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Environment Committee
1 November 2023
Parliament Buildings
Wellington

Submission on the Hauraki Gulf / Tīkapa Moana Marine Protection Bill

Introduction

As one of the leading environmental Non-Governmental Organisations (eNGOs) in Aotearoa New Zealand, World Wide Fund for Nature – New Zealand (WWF-New Zealand) supports science-based, pragmatic solutions that can deliver a future in which humanity lives in harmony with nature. We consider that achieving the protection of 30% of our ocean territory, in line with New Zealand’s international commitments (Target 3 of the Kunming-Montreal Global Biodiversity Framework particularly), must be an immediate priority for the New Zealand Government.

WWF-New Zealand appreciates the opportunity to provide input on the proposed Hauraki Gulf / Tīkapa Moana Marine Protection Bill. WWF-New Zealand has a special interest in the Hauraki Gulf, having supported the development of the 2017 *Sea Change – Tai Timu Tai Pari: Hauraki Gulf Marine Spatial Plan*¹ (*Sea Change Plan*) since the inception of the Sea Change process in 2013. WWF-New Zealand significantly enhanced public engagement in the Sea Change process through our “Love our Gulf” campaign, which highlighted the urgent need to improve the integrity and efficacy of the management of the Hauraki Gulf marine ecosystem.

The 2021 *Revitalising the Gulf: Government Action on the Sea Change Plan*² (*Revitalising the Gulf*) consultation document was Government’s response to the *Sea Change Plan*. It proposed a suite of actions, including the establishment of new marine protected areas, and resulted in the development of this Bill.

WWF-New Zealand understands this Bill establishes the following marine protected areas in the Hauraki Gulf:

- 2 extensions to existing marine reserves;
- 5 new seafloor protection areas; and,
- 12 new high protection areas.

These new marine protected areas will triple the protection footprint in the Hauraki Gulf / Tīkapa Moana.

¹ <https://gulffjournal.org.nz/wp-content/uploads/2022/01/5086-SCTTTP-Marine-Spatial-Plan-WR.pdf>

² <https://www.doc.govt.nz/globalassets/documents/our-work/sea-change/revitalising-the-gulf.pdf>

Marine biodiversity in the Hauraki Gulf / Tikapa Moana is critically important to Aotearoa New Zealand, but is in a state of sustained and dramatic decline

The Hauraki Gulf / Tikapa Moana is a taonga for Aotearoa, distinguished by its unique features and values. It is one of the most heavily utilised coastal areas in New Zealand. The Gulf has significant historical and cultural importance for tangata whenua, and a long history of commercial and recreational use. A 2023 New Zealand Institute of Economic Research (NZIER) report estimates the fiscal value of the Hauraki Gulf at more than \$5b a year, with an asset valuation between \$40b to \$100b.³ It underscores the centrality of the Gulf to the Auckland/Hauraki region and to New Zealand's national economy more broadly.

The Hauraki Gulf Marine Park encompasses 1.2 million hectares of sea and more than 50 islands. The park was established through the Hauraki Gulf Marine Park Act 2000.⁴ The Act requires the Hauraki Gulf Forum to prepare and publish reports on the state of the environment in the Hauraki Gulf, including information on progress toward its integrated management and responses to strategic and prioritised issues.

The seven consecutive *State of the Gulf* reports produced by the Hauraki Gulf Forum illustrate a decades-long decline in biodiversity in Tikapa Moana, with the latest report released this year. According to the most recent report, the Gulf is more vulnerable than ever to increases in water pollution and the impacts of climate change, such as increased acidity. Kina barrens are widespread, its resident native species are in decline, and exotic invasive pest species such as caulerpa seaweed are spreading rapidly. Kina barrens surrounding Te Hauturu-o-toi / Little Barrier Island have increased from 0.4% of the rocky reef system in 1953, to 11.6% in 1979, and 32.73% in 2019.⁵ Mass mortalities of fish, shellfish and seabirds are likely to increase due to the impacts of climate change.

Healthy marine biodiversity is crucial for ecosystem function, and due to the sustained and dramatic decline in marine biodiversity, the Hauraki Gulf is now on the brink of ecological collapse. As outlined both in the *Sea Change Plan* and consecutive *State of the Gulf* reports, human activity – both on land and at sea – has taken an incredible toll on the health and mauri of the Gulf. Any further deterioration would have a catastrophic impact on the ecosystem function of the Hauraki Gulf / Tikapa Moana – and on the communities that rely on it for their livelihoods and wider wellbeing.

Marine ecosystems provide a wide range of resources and services that contribute to human wellbeing. In order to safeguard the Gulf for future generations and prevent its wholesale ecological collapse, we must allow its marine ecosystems and resident native biodiversity to recover and build resilience. Creating new marine protected areas in the Hauraki Gulf / Tikapa Moana is critical to achieving this outcome.

Aotearoa New Zealand's commitment to achieving 30% marine protection by 2030

At the 15th Conference of the Parties to the Convention on Biological Diversity (COP 15) held in Montreal last year, the nations of the world agreed to protect 30% of the planet's ocean, land, and inland freshwater bodies in highly protected areas by 2030. Aotearoa already protects approximately 30% of our land mass by virtue of its legal status and ongoing management as public

³ <https://gulffjournal.org.nz/2023/07/natural-capital-valuation/>

⁴ <https://www.legislation.govt.nz/act/public/2000/0001/latest/DLM52558.html>

⁵ Dartnell L, 2022, The extent of kina barrens over time at Hauturu-o-Toi and the Noises Islands, Masters of Marine Studies Masters thesis, University of Auckland

conservation land. However, despite having the fifth largest ocean territory on Earth, New Zealand currently protects less than 0.5% of its ocean territory – leaving us in joint last place globally alongside Russia and China. This is unacceptable for a nation that historically was a leader in ocean conservation, and which relies so heavily on the marine environment for its economic and wider wellbeing.

It bears nothing that New Zealand's ocean territory is home to some 65,000 species and up to 80% of our indigenous biodiversity – including some of our critically most threatened species, like the Bryde's whale, which is resident in the Hauraki Gulf.

Globally, Aotearoa New Zealand has the highest percentage of threatened species per capita, with:

- 90% of our seabird species are threatened or at risk of extinction;
- 22% of our marine mammals; and
- 80% of our shorebirds.

Since 1970, our commercial fish stocks have declined by more than 80%. Local collapses of key species like snapper, scallop, and rock lobster have been observed in the Hauraki Gulf.

The Global Biodiversity Framework Targets, including Target 3 (relating to the 30% protection target), are informed commitments. Marine protected areas are widely recognised as the leading tool for restoring marine biodiversity and critical marine habitats, and improving overall ecosystem functionality. Spatial protection measures have been proven to benefit large pelagic species and allow depleted stocks to recover.⁶ Marine protected areas used in concert with spatial protection strategies can improve conservation outcomes for significant species or habitats and promote biodiversity recovery and resilience.⁷

Highly protected marine protected areas, such as 'no-take' reserves, are the most effective measure for biodiversity restoration.⁸ A leading domestic example is the case of the Leigh Marine Reserve, where after its establishment, there was a 58% increase in primary productivity, increases in abundance and size of snapper and rock lobster, and reduction in urchin barrens.⁹

The Hauraki Gulf marine protection proposals must be preserved with no alteration to size, position, or strength

WWF-New Zealand considers this Bill an important and positive step forward in the implementation of the *Sea Change Plan*. We caution that the proposed marine protected areas cannot be further reduced in size or otherwise adjusted without fundamentally undermining their intent (i.e. to restore the health and mauri of Tikapa Moana) and the integrity of the Sea Change process.

The Sea Change process was a collaborative exercise which involved the surfacing and negotiation of complex and overlapping interests in the Hauraki Gulf / Tikapa Moana. By consequence, the *Sea Change Plan* recommendations, and latterly the marine protected areas proposals in *Revitalising the*

⁶ Boerder, Kristina, et al. 'Not all who wander are lost: Improving spatial protection for large pelagic fishes.' *Marine Policy* 105 (2019): 80-90.

⁷ Edgar, Graham J., et al. "Global conservation outcomes depend on marine protected areas with five key features." *Nature* 506.7487 (2014): 216-220.

⁸ Sala, Enric, and Sylvaine Giakoumi. "No-take marine reserves are the most effective protected areas in the ocean." *ICES Journal of Marine Science* 75.3 (2018): 1166-1168.

⁹ Ballentine B, 2014, Fifty years on: Lessons from marine reserves in New Zealand and principles for a worldwide network, *Biological Conservation*, 176, 297-307

Gulf, are a product of compromise and the cross-community consensus reached through the Sea Change process.

Noting the severe, sustained, and ongoing decline in the health and mauri of Tīkapa Moana, a purely scientific and mataurānga-directed assessment would dictate that further and larger marine protected areas are warranted.

We note that while the Sea Change process was negotiated by many stakeholders, the areas recommended for spatial protection were informed by data, and their selection guided by the SeaSketch tool. From an ecological standpoint, we consider the areas recommended for high protection (i.e. the marine reserve extensions and 12 new high protection areas) should be larger in order to have the most benefits for biodiversity recovery; however, we also recognise the compromise that was reached by all parties involved in the collaborative Sea Change process. Recognising this compromise, we caution the committee that any further amendments to the proposed areas would be inappropriate at this late stage in the process.

WWF-New Zealand also strongly supports the creation of five seafloor protection areas; however, we again believe these areas should ideally be made larger. Given the significant adverse impacts that mobile bottom-contact fishing methods have had over time on the benthic environment in the Hauraki Gulf / Tīkapa Moana, it is our view that these fishing methods should be excluded from the Hauraki Gulf Marine Park in its entirety. However, if these methods are allowed to continue, we consider the seafloor protection areas should be made as large as possible to limit their destructive impact.

WWF-New Zealand strongly supports the intent of the Bill and, whilst we consider more spatial protection in the Hauraki Gulf is merited, we consider the proposals in the Bill a step in the right direction. By virtue of the argument noted above (the proposals being the product of compromise reached through a lengthy and wide-ranging community-led process, which was supplemented by a Government-directed public consultation process), we consider the proposed marine protected areas must not be adjusted, reduced in scope, or eroded in strength of protection. To do so would be to fundamentally undermine the integrity of the Sea Change process as well as the Bill's stated intent.

Supportive of new High Protection Areas, including their treatment of customary rights and interests

WWF-New Zealand considers the Hauraki Gulf / Tīkapa Moana Marine Protection Bill is broadly consistent with the recommendations of the *Sea Change Plan*, including with the need to appropriately recognise the rights and interests of tangata whenua in the management of Tīkapa Moana.

Given the precarious state of the Hauraki Gulf, we particularly support the establishment of the 12 new high protection areas. We also strongly support the Bill's intent to recognise and provide for the customary rights of tangata whenua in the management of these areas. We consider it appropriate that the biodiversity objectives for these areas will be agreed with Māori, and then guide what customary practices will occur.

We note the current legislative framework for marine protection in New Zealand (the Marine Reserves Act 1971 particularly), has been widely criticised for its inability to adequately recognise and provide for Māori rights and interests. Achieving the protection of 30% of New Zealand's ocean territory demands an overhaul of the current legislative framework, including with a view to

remedying this shortcoming. WWF-New Zealand believes the pragmatic approach taken in the new high protection areas could serve as a template to be replicated more broadly (and alongside other tools) in a new national marine protection legislative framework.

WWF-New Zealand would like to express our appreciation that the Committee is seeking feedback on the Hauraki Gulf / Tīkapa Moana Marine Protection Bill.

We would like to request to appear in front of the Committee and speak to our recommendations in this submission.