

an update on Spatial Issues

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Some topical spatial issues



- (1) Mātaitai reserves
(2) Marine reserves
(3) MPA Strategy
- Role of CSOs & SeaFIC re: spatial issues

Roles of CSOs and SeaFIC re: spatial issues

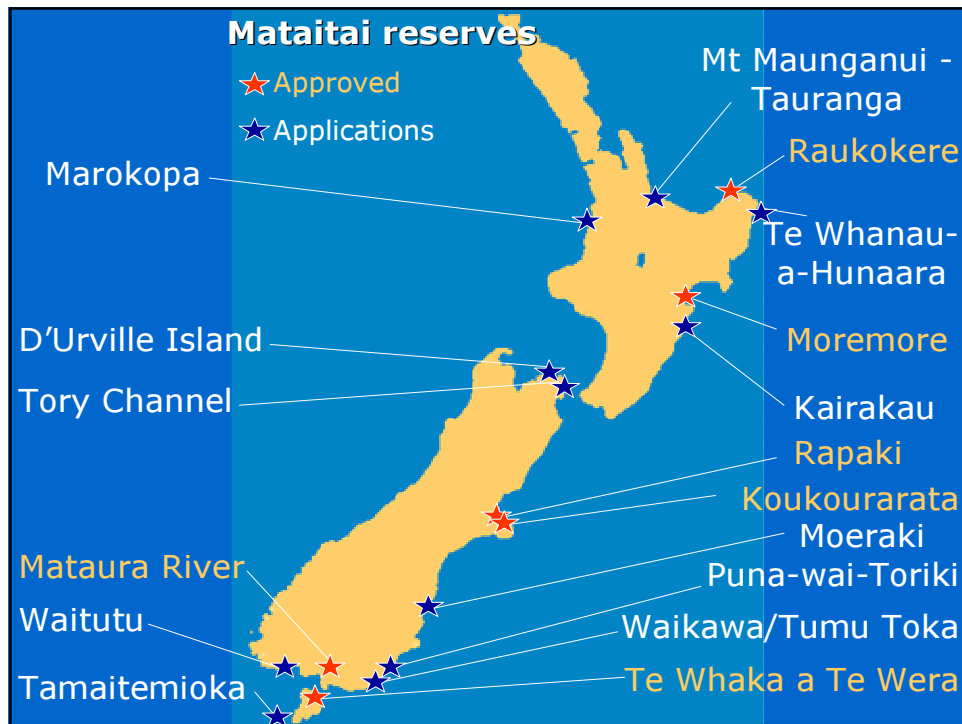


- Primary CSO role
 - Taking the lead in protecting members' property rights (marine reserves, mataitai applications, MPA regional planning etc)
- Primary SeaFIC role
 - Working through government & legal processes to amend the legislative & policy framework to improve the security of property rights
- SeaFIC can also
 - Advise CSOs on species-specific or area-specific issues affecting property rights
 - Get more involved in specific issues which are of generic significance

Mataitai reserves: background



- 1992 Deed of Settlement “...recognise and provide for customary food gathering by Maori and the special relationship between tangata whenua and those places which are of customary food gathering importance”
- Fisheries (Kaimoana Customary Fishing) Regulations 1998
- Fisheries (South Island Customary Fishing) Regulations 1999
- Minister must be satisfied that a mataitai reserve will not:
 - “prevent persons with a commercial interest in a species taking their quota entitlement or annual catch entitlement (where applicable) within the QMA for that species”



Maitaitai: Issues for industry



- Maitaitai applications larger than anticipated by industry
- Cumulative displacement effects of a series of maitaitai
- Legal uncertainty – different interpretations of “prevent test”
- Effort & cost responding to applications

Mataitai: Desired outcomes



- Mataitai established in an integrated and planned way that does not interfere with commercial fishing
- Focus on exercise of customary fishing rights & what iwi/hapu seek to achieve, rather than current focus on tool (mataitai)
- Exercise of customary fishing rights within the context of the full fisheries settlement package
- Customary & commercial rights holders agree on mix of measures (possibly incl. mataitai) to enable both sets of rights to be exercised – dialogue takes place at an early stage in the process.

Mataitai: Ways forward



- Discussions between SeaFIC, MFish & TOKM
 - Wider notification of applications
 - Guidelines for applicants
 - Legal debate
 - Better integration of customary & commercial aspects of settlement based around pro-active planning & dialogue:
 - Iwi working with their hapu
 - Iwi within QMA working together
 - Iwi & wider industry working together in QMA
- Link policy work with issues arising from applications
- Importance of fine scale catch information

Update on other spatial issues



- Marine Reserves
 - 2002 Bill still on hold in Select Committee
 - Private Member's Bill – pre-notification consultation

- MPA Strategy
 - Key elements still not confirmed (standard of protection, classification system)
 - Still a major role for marine reserves
 - Implementation through regional forums
 - Importance of fine scale catch information