marine and coastal environment within the Kaikōura (Te Whata-Kai-o-Rakihouia-i-Te-Tai-o-Marokura) Marine Area to any person (other than one of the Ministers) exercising a power or performing a function that affects conservation, biosecurity or fisheries within the Kaikōura (Te Whata-Kai-o-</i></p>
--	--	--

	<p>the area.</p>	<p><i>Rakihouia-i-Te-Tai-o-Marokura) Marine Area.</i></p> <p><i>(5) The person must take the advisory committee's advice into account when exercising the power or performing the function.</i></p>
<p>Clause 26</p> <p>New sub-clause</p>	<p>The measures in the Bill such as the marine reserve, and whale and seal sanctuaries are just described with no reference as to who/how they will be managed and what role the Kaikoura Marine Guardians will play. It is clear from s26 that the Minister of Conservation and the agency will make the management decisions whilst only taking the Guardians' advice "into account". The Kaikoura Marine Guardians will be a statutory body when the Act is passed and as such should be involved in all the management decisions as of right. Otherwise it means chunks of the strategy will effectively be removed from the Kaikoura Marine Guardians, and both the integrated package of measures and the gifts and gains downgraded.</p> <p>The type of involvement in management mechanisms that Te Korowai can advocate for in the Bill may be provisions whereby the Guardians will be appointed to certain roles. For example, the Fiordland Marine Guardians are appointed as Marine Reserve management</p>	<p>Add the provision:</p> <p><i>Protocol between management agencies and Te Korowai o Te Tai-o-Marokura</i></p> <p>(1) <i>The chief executives of management agencies must enter into an agreement with Te Korowai o Te Tai-o-Marokura about the way in which the purpose and objectives referred to in Part 1 will be met.</i></p> <p>(2) <i>The agreement referred to in sub-clause (1) must be contained in a single document signed by—</i></p> <p>(a) <i>all chief executives of management agencies; and</i></p> <p>(b) <i>the chairperson of Te Korowai o Te Tai-o-Marokura.</i></p> <p>(3) <i>If Te Korowai o Te Tai-o-Marokura considers that an employee of a management agency has acted in a manner that is inconsistent with the terms of the protocol, Te Korowai o Te Tai-o-Marokura may advise the Ministers of the inconsistency.</i></p>

	<p>committees.</p> <p>Clause 26 should be extended to include the type of relationship with DOC and MPI enjoyed by the Fiordland Guardians.</p>	
<p>Clause 26</p> <p>New Clause</p> <p>Other functions</p>	<p>The Committee should be performing a role that ensures the continuing integration between the agencies and Guardians and between the agencies themselves. During the Select Committee process of the Fiordland Bill they were fortunate in having the following clause added to the Guardians' list of functions in the Act:</p> <p>13 (1) (b)</p> <p><i>“To facilitate and promote the integrated management of the Fiordland Marine Area”</i></p> <p>The Guardians still consider this clause to be one of the most important in the Act.</p> <p>A detailed definition of the committee's roles and functions is the most effective way of guaranteeing future and equal involvement in the management of the Kaikoura marine area.</p> <p>The Fiordland Guardians' list of functions was well thought through and has played an important part in the successful operation of the Fiordland Marine Guardians for the past</p>	<p>Add a new clause:</p> <p><i>Other Functions of Te Korowai o Te Tai-o-Marokura</i></p> <p><i>The further functions of Te Korowai o Te Tai-o-Marokura are—</i></p> <p><i>(b) to facilitate and promote the integrated management of the Kaikōura (Te Whata-Kai-o-Rakihouia-i-Te-Tai-o-Marokura) Marine Area:</i></p> <p><i>(c) to obtain, share, and monitor information on the state of the Kaikōura (Te Whata-Kai-o-Rakihouia-i-Te-Tai-o-Marokura) Marine Area:</i></p> <p><i>(d) to assist management agencies to—</i></p> <p><i>i. prepare and disseminate information about the Kaikōura (Te Whata-Kai-o-Rakihouia-i-Te-Tai-o-Marokura) Marine Area, including educational information:</i></p> <p><i>ii. monitor the state of the marine environment and biological diversity in the Kaikōura (Te Whata-Kai-o-Rakihouia-i-Te-Tai-o-Marokura) Marine Area:</i></p> <p><i>iii. plan for the enforcement of, and compliance with, the management of the Kaikōura (Te Whata-Kai-o-Rakihouia-i-Te-Tai-o-Marokura) Marine Area:</i></p>

	eight years.	<p>(e) <i>to conduct any reviews instituted that they—</i></p> <p><i>i.</i> <i>are invited by the Ministers to conduct; and</i></p> <p><i>ii.</i> <i>agree to conduct:</i></p> <p>(f) <i>to perform any other functions given to them under this or any other Act.</i></p>
Clause	Proposition	Outcome Sought
New clause 27 Remuneration	Add a new Clause to allow for meeting allowances to be paid. Keeps consistency with the Fiordland Guardians.	<p>Insert a new clause 27:</p> <p><i>The members of the Committee are entitled to receive—</i></p> <p><i>(a) remuneration determined by the Ministers, or by one of them, in accordance with the fees framework for members of statutory and other bodies; and</i></p> <p><i>(b) payment of reimbursing allowances or for actual and reasonable expenses incurred in undertaking the functions of the Committee.</i></p> <p><i>I</i></p>
Clause	Proposition	Outcome Sought
Description of Te Rohe o Te Whānau Pūaha Kaikōura Whale Sanctuary	<p>Clause 1(d) of Schedule 2 contains a significant error. The latitude is 42⁰ not 43⁰ (refer to the map below). The correct latitude is recorded in the map in Clause 2 of Schedule 2 however. Note that the point in the strategy is also slightly off the mean high water mark.</p> <p>Based on a computer chart plot there are slight differences (ranging between 0.2nm-0.5nm)</p>	<p>Clean up the variations for the Whale sanctuary area between what has been proposed in the Kaikoura Marine Strategy and that Proposed in the Kaikoura Marine Management Bill by using the following points.</p> <p><i>(a) commencing at a point on the mean high water mark at Clarence Point (at 42°.09.49'S and 173°56.24'E)</i></p> <p><i>(b) proceeding in a straight line in a south-easterly direction to a point at 42°.24.33'S and 174°26.32E; then</i></p> <p><i>(c) proceeding in a straight line in a</i></p>

	<p>and crossovers between the areas proposed in the Kaikoura marine strategy and that proposed in the bill that should be cleaned up. The bill area point (a) starts further south compared to the same point in the Kaikoura strategy, point (b) is further east compared to the same point in the Kaikoura strategy, point (c) is further South East compared to the same point in the Kaikoura Strategy and point (d) crosses back over and ends up further north compared to the same point in the Kaikoura Strategy</p>	<p><i>south-westerly direction to a point at 43°.04.65'S and 173°47.34'E; then</i></p> <p><i>(d) proceeding in a straight line in a north-westerly direction to a point on the mean high water mark near the mouth of the Jed River (42°.51.01'S and 173°18.58'E)</i></p> <p><i>(e) proceeding in a generally north-easterly direction along mean high-water mark to the point of commencement.</i></p>
Clause	Proposition	Outcome Sought
Clause 1(d) of Schedule 4 Kaikōura (Te Whata-Kai-o-Rakihouia-i-Te-Tai-o-Marokura) Marine Area	The southern boundary point of the Kaikōura Marine Management Area is also slightly off the mean high water mark (refer to the map below).	Correct the references in the Bill.



Clause	Proposition	Outcome Sought
<p>Schedule 5</p> <p>Amendments to Fisheries (Amateur Fishing) Regulations 2013</p>	<p>No provision is made for the increase in the minimum legal size limit for recreational pāua fishing (from 125mm to 127mm) in this schedule. This should be rectified. The implementation of this management measure through a voluntary code of practise, as advocated by MPI, is not supported.</p>	<p>Amend schedule to add:</p> <ul style="list-style-type: none"> <i>Increase in the minimum legal size limit for recreational pāua fishing (from 125mm to 127mm).</i> <i>The mandatory use of size 6/0 hooks when blue cod fishing.</i>

	<p>Again there is no provision made in this schedule for the mandatory use of size 6/0 hooks when blue cod fishing. This needs to be rectified. The implementation of this management measure through a voluntary code of practice, as advocated by MPI, is not supported.</p>	
--	--	--

Mayor's Report

Recent events in Kaikoura like the Te Korowai announcement, Earthcheck Platinum Certification, Shearwater weekend and the Talent NZ workshop highlight the importance of our sustainability philosophy. Listening to speakers at these events has been thought provoking to say the least.

There has been a real endorsement of the good things going on in Kaikoura in relation to management of resources, and that we have an opportunity to advertise this fact.

Prime Minister Key's address spoke about the Te Korowai initiatives. Stewart Moore and Proff David Simmons spoke glowingly of the efforts and results around the Earthcheck initiatives.

Several speakers at the Hutton's conference commended the group on their efforts to save a rare species of bird; others spoke of Kaikoura as the best place on the globe to see such a variety of birdlife.

Alan Sanson, Head of DoC spoke about the changes in the Department of Conservation particularly around partnerships going forward. Kaikoura is held in high regard by DoC as a place where good work is being done. DoC is aligning with offshore and local philanthropists keen on protecting rare species and our native wildlife and lands.

I wonder if we as a community actually realize the changes that we have and are currently going through. Our point of difference is all of the above and I believe as a place to visit we may have not scratched the surface yet, if managed right we should continue to grow as a must do destination for many visitors to NZ.

With the pending Marine Reserves and Whale Sanctuary there will be increased interest in Kaikoura. It is worth promoting the conversation around developing a global Research / Education Centre here. Imagine a venue where University's and tertiary students from New Zealand and abroad could study our marine and birdlife (with rare bird species also). This would be a game changer for this community.