



To: Hon Dr Nick Smith, Minister for the Environment

Date: 29/10/15

Tracking #: 15-B-01756

Response to request for advice on marine spatial planning

Purpose

1. You requested advice on marine spatial planning ahead of the BGA meeting on 4 November. This briefing outlines the current situation for three existing marine spatial planning exercises:
 - Hauraki Gulf Marine Spatial Plan
 - South-East Marine Protection Forum
 - Marlborough Marine Futures.
2. The role of collaborative processes in the proposed new Marine Protected Areas Act (MPA Act) is also discussed.

Background

3. Marine spatial planning is a public process of analysing and allocating the spatial and temporal distribution of human activities in marine areas to achieve ecological, economic, and social objectives that usually have been specified through a political process (UNESCO). The marine spatial planning process often involves some form of collaborative design and decision-making, with the result being a comprehensive plan or vision for a marine area.
4. Marine spatial planning is not an end in itself, but is a practical method to:
 - establish a rational use of marine space and the interactions between its uses
 - balance demands for development with the need to protect the environment, and
 - deliver social and economic outcomes in an open and planned way.
5. Although there is no formal, national marine spatial planning framework in New Zealand, a number of regional marine protection projects have used marine spatial planning tools or principals. Most recently, a stakeholder-initiated collaborative process led to the development of a marine spatial plan for the Kaikōura marine area, given effect to through the Kaikōura (Te Tai-o-Marokura) Marine Management Act 2014.

Existing marine spatial planning exercises

6. There are three significant marine spatial planning exercises currently underway, each of which is using some form of collaborative process to reach a set of recommendations and/or a marine spatial plan.

Hauraki Gulf Marine Spatial Plan

7. In the Hauraki Gulf, a collaborative process has been underway since late 2013 with the aim of producing a marine spatial plan that will secure a healthy, productive and sustainable future for Tikapa Moana. The process has been led by mana whenua and central and local government, with a Stakeholder Working Group (SWG) tasked with delivering the final marine spatial plan originally by September 2015.
8. In the last three months, all parties involved in the process have undertaken a review and agreed on an extension to the project's timeframe. The SWG has now reconvened with the support of a newly appointed independent chair (Paul Beverley), and intends on delivering the final plan in 2016.
9. Officials are aware that the SWG is considering the need for a recreational fishing park, and is concerned about the impact of the proposed new MPA Act on the final Hauraki marine spatial plan. We have advised Mr Beverley of our intent to consult with the SWG on your marine protection proposal, and have agreed to meet to discuss how the Hauraki process could fit within the proposed MPA framework. Mr Beverley advised that he has invited you to meet with the SWG. We think this would be a good opportunity for you to see how the Hauraki process is operating and discuss progress towards establishing a Recreational Fishing Park in the Hauraki Gulf.

South-East Marine Protection Forum

10. The South-East Marine Protection Forum (the forum) was appointed by the Ministers of Conservation and Primary Industries in 2014. Its area of consideration is the coastline between Timaru in the north to Waipapa Point in south. The forum was established to provide recommendations to the government within two years on what sites in the area deserve marine protection, and what type of protection is appropriate for each site.
11. The forum consists of 14 members, who collectively represent the interests of tangata whenua, commercial fishing, recreational users, conservation groups, tourism, aquaculture, marine science, local government and communities. It has an independent facilitator, and is supported by a project team of officials from the Department of Conservation and Ministry for Primary Industries.
12. Officials report that the forum is progressing well. It has completed the first stage of consultation and information gathering, and is now in the process of deliberation. The forum is highly focussed on ensuring that proposed protected areas meet the requirements of the MPA Policy, as well as ongoing stakeholder engagement. The forum intends to release a public discussion document for a two month consultation in February 2016, and then make recommendations to the government in mid-2016, within the required two year timeframe.
13. This collaborative process is seen to be working very well. In particular, the close working relationship between officials and the forum, and the use of the online tool SeaSketch to engage stakeholders in developing the forum's plans, have been key to the success of the collaborative process. As with the Hauraki Gulf, officials are aware that the forum is concerned about the impact of the proposed new marine protected areas legislation on its final recommendations.

Marlborough Marine Futures

14. Marlborough Marine Futures was established as a Trust in 2012 with the stated purpose of supporting "a better future for the Marlborough marine environment". It is a citizen-initiated, user-led group operating without a government mandate, but with support from

Marlborough District Council. In the last year the group has held a number of workshops and two forums, and is currently seeking support from the Government, as well as funding from philanthropists.

15. Although a range of stakeholders are involved in the group, officials understand that not all users are represented. For example, the aquaculture industry has not yet joined. There are concerns that the group is engaging with too narrow a range of people, whilst trying to address too broad a set of issues (including the effects on the marine environment of vineyards, forestry and commercial fishing).

39 (2) (g) (i)

A new process for establishing marine protected areas

19. Collaborative processes are a proven approach to making decisions where there are multiple stakeholder views. The IUCN World Commission on Protected Areas stated that collaboration with relevant stakeholders from the start of the process is a key aspect of the development of effective, resilient marine protected areas. Well designed and managed collaborative processes (NIWA):
 - ensure that stakeholders contribute to the establishment of goals and objectives
 - lead to a sense of ownership amongst all stakeholders
 - increase the transparency of the process and reduce conflict
 - build trust amongst agencies, organisations, institutions and individuals
 - develop the capacity to share information and respond to problems that arise in the future.
20. The proposed new MPA Act will have an improved decision-making framework, and will support collaborative processes that result in meaningful engagement with iwi/Māori, fishers, local communities, business, and the wider public. Collaborative processes will be self-governing, but will be given clear terms of reference by Ministers that will include assessment criteria against which the proposal must be evaluated.
21. Given the importance of collaborative processes to achieving sustainable marine protection outcomes, further policy work will be undertaken to ensure that the process provided in the new MPA Act is fit-for-purpose and able to achieve the objectives of the Act.

Conclusions and Next Steps

69(2)(g)(i)

24. We therefore support further engagement with existing collaborative groups through the MPA public consultation process, which will allow officials to benefit from the lessons learned from these initiatives as well as offering the opportunity to better communicate your vision for more effective collaborative processes.

Signed:

Contents noted.

Hon Dr Nick Smith
Minister for the Environment

Date

Minister's feedback on quality of briefing note:	1	2	3	4	5
1 = Was not satisfactory	2 = Fell short of my expectations in some respects		3 = Met my expectations		
4 = Met and sometimes exceeded my expectations	5 = Greatly exceeded my expectations				