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Tena Koutou

Minister Nick Smith has said to us that Government is prepared to back Marlborough in creating a better future for your marine environment. That backing will only happen if the people of Marlborough can all get on the same page.

Today I will report on the Marine Park concept, and reactions to it.

Our discussion document was released to stimulate discussion and interest. That seems to have been successful. Wide ranging comments have been received through the survey link we sent out with it. As of 1pm Saturday 135 responses had been received. For some, the link appears to have been forwarded on without the discussion document which has caused some confusion.

We have also had the chance to face to face discussions with the Minister for the Environment, and he has asked us to report what he has said to you today. He asked us to pass on his warm regards to everyone here today.

Maybe it's best to understand where Government is at first to give context to the rest.

Minister Smith has said to us that Minister Guy has the lead on proposals for a recreational fishing park for the Sounds. Minister Smith, is however leading on proposals for new marine protected areas legislation. Significantly, Minister Smith is no longer proposing to legislate in a recreational fishing park for the Marlborough Sounds. If his Cabinet colleagues agree, he will release Government proposals for new marine protected areas legislation in August. These will add detail to what we have already seen with four categories of marine protected areas. One of those categories will still be for recreational fishing parks, but the process for their formation will include wider considerations than previously suggested. This lines up with the reported comments of Minister Guy in the Marlborough Express last week. Minister Smith considers what we are doing here today as a suitable foundation for a process for the formation of a park in the Sounds, and would want some detailed proposals on process put in front of Government late this year before he would back it. What Ministers have accepted is that in making proper provision for management of the Sounds, requires all affected parties at the table and a firm process of collaboration in identifying issues and creating solutions. He would like to see this community use the processes included in the last RMA amendments as a basis for this collaboration. This means looking at the whole environment, not just at fishing. Minister Smith said the Government wanted to sequence getting the national framework sorted, dealing with the salmon farm "switch" and the National Environmental Standard for aquaculture ahead of community engagement on the future management of the Sounds and of fishing there. He also said there was work to be done with the iwi leaders on all of these matters.

On Saturday 23 September we will go to the polls to elect our representatives and a Government for the next three years. So, the views of the current administration, while important, may not determine what happens next. It is important that we strengthen cross-party support for a regional solution for the Marlborough Marine Environment.

So, what did we propose and how did people respond?

First, let's see who responded to our survey so you know what I am reporting. I note that we are beginners at this sort of thing and claim no scientific validity for the numbers. We are using the survey to add a dimension to the dialogue and allow more people to participate.

As you can see from the chart, the biggest group are recreational fishers, but remember that respondents could choose as many categories as they wanted. So those who responded identified most as recreational fishers and environmentalists, and many will be the same people.

As you can see half were from Marlborough and half from elsewhere, with strong interest from Canterbury and Wellington. People who responded reported utilising the Sounds in many ways,

and almost all clearly were actively involved in the area, though visitation rates varied from once or twice a year to being permanently resident.

More than 80% of respondents supported a marine park or similar concept for the Sounds. However, we need to get precision into what that might mean. I will demonstrate with reference to our discussion document. We said:

What we propose is a multiple use management area with a primary conservation purpose.

Now to me that is precise, but the 135 respondents didn't experience it like that.

So, what did I mean?

Multiple use, because that is the reality. People live, work, and play here, and that will be the case in any foreseeable future.

Conservation, because I think people want the Sounds as they have known it preserved and protected.

Conservation is defined in New Zealand law as preservation and protection.

I think it is worth spelling this, as survey responses showed people thought about conservation in quite diverse ways. Legally *conservation* means the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations. That is what we mean by the term. Not "lock up" or excluded utilisation.

The alternative we have asked about is a multiple use management area with a primary purpose of sustainability. Sustainability seems to mean many things to many people, and Parliament seems to have refrained from giving it precise legal meaning. One of the most commonly used and widely adopted definitions of sustainable development is "meeting the needs of the present generation without compromising the ability of future generations to meet their own needs." Essentially, sustainability is about the relationship between people and planet; remembering that we are inextricably part of this planet, and that our societies (including economies) depend upon healthy biological and physical systems.

It is important as we move forward with our discussion that we all become precise about what is being proposed, or other people cannot sensibly respond.

More people favoured multiple use management area than the marine park. We are hoping that both of those can be further investigated today and as we look for a widely acceptable solution that can be implemented.

We proposed that new Act of Parliament would allow development and utilisation that sustained the integrity and ecological functioning of the Sounds environment. We suggested that zoning would protect special areas and separate conflicting uses and that a stand-alone management agency would integrate protection and use. It would also integrate the overlapping roles of central and regional government.

When it came to the area that might be considered, most favoured a larger rather than a smaller area for special treatment.

But there will be good reasons why some people want nothing or "half an acre" to be treated this way. And we need to be curious about why they hold those views.

When it comes to recreational fishing, we were suggesting recreational fishing zones within a multiple purpose marine park. Not everyone agreed with that.

However, it is becoming clear that if a recreational fishing park is established, it needs to do more than just exclude some forms of commercial fishing. We would like to see that option better fleshed out so people can compare the options.

Equally, there is a sizable proportion that favour the status quo and just want existing systems to work better. This also needs to be explored and detailed.

Most people favoured regional administration by a special purpose body.

Others wanted no more layers of bureaucracy, or administration by existing agencies. There are strongly held, and differing views about governance that need to be teased out.

What we are proposing is an Authority reporting to the Minister for the Environment that would:

1. *Make recommendations to the Minister about the care and use of the Marine Park.*
2. *Advise on areas that should be parts of the Marine Park and on regulations.*
3. *Conduct and commission research and monitoring.*
4. *Prepare zoning plans for approval by the Minister.*
5. *Make management plans.*
6. *Advise the Minister on financial requirements.*
7. *Receive and manage funds for the management of the Park.*
8. *Provide educational, advisory, and information services.*

The Authority would perform its functions in collaboration with the Marlborough District Council.

The Minister for the Environment would appoint a Marine Park Management Board.

The Act would specify representation on the Board by tangata whenua, environmental, fishing, aquaculture, and community interests (with specification of the range of expertise that must be included in the individuals appointed).

Park Authority staff would be public servants accountable to the Board.

Zoning is a central concept in what we have proposed. This is a new idea for marine management in New Zealand, although more common elsewhere. About half like the idea, and half oppose it. I think it needs more exploration before opinions will settle one way or the other.

While some people question the effectiveness of zoning, I can report that it has worked well to separate incompatible uses elsewhere as long as enforcement, education and administration have been properly resourced. The core idea is to have firm principles on what needs to be achieved, define what is compatible and what is not, use data to try for a best fit in achieving the greatest good, consult on proposals and adjust. I would like to see an in depth conversation before people come down one way or the other on the value of zones.

We propose that zoning would be used to regulate the use of the Marine Park to:

- (a) Protect marine ecosystems.
- (b) Ensure use is ecologically sustainable.
- (c) Manage competing uses.

- (d) Protect areas of high conservation value.
- (e) Protect and conserve biodiversity including ecosystems, habitats, and populations.
- (f) Minimise the adverse effect of activities, and ensure the ecologically sustainable use of the resources.
- (g) Protect the environmental, cultural, social, and economic values of the Marlborough Sounds.
- (h) Provide for ecologically sustainable use of marine resources by tangata whenua.
- (i) Reserve some areas for public enjoyment and appreciation, including recreational and sustenance fishing.
- (j) Preserve some areas of the Marlborough Sounds Region in a natural state.

While you might say that is ambitious, it is the way the GBR Marine Park has been working for 30 years.

The way management of the land and management of the sea and its resources fit together is a key thing that needs to be improved. We are not proposing displacing the Resource Management Act, but in complementing it.

If there is special legislation we are suggesting that the Marine Park Act would specify its interaction with other statutes.

The Marine Park Act would require RMA Plans and Policies to support Marine Park objectives.

For example, where zoning and Park management plans identified values and their needs, RMA plans would have provisions to meet those needs. This would mean that land-use controls under the Marlborough Environment Plan would be the main way sediment and nutrient run-off would be controlled to protect sensitive areas.

It could be that the Marine Park Authority might have some jurisdiction over land use where RMA Plans demonstrably failed to protect Park values as is the case for the GBR.

Protection of animals under the Marine Mammals Protection Act and Wildlife Act would remain a responsibility of the Department of Conservation. The Marine Park Authority might create zones that supported their conservation and make plans for their restoration within the Park.

Marine reserves would be created by zones and managed by the Marine Park Authority. The Authority would be able to enter into agreement with DOC to manage land reserves and islands if this seemed appropriate.

In addition to zones and their rules, the Park Authority would prepare management plans for the Park, much as DOC and Councils do for reserves.

The common objective of all management plans would be to:

- (a) Reduce or eliminate threats to nature conservation values, cultural and heritage values, or scientific values.
- (b) Manage recovery and continued protection and conservation of species and ecological communities at risk.
- (c) Ensure ecologically sustainable use.
- (d) Sustain the association of tangata whenua with the marine environment.

- (e) Manage conflicts of use.
- (f) Create a basis for co-management and recognise communities of interest.
- (g) Enable people using the Marine Park to participate in a range of recreational activities.

There is more in the discussion document and I am happy to address any part of it here today.

Based on the survey results there are a couple of other developments I wanted to touch on.

First, the application of the Marine and Coastal Area (Takutai Moana) Act 2011. The implications of the claims made by local iwi for customary title have been raised in responses and these and the role of taiapure and mataitai customary fisheries areas need to be further explored in other contexts.

Second, there is the recent High Court decision upholding the capacity of Regional Councils to regulate fishing activity to prevent adverse environmental effects. This clarifies the powers of the Marlborough District Council and its implications need to be understood in relation to what is needed for the Sounds.

So, what we really want is for you to explore the options for improving things to see if there is common ground we can build on. Neither I, nor the Trustees, is set on any particular solution. Our concern is that you create it, and it works for our shared marine environment.

Any questions or comments are very welcome.