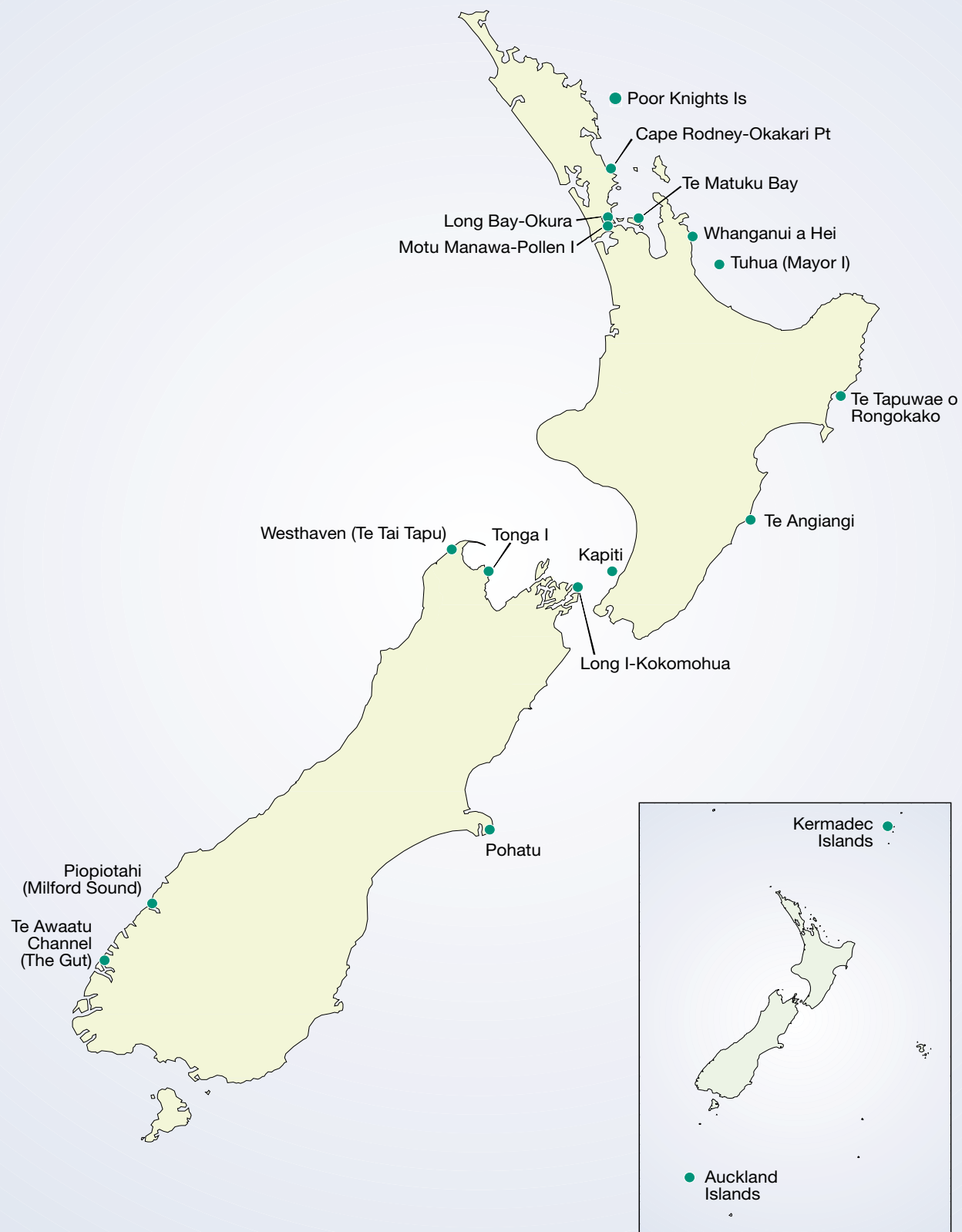


# NEW ZEALAND MARINE RESERVES

(as at May 2003)



Te Matuku Bay and Auckland Islands are yet to be gazetted.

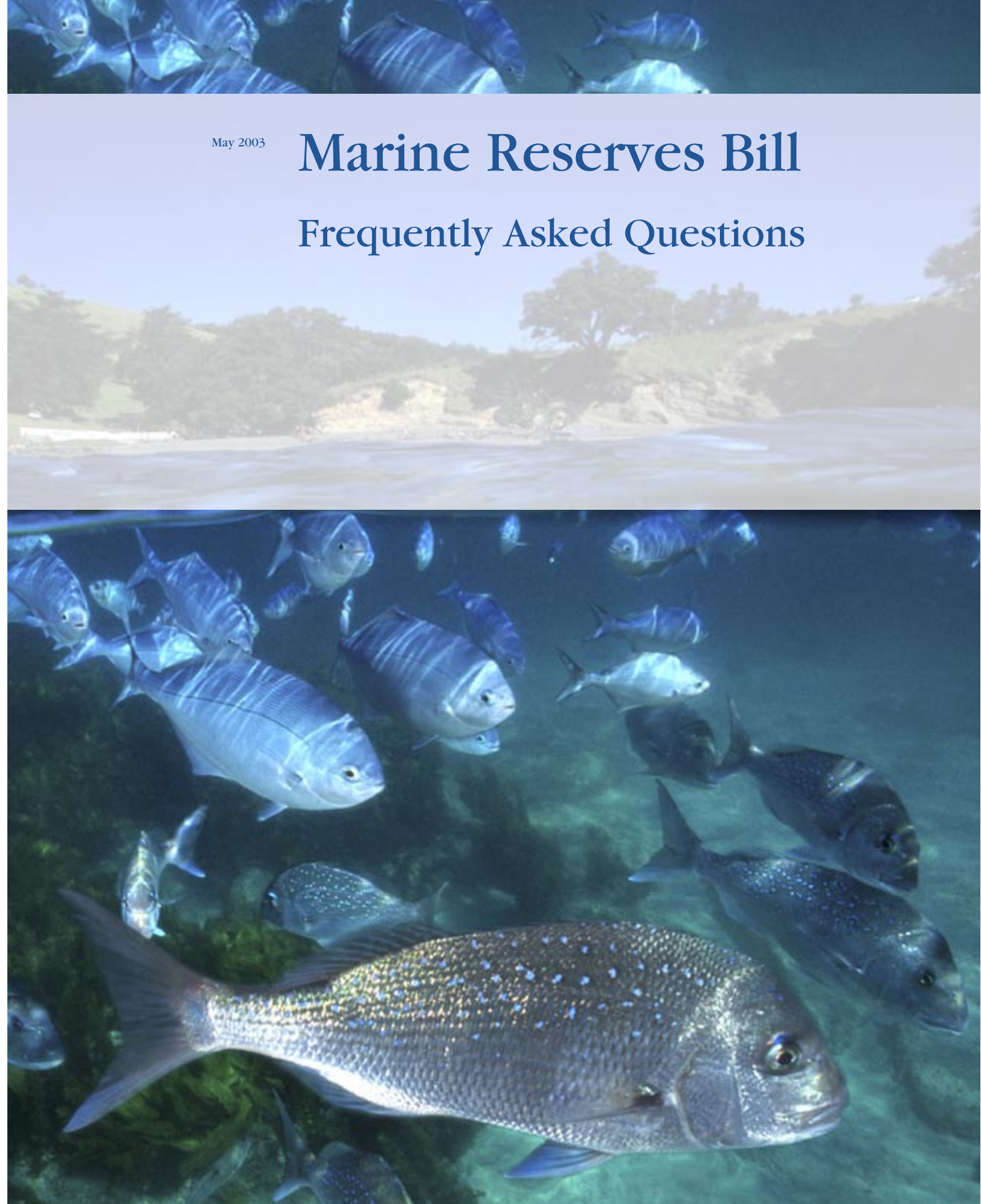
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May 2003

# Marine Reserves Bill

## Frequently Asked Questions



Department of Conservation  
*Te Papa Atawhai*

## MARINE RESERVE BILL – FREQUENTLY ASKED QUESTIONS

The existing Marine Reserves Act came into effect in 1971. A Marine Reserves Bill was introduced to Parliament on 7 June 2002.

### Why is a new Act needed?

The current legislation is more than 30 years old:

- It does not fit well with other more recent marine legislation.
- The purpose is limited to preserving areas for scientific study. This prevents us meeting the biodiversity protection objectives of the NZ Biodiversity Strategy (NZBS) and international obligations.
- It provides no guidelines for meeting Treaty obligations.
- Consultation and decision-making process are cumbersome and lengthy.

### What is the purpose of the Bill?

- The purpose is to conserve indigenous marine biodiversity – including examples of all the more common types of ecosystems and those that are outstanding or rare.
- Marine reserves provide permanent natural state protection to whole ecosystems – not just single species or to the sea bottom. No other statute can provide this.

### Why is natural state protection needed?

Sustainably-managed areas are generally modified to some extent by fishing or other development. Marine reserves lead to increased abundance and size of marine species and regeneration of habitats. This:

- Provides a benchmark to measure the impacts of development elsewhere;
- Helps improve our knowledge of marine ecosystems and how they work;
- Insures against management mistakes;
- Allows current and future generations to enjoy marine wilderness;
- Can contribute to community economic development through eco-based tourism;
- Helps maintain genetic diversity of marine species.

### Surely it would be OK to allow just recreational or customary fishing? It could lead to greater Maori and public acceptance of marine reserve proposals.

- There would be less opposition if people could fish in marine reserves. But research shows a “no-take” policy is critical to achieving the above benefits.
- Marine reserves that allow some fishing are difficult to enforce, confusing for the public, attract fishers, and are more expensive to manage.
- Experience shows that once established, marine reserves attract strong public support.

### Isn't reform of marine reserves legislation premature ahead of Oceans Policy?

- The Marine Reserves Bill improves and modernises the existing marine reserve legislation – it does not introduce any new mechanisms for marine protection.
- Review of current legislation was necessary to meet the biodiversity protection outcomes in the NZBS – delay was not warranted given that the Act is essentially operational in nature.
- The Oceans Policy is likely to result in the development of an overarching mechanism rather than unravel existing protection tools such as marine reserves.

### Will this mean that marine reserves will have a head start and take all the prime spots? In particular, does this mean marine reserves have a priority over customary fishing?

- No. Like the current Act, the Bill is simply enabling legislation. The Bill does not create marine reserves. Most marine reserves have taken 4–10 years of planning and consultation even before a formal application under the Act was made.
- A marine reserve cannot be created if it would have an undue adverse effect on any other marine activity including customary, recreational or commercial fishing.
- The Government recognises that there has been slow progress in establishing mataitai and taiapure. Ways of addressing the current barriers are being investigated.
- Ideally mataitai and taiapure would be located close to marine reserves to benefit from spill over.

### Should the Minister of Fisheries concurrence role be maintained?

- The existing concurrence requirement (of the Ministers of Fisheries and Transport) leads to significant duplication of effort and delays.
- The Bill replaces concurrence with an obligation on the Minister of Conservation to consult with the full range of Ministers whose statutory responsibilities might be affected by a proposed reserve (Fisheries, Transport, Energy, Foreign Affairs, Defence).
- Should concurrence be retained for the Minister of Fisheries, arguments to extend a concurrence role to all the above Ministers would be equally valid. The resulting delays would not meet the Government's aim to streamline and reduce the costs of the process.
- The Minister of Conservation currently considers all of the matters considered by the Minister of Fisheries and this continues under the Bill. The replacement of the concurrence role with consultation will not adversely affect the Crown's ability to meet its obligations under the Fisheries Settlement Act.

### What does the Government's 10% protection target mean?

- The 10% will not be made up solely of marine reserves. A range of tools will be used including the Marine Reserves Act, Fisheries Act and Resource Management Act.

### Have marine reserves been successful?

- A resounding yes! All those visiting Leigh or the Poor Knights Marine Reserves marvel at the amazing number and variety of fish.
- Research backs this up. Since 1998 the number of snapper in the Poor Knights reserve has increased about 12 times. In contrast, Mimiwhangata Marine Park, which allows limited catch, has had no beneficial effect on snapper numbers.
- Monitoring and research has found increases in size and number of species in other reserves.
- Far from being “locked up”, marine reserves, especially near cities, are a magnet for families, snorklers and divers wanting to experience the wonder of what our seas used to look like.
- Coastal marine reserves can have significant economic spin-offs. Each year, 260–300,000 people visit Leigh Marine Reserve with an estimated \$12M a year being injected into the local economy.