

Speech to the Environment Select Committee on the Resource Management
(Consenting and Other System Changes) Amendment Bill

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Tēnā koutou, members of the committee. Thank you for the opportunity to speak today.

Ko Shaun Lee toku ingoa, and I am a director at STET Limited. We are a social enterprise with expertise in marine conservation and restoration, particularly in the Hauraki Gulf Marine Park. Today, I am here to oppose the proposed changes to the Resource Management Act specifically those that limit regional councils' ability to regulate the effects of fishing.

Let me start by clarifying why we are here today. The proposed amendments would significantly weaken environmental protections in coastal and marine areas by shifting decision-making away from regional councils and local communities toward the Ministry for Primary Industries, this agency prioritises fisheries extraction over ecosystem health. This is a critical issue because New Zealand's marine environment is facing unprecedented pressure from overfishing, habitat destruction, and climate change.

The RMA provides an essential legal framework that allows regional councils to protect coastal and marine ecosystems based on a broader range of values than those considered under the Fisheries Act. In addition to being a food source for humans, fish support ecosystems, contribute to recreation and tourism and play a role in our cultural identity. Some species of fish help regulate water quality and carbon cycles, indirectly supporting climate stability. So fish have other cultural values, scientific purposes, ecological functions, and even just aesthetic values that are not being considered in the Fisheries Act. There are clear guidelines in case law for how Councils should consider these other perspectives in limited circumstances.

We need the RMA to protect indigenous biodiversity from the effects of fishing because the Fisheries Act has failed to protect marine biodiversity. Furthermore this government is seeking to reduce the ability for the Fisheries Act to protect wildlife. The acts failures can be seen in:

- Overfishing of snapper and crayfish which has led to unchecked kina populations stripping vast areas of kelp forest, creating barren rocky reefs. One of my favourite dive sites has lost 50% of it's kelp forest.

- The collapse of the commercial scallop fishery in 2022 due to years of destructive dredging highlights the failure of the Fisheries Act to address habitat degradation caused by the fishing method.
- Many of our seabirds are going extinct because they are being caught in fishing gear and because huge purse seine fishing boats are reducing their food supply.
- Fisheries New Zealand is talking a big game with protecting habitats and moving to Ecosystem-Based Fisheries Management but my research has found that they can't even manage single species targets for at least 16 stocks in the Hauraki Gulf. So, there is no hope for moving towards a more complicated and expensive approach.
- Our shellfish beds are going, going gone, tensions are rising as different racial groups fight over the last fish, recreational fishers are really getting quite upset and 76% of our freshwater fish are heading towards extinction.
- I could rant about the failures of the Fisheries Act all day, but you get the idea.

We need every protection tool available, and we need more agencies using them, not less.

New Zealand's track record on marine protection is shockingly poor compared to public expectations. While the majority of New Zealanders support protecting at least 15% of our oceans, only 0.2% of our marine environment is currently protected. That's a huge failure to protect wildlife from fishing.

The RMA allows regional councils to impose long-term protections where necessary, such as 10-year closures, which strike the right balance between allowing ecosystem recovery and ensuring social acceptability. I think if that poll was to be redo with that in mind you would find social acceptance for protecting more than 30% of our ocean. Unlike marine reserves or Fisheries Act section 186 rāhui, RMA-based closures provide a pragmatic, evidence-based and community-driven solution that aligns with the United Nations' high protection standard. RMA protection areas are desperately needed for New Zealand to meet international obligations to hit the 30% marine protection by 2030 target. The Marine Protection Atlas currently has Australia at 20% highly protected and remember New Zealand is less than 1%!

The proposed changes to the RMA would force councils to obtain MPI's approval before implementing any fishing-related rule, creating unnecessary bureaucratic hurdles and shifting decision-making to an agency that prioritises fisheries extraction over conservation. Former Fisheries Minister David Parker once suggested that our fisheries regulator had been captured by industry, and that capture is now undeniable. It is evident in the establishment of the Seafood Industry Forum, which lacks the transparency and collaboration of the fisheries working groups that I volunteer in. It is reflected in repeated court challenges to Fisheries Minister decisions, in delays to reducing bottom trawling in the Hauraki Gulf Marine Park despite overwhelming public and scientific support for stronger protections and it's evident in the proposed changes to both the Fisheries Act and this Bill. This Bill is anti-democratic, stripping communities of their ability to advocate for marine protection through regional planning.

In conclusion, I urge the Select Committee to reject these changes that limit regional councils' ability to manage fishing-related environmental impacts under the RMA. We must retain the ability for councils to establish RMA-based marine protections for cultural, scientific, aesthetic, and ecological reasons. Let's recognise the importance of 10-year closure periods as a balanced and effective tool for ecosystem recovery. Ensure that some marine protection decisions remain with local councils and communities rather than centralising authority under MPI.

New Zealand's oceans are facing unprecedented pressure, and now is the time to strengthen, not weaken, our ability to protect marine biodiversity.

Thank you for your time and consideration of our submission.