



**National Council of
Women of New Zealand**

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Wahine O Aotearoa

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14 February 2005

S05.05

**Submission to the Fisheries and Other Sea-related Legislation Committee
on the Fiordland Marine Management Bill**

Introduction

The National Council of Women (NCWNZ) is an umbrella organisation representing 42 nationally organised societies, with 33 branches throughout the country. The Council's function is to serve women, the family and the community through discussion, study, research and action. This submission has been prepared using comments from members of the Council's Environment Standing Committee, and from answers that ten branches and societies gave to four questions they were asked to consider.

Preliminary Remarks

NCWNZ has made submissions in the past on the subject of marine conservation, and has supported introducing measures to ensure that New Zealand's natural resources are protected both for their own sake, and for their survival into the future, and in 1992 its Conference passed a resolution supporting the establishment of Marine Reserves. In particular, submissions have been made on the Aquaculture Moratorium Bill, the Marine Reserves Bill, the Oceans Policy consultation paper and on the Seabed and Foreshore issue. NCWNZ is pleased to see this Bill proposing special legislation to protect the unique character of the Fiordland region, and looks forward to the work of the Fiordland Marine Guardians achieving its objectives and being used as a model by other groups who may wish to develop plans to protect and manage their own marine areas. NCWNZ recognises the goodwill of the people who developed this marine management strategy, and applauds their initiative and determination in so doing.

The general tenor of responses shows that NCWNZ members support what the Bill proposes, but there is a note of caution from some, reminding that this should be regarded only as a start; there is much yet to be done in the area of marine conservation nationally and locally, and there is still a great deal that is not known about our marine environment. One respondent remarks that although the Bill's intention may not be perfect from either the environmental or user aspects, it is a major step in the right direction, and amendments to legislation are always possible.

A criticism is that the proposed Bill fails to formally recognise the relationship between terrestrial and marine environments. One cannot be examined in exclusion of the other. The Hauraki Gulf Marine Park Act 2000 establishes some overall objectives for the Gulf and its islands and catchments, so that there is integrated management across land and sea, with the effects of land use around the Gulf given proper attention and the life-supporting capacity of the Gulf protected.





Specific comments

Part I, Preliminary Provisions.

Clause 3 Purpose

NCWNZ supports all five of the measures listed in subclauses (a) to (e). It is necessary to have legislation that recognises the importance of Fiordland's marine environment and resources, and that measures to adequately protect them are implemented. NCWNZ members believe that exploitation of resources, degradation of the environment, loss of the wilderness quality of the area, water and air pollution and species poaching could all occur if the management plans proposed by the Guardians were not to be enshrined in legislation. Another possibility is the introduction of alien organisms that could have a disastrous impact on the indigenous organisms, which is not to say that alien organisms have not already been introduced, but every effort and measure must be taken to prevent its happening again. NCWNZ members nonetheless recognise that tourism is important to the region, and should certainly be permitted; but measures to prevent activities by unlicensed operators should be strictly enforced. Degradation of the environment, gradual or rapid, and failure to observe conservation measures could result finally in the loss of tourism as an industry in the fiords.

One member noted that without legislation designed specifically to protect the Fiordland Marine Area, the development of tourism in the region would be managed according to the principles of the Resource Management Act, which gives equal regard to human opportunity for development and to environmental protection. Decisions are based on the potential effects of human activity, which in the Fiordland environment is not good enough. Fiordland is unique, as recognised by its status as a World Heritage Site, so that more emphasis needs to be put on protection and conservation than is afforded under the RMA. Without the proposed legislation, there is the potential for the almost pristine condition of the area to be degraded as the level of human activity increases.

Some respondents mentioned the effects of fishing, both commercial and recreational. In the past, extreme exploitation occurred, with the crayfishing industry in particular being culpable. The limits on fishing suggested by the Guardians should mean that such exploitation will never occur again.

Part 2, Marine Management Measures

Clause 7 Establishment of marine reserves

NCWNZ opinion varied considerably on the establishment of the reserves. Some people thought that the eight small reserves are far from sufficient, others thought that at least one or two should be extended from within the sounds as far as or even out into the open sea, as representative of a completely untouched Fiordland environment. Others thought that for various reasons, including the impossibility of policing a so much greater area, extending the reserve areas would not be useful. Setting aside eight marine reserves at the upper end of sounds, since it both gives good protection to quite substantial and often particularly sensitive areas and allows access into the sounds from the seaward side, seems a moderate and thoughtful conservation response. Responsible tourist and fishing operators should have no trouble in complying.

A further response suggests that in at least one location there could be an extension of reserve area in two adjoining fiords with a narrow border of open sea included, so that two areas of habitat might be linked.



It must be remembered that where marine reserves are established, it has become apparent that where the reserve meets the open sea, there are edge effects resulting from the impact of the conditions and use of the area immediately outside the reserve. Obviously, the greater the expanse of protection, the lesser the edge effects on highly sensitive areas.

Clause 8 Amendments to schedules

(3) and (4) Particular note is taken of the provision for amending, varying or revoking the extent of the marine reserves if at the end of the period after which a review must take place that will seem desirable or necessary. Several responses endorsed this provision.

Clause 21 Ministerial reviews

NCWNZ strongly endorses the requirement upon the Minister to initiate a review within 5 years of the commencement of the Act.

Members provided suggestions of the sorts of things which should be looked for in determining the effectiveness of the management.

Measurable performance criteria need to be established by independent agents at the outset, reviewed at intervals and at the end of the five years. Comparisons can then be made between then and now, after which the management plan can be adjusted if necessary. Ecological factors to be considered include absolute and comparative numbers of species, and increase and reduction in species' populations, introduction of new species, with perhaps changes in water temperatures and levels also needing to be recorded. One respondent notes that it may become evident that initially unthought of ecological indicators may need to be added after the review, for future use in monitoring. Increasing development with associated impacts in the sounds may also call for additional indicators. Evidence that some tourism or fishing operations may have been in contravention of the rules should be noted, so that stricter policing can be carried out in the future, and the pollution from oil spills, if any, needs to be taken into account. The review should take into account not only the environmental aspects of the management plan, but also the social, economic and cultural aspects.

A matter of concern is that there is no concrete requirement for monitoring the success or failure of the eight reserves, and perhaps that needs to be established in a Terms of Reference document to be approved by the Minister, outlining type, frequency and duration of monitoring beyond the five years. The Bill also lacks an outline of processes for addressing any actions required or recommended by the Guardians as a result of examining the body of information gathered by the review, and published in the Minister's report.

The quality of the tourist experience should not be overlooked in the review. Factors to be considered are whether tourists have to wait in queues for services, put up with overcrowding on visits or be too rushed, and experience noticeable pollution or waste mismanagement, all of which would have a negative impact on the industry in the future.



Clause 12 Functions of the Guardians

Responses show that NCWNZ members generally agree that the functions of the Guardians should be as outlined in Clause 12 of the Bill, and they have further suggestions regarding responsibilities.

One respondent suggests that guidance regarding the functions and responsibilities could be sought from communities which already have guardians for features of national importance in their areas, for example Lake Manapouri. These guardians have experience which would be useful to know about.

The effectiveness of the Guardians should be one of the things that come under review at the end of the five year period; the quality and usefulness of their advice in respect to the management of the area must be seen to have been sound.

Clause 14 Membership of Guardians

NCWNZ members suggest that the composition of the Guardians needs to be varied so as to avoid bias, and agrees with the inclusion of members of the industries that operate in the area, local community representatives, and at least one nominee from the local runanga. NCWNZ suggests also that at least one scientist be included in the membership, and as a women's organisation, NCWNZ would like to see women included, too. In the fulfilment of their responsibilities the Guardians should be guided by the understanding that Fiordland is unique and its marine and terrestrial environmental are worthy of special protection and preservation, to retain as far as possible its pristine natural character.

NCWNZ supports the intention of this Bill, and looks forward to its enactment so that measures to facilitate appropriate management of Fiordland's sounds can forthwith be implemented.

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National President

Elizabeth Lee
Convener, Environment Standing Committee