



**National Council of
Women of New Zealand**

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Wahine O Aotearoa

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**Submission to the Department of Conservation on Tapui Taimoana:
Reviewing the Marine Reserves Act 1971**

The National Council of Women of New Zealand (NCWNZ) is an umbrella organisation representing 43 nationally organised societies. It has 34 branches spread throughout the country to which women from some 150 societies are affiliated.

This submission is written for NCWNZ by members of the Environment Standing Committee.

Introduction

NCWNZ has a history of interest in marine matters dating back to a resolution in 1927 urging the prohibition of trawlers and seine nets “where their use is harmful to breeding fish and the environment of young fry.” In particular, Resolution 7.6.8, passed in 1992, states “that NCWNZ support the establishment of marine reserves. NCWNZ is pleased to have a further opportunity to provide comment in this area of interest.

Objective 1: Change the purpose of the MRA to protecting and preserving marine areas for all New Zealanders and for future generations.

The MRA can best be used as a protection tool by including the protection of marine biodiversity in the Act’s purpose and NCWNZ supports strongly the inclusion of conservation values in the purpose, including the protection of the full range of habitats as outlined in the Biodiversity Strategy and supported by NCWNZ in that document.

With regard to historic heritage, there is a need to identify what historic sites there are for both Maori and other New Zealanders so that a process for protecting them and interpreting their significance can be put in place in the near future before needing to become a signatory to an international convention.

NCWNZ believes that all marine reserves should be “no-take”. This would be easier to enforce and fairer on all people who come to the reserve. There may be a few, carefully limited circumstances where some take may be permitted but there should be clear guidelines for this for the Minister in making any decision. “No-take gives greater level of protection to the marine life within any reserve.

All marine species should be considered inside the definition of marine life so that greater protection can be afforded. This would enable a total ecosystem approach, where habitat as well as species are protected together, rather than piece-meal protection. This would benefit all species.

Ideally the greater the geographic area of the MRA the better and NCWNZ supports the protection of areas out beyond the limit of the EEZ. However, it is recognised that though this is desirable it may not be feasible. Any areas designated for protection need to be able to be managed and any regulations need to be able to be enforced. Failure to do this adequately could endanger the reserves we have at present by making it easy for people to flout the rules.





Objective 2: Ensure that the ways in which marine reserves are established and managed recognises the Crown's obligations under the principles of the Treaty of Waitangi.

The MRA may not need to change markedly to do this – it may simply require some aspects to be made explicit. Decisions made about marine reserves should be made with the intent of preserving New Zealand's indigenous biodiversity. This means that all New Zealanders will have to recognise that mankind has caused the problems experienced by marine ecosystems and the good of these systems is paramount. The Minister's discretion to allow customary take needs to be clarified.

Objective 3: Identify ways by which the MRA and other marine management tools can be made to complement each other and achieve better results for the marine environment.

Linkages between marine reserves and other tools could be improved by scientific studies to investigate which species may be coming under pressure in maitaitai reserves and taiapure as with other marine reserves. This would ensure that special provision could be made for such species in any reserve established under the MRA.

Objective 4: Streamline the process for establishing reserves so that it is simpler and more efficient while ensuring all community and stakeholder views can be expressed and appropriate account is taken of existing use rights.

The current requirement relating to scientific study should be expanded so that it is not the only ground for applying for a marine reserve. The public should be able to make application for a reserve that has protection of biodiversity as its focus. The Department of Conservation needs to be satisfied that any application has received full consultation with the community and with interested parties such as user groups. Records must be kept of the consultation. This will ensure that the Department's expertise is used to establish that the requirement for consultation takes place, but is flexible enough to take account of the differing circumstances for each reserve application.

The submission process is satisfactory at present. The Department should evaluate each application and satisfy itself that the application contains appropriate and sufficient information, and meets the purpose of the Act. Objections would need to be considered by the Minister but would need to take international law into account if the MRA was extended into the EEZ. An appropriate time frame should be put in place. The effects on commercial fishing are secondary to preserving biodiversity and should not be a consideration when establishing marine reserves.

Objective 5: Streamline and improve the way in which tangata whenua, local communities and stakeholders have a say in how marine reserves are managed.

Reserve committees should be involved in the management of marine reserves as at present as the system appears to work well. Conservation Boards need to get extra funding to manage any reserve for which they have a Board committee. At present, when a new reserve is gazetted the Board must then find the funding to manage it from an already tight budget and an extra grant would encourage the creation of further reserves.

Concessions can be granted for non-extractive commercial ventures to help fund the cost of managing the reserve and to enhance appreciation and understanding of marine ecosystems. Many of these non-exploitative commercial ventures have education value.

A ranger's power in regard to "fresh pursuit" needs to be clarified and the ongoing review of penalty levels and enforcement powers should be continued.



Conclusion

NCWNZ thanks the Department of Conservation for this opportunity to comment on proposals and overall is in support of those measures which will promote the establishment of further reserves, enhance the protection of indigenous biodiversity, encourage public understanding of the benefits of reserves and allow public involvement in their management.

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