



New Zealand House of Representatives
Te Whare Māngai o Aotearoa

Petitions Committee

Komiti Whiriwhiri Take Petihana

54th Parliament
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**Petition of Our Seas Our Future: Establish
30% of New Zealand's ocean as Marine
Reserves by 2030**

Presented to the House of Representatives
by Greg O'Connor, Chairperson

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Petition of Our Seas Our Future

Recommendation

The Petitions Committee has considered the petition of Our Seas Our Future—Establish 30% of New Zealand’s ocean as Marine Reserves by 2030—and recommends that the House take note of its report.

Request to protect New Zealand’s ocean

The petition was presented to the House on 14 February 2023. It requests:

That the House of Representatives pass legislation to establish Marine Reserves to protect at least 30% of New Zealand’s ocean (EEZ) by 2030.

The Petitions Committee of the 53rd Parliament began considering the petition. It invited and received a written submission from the petitioner. It also invited submissions from the Department of Conservation, the Ministry for the Environment, the Ministry of Foreign Affairs and Trade, and the Ministry for Primary Industries/Fisheries New Zealand. We resumed consideration in the 54th Parliament. We invited submissions from Seafood New Zealand and Te Ohu Kaimoana. We received a joint written submission from the Department of Conservation, the Ministry for the Environment, the Ministry of Foreign Affairs and Trade, and the Ministry for Primary Industries/Fisheries New Zealand, and a submission from Seafood New Zealand. Te Ohu Kaimoana declined the invitation to provide a submission.

Comments from the petitioner

The petitioner, Our Seas Our Future, is a New Zealand charitable trust that works to raise awareness of Aotearoa’s marine environment through advocacy, education, and research.¹ It submitted that the Government must do more to protect New Zealand’s oceans.

New Zealand’s exclusive economic zone (EEZ)² covers 4.2 million square kilometres of ocean, almost 15 times the country’s land area. The petitioner requests that a nationwide network of marine protected areas (MPAs) be established, to protect at least 30 percent of the EEZ.

New Zealand’s ocean is home to an abundance of marine life, including about 1,400 species of fish, and many native species. The petitioner noted that many of these species are unique to New Zealand, including Hector’s and Māui dolphins, the New Zealand sea lion, and New Zealand’s black corals. It acknowledged that industries, including commercial fisheries and coastal tourism, provide significant economic benefits to New Zealanders, providing 70,000 jobs and bringing in over \$7 billion every year. The petitioner also recognised the intrinsic cultural significance and value of the marine environment and said that New Zealand has a duty to protect and honour it.

¹ More information about Our Seas Our Future is [available on its website](#).

² An EEZ is the area of ocean beyond a country’s territorial boundaries that extends no more than 370 kilometres from the coastline. It gives the relevant country the right to explore and use natural resources.

The petitioner said that more should be done to protect the seas for future generations. The International Union for Conservation of Nature (IUCN)³ in 2016 called for a global goal that at least 30 percent of the world's oceans be protected from extractive activities within designated marine reserves, to ensure the future health of oceans.⁴ The petitioner noted that currently less than 1 percent of New Zealand's ocean area is protected from all extractive activities. Our Seas Our Future believes that this is unacceptably low, and breaches New Zealand's international commitments.

Legislative framework for marine protected areas

New Zealand implemented the Marine Reserves Act in 1971, which established MPAs, making it one of the first countries in the world to do so. The petitioner noted that the Act limits MPAs to territorial seas, which only include the area extending 12 nautical miles (22km) from the coastline. However, New Zealand's exclusive economic zone extends to 200 nautical miles (370km) from the coastline.

The Fisheries Act 1996 gives the Government authority to broadly regulate fishing throughout the EEZ. The petitioner noted that this authority has been used previously, notably in 2007 to restrict bottom trawling in 30 percent of New Zealand's waters. The petitioner would like to see new legislation passed that provides for MPAs throughout all New Zealand waters. However, it considers that the existing Act could be used to establish *de facto* MPAs until new legislation could be passed.

The petitioner said that several factors should be considered when introducing a network of MPAs, to ensure that they achieve their intended outcomes. The petitioner said an appropriate MPA network should:

- cover a range of habitats that represent the vast diversity of New Zealand's marine ecosystem⁵
- identify and protect habitats of particular significance where efforts to conserve biodiversity would be most crucial
- be measured in regard to its effectiveness.

Petitioner's sense of urgency

Our Seas Our Future emphasised the need to act quickly, because "once these natural treasures are lost, they are lost forever". The petitioner noted that the Fisheries Act specifies that a precautionary approach should be adopted towards all matters of conservation, which it considers appropriate.

The petitioner said that New Zealand should not use the lack of information about how to best establish MPAs as an excuse to delay action. It said that New Zealand's low levels of

³ The International Union for Conservation of Nature (IUCN) is a membership organisation that includes government and civil society organisations. New Zealand membership of IUCN includes the Department of Conservation and Landcare Research New Zealand, as well as non-governmental organisations. More information about New Zealand membership is [available on the IUCN website](#).

⁴ The resolution of the 2016 World Conservation Congress of the International Union for Conservation of Nature is [available on the IUCN website](#).

⁵ New Zealand's Coastal Classification and Mapping Scheme identifies 416 habitat types in the territorial seas.

marine protection are unacceptable for a country that claims to be a leader of environmental stewardship. It seeks a commitment to protecting 30 percent of New Zealand's oceans from all extractive activities by the year 2030.

New Zealand's international obligations

New Zealand does not have a specific legislative obligation to protect 30 percent of its EEZ. However, New Zealand has been a party to the Convention on Biological Diversity since 1993.⁶ Additionally, New Zealand signed the Kunming-Montreal Global Biodiversity Framework in December 2022.⁷ The framework sets out 4 goals and 23 targets. Goals A and B, and Targets 2 and 3 are of particular relevance to this petition.

Goal A aims to maintain the integrity, connectivity, and resilience of all ecosystems, and to halt human-induced extinction of known threatened species. Goal B aims to ensure sustainable use and management of biodiversity.

Target 2 commits signatories to ensure that by 2030 at least 30 percent of degraded terrestrial, inland water, and coastal and marine ecosystems are under effective restoration. Target 3 commits signatories to:

Ensure and enable that by 2030 at least 30 percent of terrestrial, inland water, and of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem functions and services, are effectively conserved and managed through ecologically representative, well-connected and equitably governed systems of protected areas and other effective area-based conservation measures, recognising indigenous and traditional territories, where applicable, and integrated into wider landscapes, seascapes, and the ocean, while ensuring that any sustainable use, where appropriate in such areas, is fully consistent with conservation outcomes, recognising the rights of indigenous peoples and local communities, including over their traditional territories.

New Zealand's commitments are to be implemented through New Zealand's biodiversity strategy, Te Mana o te Taiao—Aotearoa New Zealand Biodiversity Strategy.⁸ The strategy, which was introduced in 2020, sets a direction for the protection, restoration, and sustainable use of biodiversity, particularly indigenous biodiversity. Its scope extends across land and sea, notably to the outer edges of the EEZ.

Comments from government agencies

We received a joint submission from the Department of Conservation, the Ministry for Primary Industries/Fisheries New Zealand, the Ministry of Foreign Affairs and Trade, and the

⁶ The Convention on Biological Diversity was signed by 150 government leaders at the 1992 Rio Earth Summit. The text is [available on the Convention on Biological Diversity website](#).

⁷ The text of the Kunming-Montreal Global Biodiversity Framework is [available on the United Nations Climate Change website](#).

⁸ Te Mana o te Taiao—Aotearoa New Zealand Biodiversity Strategy 2020 is led by the Department of Conservation. Information about the strategy is [available on the website of the Department of Conservation](#).

Ministry for the Environment. These agencies collaborate on many marine-focused initiatives.

The agencies said that recent reports, including *Our Marine Environment 2022*, explain that activities on land and at sea are negatively affecting New Zealand's coasts and oceans.⁹ They acknowledged that New Zealand has only 0.4 percent of its marine and coastal area (including both territorial sea and exclusive economic zone) in highly protected marine reserves. However, the agencies said that around 30 percent is covered by other protection measures. This includes 27.9 percent in areas protected from the effects of fishing on the benthic marine environment (the ecological region at the lowest level of a body of water).

The agencies note that Target 3 of the Kunming-Montreal Global Diversity Framework differs from the petitioner's request. The petition seeks protection from all extractive industries. However, the target refers to sustainable management and use of coastal and marine areas.

The agencies pointed to initiatives underway to increase marine protection of New Zealand seas. They include:

- the Hauraki Gulf / Tīkapa Moana Marine Protection Bill, which is currently before the House¹⁰
- six new marine reserves in Southland, announced in October 2023.¹¹

Comments from Seafood New Zealand

Seafood New Zealand represents the seafood industry and works with other industry representative bodies and organisations engaged in the management of New Zealand's fisheries and oceans. It said that the fishing industry is wholly dependent on a healthy and sustainable marine environment. It supports the need for a more integrated approach to maintaining the health of New Zealand's oceans.

Seafood New Zealand told us it supports an approach to marine protection that recognises and promotes the rights of indigenous people and local communities, is science- and objective-based, is effectively resourced and managed, and can demonstrate benefits to biodiversity. It said that, as users of fisheries resources, the seafood sector has responsibilities under the Fisheries Act 1996 for ensuring that its activities do not have an adverse effect on the marine environment.

The organisation said that 30 percent of New Zealand's oceans are designated as marine protected areas, with a range of protection levels recognised by the IUCN. Most of these have been implemented under the Fisheries Act to manage the adverse effects of fishing.

Seafood New Zealand told us it supports the implementation of the UN Convention on Biological Diversity and the Kunming-Montreal Global Diversity Framework. However, it noted that this petition and Target 3 of the framework are not seeking identical outcomes. It

⁹ Our Marine Environment 2022 is [available on the website of the Ministry for the Environment](#).

¹⁰ The [Hauraki Gulf / Tīkapa Moana Marine Protection Bill](#) would increase marine protection of the Hauraki Gulf to 18 percent of the area. The Environment Committee reported back on the bill on 20 June 2024. Its commentary on the bill is [available on the Parliament website](#).

¹¹ More information about the new marine reserves is [available on the website of the Department of Conservation](#).

said the depth and intricacies of the framework can be lost in “easy taglines” such as “30% by 2030”. It told us that Target 3 of the framework is frequently interpreted as a “zero-extraction” target; however, the text of the target provides for protection measures while allowing for sustainable use when appropriate.

The IUCN recognises a wide range of different types of MPAs. Seafood New Zealand said it supports the IUCN’s focus on inclusivity and rights, equity, and effectiveness. It said this approach is appropriate in the New Zealand context where decision-makers and industry need to take into account customary rights guaranteed to Māori under te Tiriti o Waitangi | the Treaty of Waitangi and acknowledged through the Fisheries Settlement,¹² as well as commercial fisheries’ property rights granted under the Fisheries Act.

Seafood New Zealand does not support the petitioner’s recommendation to use the Fisheries Act to create more marine protected areas. It said this would not address other factors that affect biodiversity, including sedimentation, climate change, and ocean acidification. It said it is deeply concerned about the degradation of the coastal marine area from land-based activities. It said that more needs to be done to protect marine biodiversity from non-fishing activities.

Our response to the petition

We thank Our Seas Our Future for its petition and for bringing this issue to our attention. We value New Zealand’s marine biodiversity, and wish to see it protected and preserved. We thank the petitioner for the work Our Seas Our Future is doing to raise awareness of this important issue.

We recognise that the petitioner’s submission focused on a call by the IUCN in 2016 to protect at least 30 percent of the world’s oceans from extractive industries. The Petitions Committee of the 53rd Parliament sought additional information to see whether New Zealand had already signed up to such a commitment in its support for the Kunming-Montreal Global Diversity Framework in 2022.

On closer examination, it appears that in the 2022 framework the international community did not set a target that would have excluded all extractive industries. The text of the relevant target of the framework clearly provides for sustainable use, and refers in particular to the rights of indigenous peoples and local communities. We see this as relevant and appropriate in the New Zealand context.

We recognise that “managed sustainability” could best describe the approach in most of the geographic area described as New Zealand’s marine protected area. We recognise that the petitioner seeks to extend the complete protection given to the 0.4 percent of New Zealand’s ocean area where all extractive activities are banned, whether that be of fish or other resources. However, we believe it is appropriate that there are a range of options for marine protected areas between completely open and a complete ban on any human activities.

We would like to see increased protection of New Zealand’s marine biodiversity, and encourage the Government to continue with the plans underway for new marine protected

¹² More information about the 1992 Fisheries Settlement is [available on the website of Te Arawhiti](#).

areas in Hauraki and Southland. We also agree with Seafood New Zealand that more attention needs to be paid to land-based activities that are affecting marine ecosystems.

Appendix

Committee procedure

The petition was referred to the Petitions Committee of the 53rd Parliament on 14 February 2023. It met between 1 June and 7 September 2023 to consider it. The committee received a written submission from the petitioner. It received advice from the Parliamentary Library.

On 6 December 2023, the petition was reinstated with the Petitions Committee of the 54th Parliament. We met between 15 February and 1 August 2024 to consider it. We received written submissions from the petitioner and Seafood New Zealand, and a joint submission from the Department of Conservation, the Ministry for the Environment, the Ministry of Foreign Affairs and Trade, and the Ministry for Primary Industries/Fisheries New Zealand. We received advice from the Parliamentary Library.

Committee members

Greg O'Connor (Chairperson)

Carl Bates

Kahurangi Carter (from 6 December 2023 to 8 May 2024)

Greg Fleming

Francisco Hernandez (from 8 May 2024)

Related resources

The documents we received as evidence and advice in relation to this petition are [available on the Parliament website](#).