

Advice to the Minister of Fisheries 19th July 2006

Aotea (Great Barrier) Marine Reserve Proposal.

The North Island East Coast Recreational Fishing Forum, convened by the Ministry of Fisheries, does not support the Aotea/Great Barrier Island marine reserve proposal and makes the following observations.

1. The proposal does not meet the criteria for a marine reserve in terms of the current Marine Reserves Act.
2. The formation of Marine Reserves can not continue to be justified on the basis of sustainability of species, where the Quota Management System has failed over the past 20 years to manage those species to meet the requirements / expectations of the New Zealand public.
3. There has been limited, poorly advertised consultation with all potentially affected parties.
4. All public meetings with existing users and Great Barrier Island residents have resulted in an overwhelming majority opposition (approximately 97%) to the proposal being demonstrated despite claims to the contrary by Department of Conservation Staff to the media. (video evidence held)
5. There has been insufficient assessment of the impacts of fishing (on the habitat and resources of the area) undertaken
6. There is insufficient information in the application to justify the total closure of such a large area to non-commercial fishing.
7. Contravenes section 5 (6) c, d & e of the Act in that it will:
 - c. Interfere unduly with commercial fishing
 - d. Interfere unduly with or adversely affect any existing usage of the area for recreational purposes (fishing).
 - e. Otherwise be contrary to the public interest
8. We are advised that the proposal is opposed by Tangata Whenua who have initiated legal action to prevent what is considered a confiscation of their traditional fishing grounds.

It fails to acknowledge tangata whenua's rights and obligations to give effect to their kaitiakitanga (guardianship) responsibilities for their rohe.

It subsumes tangata whenua's right to make decisions and provide management, as is their right as a Treaty partner with the Crown, to the will of an agent of the Crown - the Department of Conservation.

9. The Forum supports the right of tangata whenua to explore, consult with the community on Aotea at large, and give due consideration to kaitiakitanga before a marine reserve is approved for their rohe.
10. The Forum would also support tangata whenua's expectation that the Crown would provide equal resources that are being provided to the marine reserve application to explore appropriate customary management tools for their rohe.