

Improving Regulation of Environmental Effects in New Zealand's EEZ

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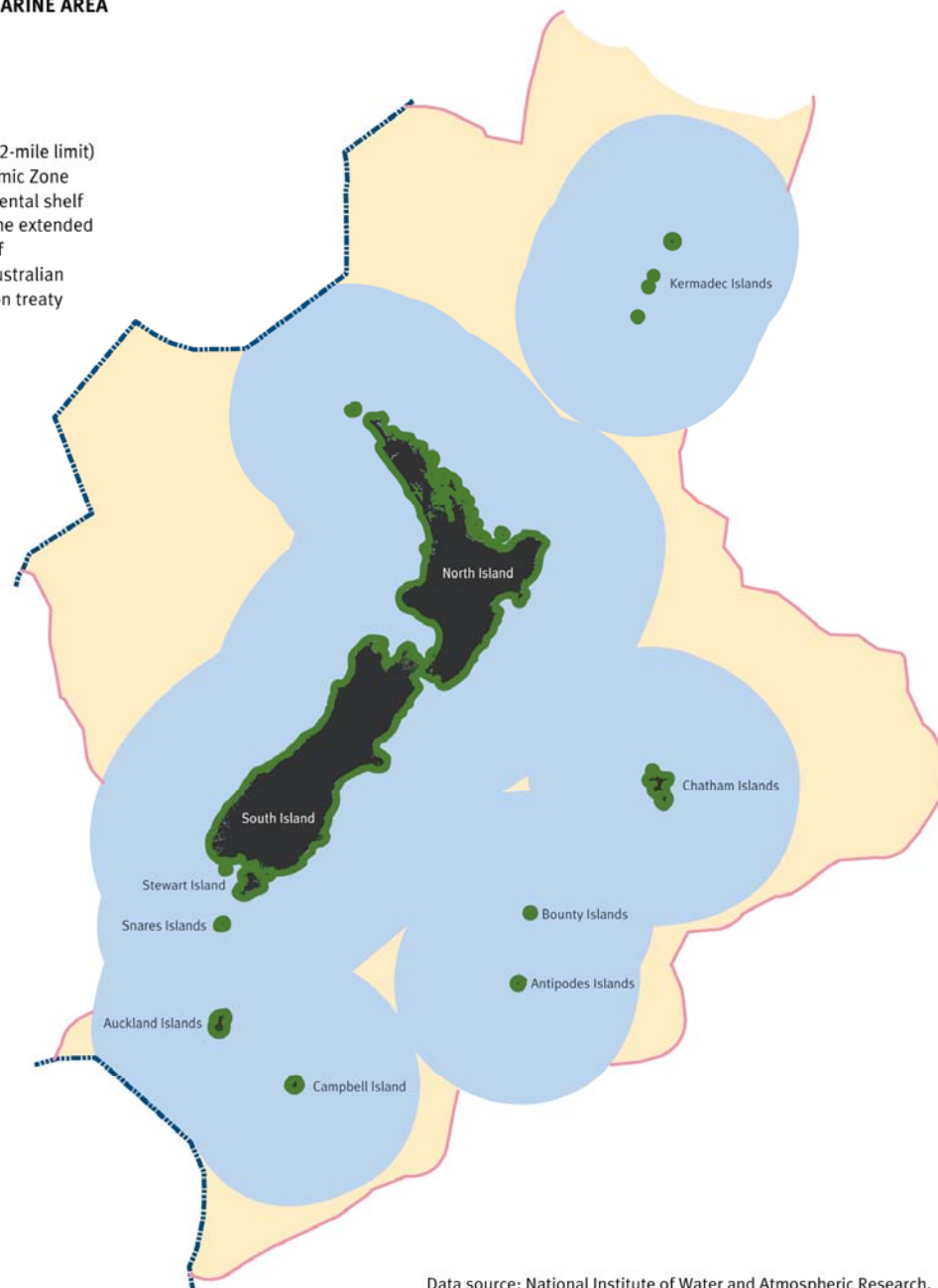
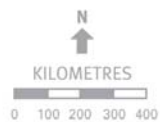


Ministry for the
Environment
Manatū Mō Te Taiao



+ FIGURE 11.1:
NEW ZEALAND'S MARINE AREA

- Territorial sea (12-mile limit)
- Exclusive Economic Zone
- Extended continental shelf
- Outer limits of the extended continental shelf
- New Zealand–Australian 2004 delimitation treaty



Data source: National Institute of Water and Atmospheric Research.

Background

- Current oceans policy focus:
 - deal with most pressing issues in short term
 - more integrated and coordinated approach over time
- First priority is regulatory gaps in EEZ



Engagement to date

- Aug 2007: Discussion paper released
- Sep 2007: Meetings with industry etc.
- Dec 2007: Report back to Cabinet on submissions
- Jan 2008: Further cross-sector workshop



Initial proposals (August 2007)

- Preferred option: fill current regulatory gaps, consistency with other legislation
- Alternative: New regime to regulate all activities in EEZ
- Rules-based framework, with consents required for activities over effects threshold



Current proposals

- Disclaimer: not signed-off policy
- Scope:
 - limited by what UNCLOS allows
 - extended continental shelf
 - not including matters already regulated
e.g. Crown minerals allocation, fishing, transport, pollution, discharge



Decision-making

- Purpose – allowing for use and regulating environmental effects in order to protect the environment
- Precaution and adaptive management
- Environmental objectives – biophysical
- Economic, social and cultural considerations



Regime administration

- Minister for the Environment – policy statement and rules
- MfE – policy statement and rules, overall administration of legislation
- Maritime NZ – consent authority, monitoring and enforcement



Direction and consistency

- Policy Statement
 - environmental standards
 - alignment and integration with other regimes
 - priorities for rules framework
- Cumulative effects



Rules

- Set thresholds based on effects
- Permitted, discretionary and prohibited categories
- EEZ-wide or area-based
- Statutory regulations



EEZ consents

- Similar to a resource consent – EIA scaled to activity, conditions, monitoring
- Decision-maker assesses effects on environment and other users/interests
- Cost recovery for processing and monitoring



Participation

- Public notification and consultation on policy statement and rules
- Consenting:
 - applicants will need to identify effects on other interests
 - public submissions and hearings
- Iwi input and participation



Where next?

- Ministers to decide shortly on final policy
- Next opportunity for stakeholder engagement is at select committee
- Questions?

