Seabed and Foreshore: ECO’s view

THE FIRST decision of the ECO Executive Committee on the government’s statements regarding its proposed policy on the Foreshore and Seabed was that the timeline for the consultation on the matter was deplorably short and that ECO would not make hasty decisions on the matter. The Executive expressed considerable concern that the government intended to foreclose access by Maori to the Maori Land Court on some aspects of the issue. It also observed that while the foreshore is a hugely important place ecologically, socially and culturally, the seabed is of vast extent and may really be the main driver of some of the interests pursuing access to the seabed and foreshore.

The escalating tide of marine farming applications was suspended in 2001 by the government with the passing of the Resource Management (Aquaculture Moratorium) Act. The purpose of the moratorium was to allow councils to plan for aquaculture within designated coastal areas (Aquaculture Management Areas) rather than allowing “open season.” The Government has now introduced legislation to extend the moratorium till the end of 2004.

Aquaculture was not part of the 1992 Sealords fisheries settlement. Maori, seeing allocations that seemingly paid little heed either to their aspirations to be part of the aquaculture industry or traditional Maori connections with the seabed, challenged the government through the Maori Land Court. They claimed customary rights to the foreshore and seabed in a case relating to the Marlborough Sounds. In June 2003 the Court of Appeal delivered its judgement. It decided that the Maori Land Court could hear cases based on customary rights to ownership of the foreshore and seabed. This did not mean that every case would be successful or that the Court would give title to large areas.

The government’s initial ill-coordinated steps to deal with the Court of Appeal’s decision on the case was met with vigorous opposition from Maori, particularly the proposal to legislate away access to the Maori Land Court. Since then Maori and the Government have been in dialogue, with the government proposing to announce a revised proposal later in December.

The Government had proposed four principles for its policy:

The Principle of Access, that the foreshore and seabed should be “public domain” with open access for all New Zealanders. “Public domain” was to be some form of indivisible and inalienable land.

The Principle of Regulation, which provides that the Crown be responsible for regulating use of the foreshore and seabed, on behalf of all present and future generations of New Zealanders.

The Principle of Protection [of customary interests]. The government prom-

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Foreshore and seabed (continued)

ised that there would be processes to enable the customary interests of whanau, hapu, and iwi in the foreshore and seabed to be acknowledged, and specific rights to be identified and protected.

The Principle of Cerainty, which provides that there should be certainty for those who use and administer the foreshore and seabed about the range of rights that are relevant to their actions.

There was no Principle of Protection of the Environment, despite the obligation under the UN Convention on the Law of the Sea article 192 to "preserve and protect the marine environment."

According to the government's paper, "the seabed includes the soil and subsoil from the high tide line to the 12 nautical mile limit of New Zealand's territorial sea (generally described as the coastal marine area) and the soil and subsoil under New Zealand's EEZ which runs from 12 to 200 nautical miles from the low tide mark, and in the continental shelf where it extends beyond 200 nautical miles."

ECO's Executive Committee has serious concerns that the focus on rights and ownership is overwhelming and obscuring the foremost need to protect conservation values and sustainable management of the coast and seabed. Our coastal and seabed ecosystems evolved long before humans arrived in New Zealand and will continue long after we go. The coastal area is also where many of the greatest impacts of global warming will manifest with consequences for many, including those with entitlements.

The first human immigrants realized the need for care and evolved extensive forms of protection and guardianship: the kaitiakitanga that Maori have exercised in caring for these areas and that also defines their place in this world. This duty of care has been held to despite consistent social denial and legislative ignoring of kaitiakitanga through virtually all the last 160 years.

Continued over page

Stripping the coast: Mangrove mayhem

THE INDEPENDENT review of the New Zealand Coastal policy statement due out any day will appear in a very different climate with permission recently being granted to a developer in Northland to strip mangroves from their coastal frontage. In Whangatātea illegal removals have stripped a bay where a consent approval to legally remove a small subset of these is under appeal by Forest & Bird. The small number of plants under appeal now stand forlorn in a moonscape of stumps while the removed plants lie piled up on the surrounding salt marsh margin.

Predictions that development interests would capitalise on concerns over mangrove spread have been borne out in Northland. A property developer at Mangawhai Harbour has been granted a non-notified consent to remove a 260m by 10 metre margin of mangroves from his property frontage on the grounds that they were an existing public access. The property abuts a public road-bridge whose construction restricted tidal flow and increased sedimentation effects, as did an earlier causeway elsewhere in the harbour, 50 years ago. The use of the access provision is contentious but as the application was non-notified no one got the opportunity to challenge this.

The developer's consultant for the process was Andre LaBonte, an American trained coastal engineer now resident in Northland, who has co-authored two papers over the last two years challenging the ecological role of mangroves in the New Zealand context. Not published in peer-reviewed journals, the papers have been criticised by some scientists for lacking proper scientific reasoning and process. They have contributed considerably to the poor information available to communities, devaluing mangroves and encouraging removals. The door having been prised open, there will no doubt be a queue forming of developers and others.

Regional councils are facing increasing pressure to reduce protection provisions in their coastal plans from such interests whilst failing to adequately address the real problem of sedimentation from poor catchment management. The Northland Regional Council is likely to be the first to propose amending its coastal plan. Close attention to regional coastal planning processes over the next year will be necessary.

Contacts: David Pattigmore, Forest & Bird, d.pattigmore@forestandbird.org.nz Clive Monds, ECO, cmonds@wave.co.nz

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Ecology and Environment Select Committee has reported back to Parliament on the Resource Management (Energy and Climate Change) Amendment Bill. The Bill is due to be reported back next year.

ECO presented submissions on the Bill arguing for changes to the definition of renewable resources and reversal of the proposed deletion of climate change from resource consent decisions. Greenpeace, the Environmental Defence Society and Forest and Bird all criticised many of the Bill provisions and the absence of any carbon charge to replace the removal of controls on greenhouse gas discharges.

AQUACULTURE LEGISLATION

THE GOVERNMENT has introduced legislation to extend the moratorium on Aquaculture Applications to 31 December 2004. The extension is due in part to the delay in introducing new legislation to manage aquaculture that the foreshore and seabed debate has caused.

Further legislation will be introduced later to implement the Government's decisions on aquaculture.

Submissions close with the Primary Production Select Committee on 2 February on the Resource Management (Aquaculture Moratorium Extension) Amendment Bill.

Maori Fisheries Bill Progresses

THE GOVERNMENT has introduced legislation to settle the allocation of the Maori fisheries assets. The legislation has been referred to a new select committee established to deal with controversial marine legislation. It will also deal with the legislation to implement the Government's decisions on the foreshore and seabed.

Submissions close on the Maori Fisheries Bill on 15 March 2004 with the Fisheries and Other Sea-Related Legislation Select Committee.

Members of the Fisheries and Other Sea-Related Legislation Select Committee are:

Russell Fairbrother (Chair, Labour), Georgina Te Heuheue (Deputy-Chair, National), Nanaia Mahuta, Mahara Gikera, Dover Samuels (All Labour), Larry Baldock (United), Phil Heatley (National), Richard Peeble (Act) and Metiria Turei (Green).

Fishing industry gets a $24 million windfall

THE GOVERNMENT is giving the fishing industry a $24 million windfall through the provisions of the Fisheries Amendment Bill 2003. The Bill implements a settlement agreed with the fishing industry on recent asset returns, due to a quirk in current legislation the fishing industry is getting refunded for research costs that were over recovered since 1994, but is paying little where research costs were under recovered. The Bill is before the Primary Production Select Committee.
Queenstown conference on the Deep Sea

URGENT action to stem the loss of deep sea-bed dwelling creatures and natural communities affected by trawling in the deep sea is necessary according to a succession of papers delivered at the Deepsea 2003 conference in Queenstown in December 2003. Trawling does immense damage to the highly biodiverse seamounts, cold-water corals, cold-water vents and trenches and its consequences.

High temperature vents are the result of interactions of seawater and magma and from the energy generated by tectonic plate actions at subduction zones. The convected water precipitates minerals that crystallise into columnar “chimneys” as black “smokers” or as huge mounds or other formations. Water temperatures as high as 350°C with high sulphide concentrations result. The structures are colonised by extraordinary faunal complexes including tubeworms that manage to flourish in the high sulphide, high temperature environment of the vents. Unlike other ocean ecosystems, these highly diverse and endemic ecosystems are not based on photosynthetic energy but on chemosynthetic energy.

Acute concern at the impacts of trawling on seamounts, cold water corals and other sensitive environments lead to calls for action by both national governments in their own EEZs and by the international community regarding the High Seas.

“We heard that there may be tens of thousands of undiscovered species in the deep sea,” said Cath Wallace of ECO who presented two papers in her capacity as a member of the School of Government at Victoria University of Wellington, one with Barry Weeber of Forest and Bird. “Bottom trawl fishing can destroy these ecosystems and may drive species extinct before we even know they exist.”

Many of the experts at the conference called for urgent action by both governments and international organisations under the Law of the Sea and other conventions and agreements. Regional Fisheries Management Organisations and the FAO were also urged to shape up, get moving and get real about the need to protect the seabed species and those in the water column above. There were considerable reservations however about the task being left to FAO or its organs with other international agencies canvassed for action and still other calls for a new international agency with authority to manage human impacts on the oceans.

“Most people agreed that urgent action was needed to stem the irreversible damage to the fisheries and biodiversity of the deep sea.”

Scientists, legal, political, academic and non-governmental experts called for control of illegal, unauthorised and unreported fishing, especially on the High Seas of the Southern and Indian Oceans.

Austral Fisheries’ Martin Exel told of two of his vessels discovering orange roughy in the Indian Ocean. Within a very short time their vessels were joined by 3 South African vessels, then, unreported, the population of vessels balloned to such an extent that within 30 months the roughy stock was wiped out.

At least some in the Australian fishing industry were frank that trawling was damaging and must be addressed urgently.

Bids by New Zealand fishing industry representatives for fishermen to receive allocations of property rights to the deep sea and its fisheries were widely regarded as crass, self-interested and unconvincing. Claims of the success of the New Zealand fisheries Quota Management System were contradicted by the evidence of the fate of New Zealand’s orange roughy fish stocks and the lack of coherent environmental management mechanisms to date.

Papers presented by New Zealand scientists and by Cath Wallace and Barry Weeber showed the evidence in what Cath Wallace calls “lobogganing graphics”: rapid declines in orange roughy stocks over the course of the Quota Management System with stocks plunging apparently unchecked for 7 of the 9 New Zealand orange roughy stocks. Only two stocks, even on optimistic interpretations of the evidence | itself riven with uncertainties | can be said to be in moderately good health | that is, at or above 30% of the original biomass.

Simon Upton, in New Zealand to speak to the conference, delivered the work of the OECD Round Table on Sustainable Development of which he is Chair, announced the formation of a Ministerial task force on Illegal, Unreported and Unregulated (IUU) fishing. Chaired by the UK Minister of Fisheries, other members include New Zealand Fisheries Minister Pete Hodgson, and counterparts from Australia, Namibia and Chile.

One major task of this group will be to try to persuade authorities in their own and the other seven states with High Seas fishing fleets to use national legislation to discipline nationals and vessels of each state to control IUU fishing.

New Zealand is a major player in unregulated deep-sea fishing | deep-sea fishing on the high seas in the Southern Hemisphere is mostly unregulated by any international agreements. Several international lawyers argued that this fishing is likely to breach countries’ obligations under the Law of the Sea convention. An additional problem was that many nations had not ratified the UN Implementation Agreement on Highly Migratory and Straddling Fish Stocks Agreement (FAO) or Regional Fisheries Management Agreements, and therefore there are no legal means of controlling their fishing.

Simon Upton was sceptical that further agreements, codes of conduct and the like would work. In his view until governments lifted the “veil of sovereignty” cloakings on vessels on the high seas, little progress would be made.

He urged that international rules be changed to allow the apprehension of vessels on the high seas for fishing without authority, reporting and control. Meanwhile he suggested the extension of trade measures, the removal of a variety of subsidies on fishing, fishing vessel construction and fishing vessel retirement, and information sharing to enhance enforcement where nations would discipline their nationals.

Further projects aimed to study the bathys of the deep abyssal plains of the oceans; to study the patterns and processes of ecosystems in the Northern Mid-Atlantic; to do a pilot census of marine life (benthic and pelagic) and to explore the natural geography in store areas with standardised sampling techniques designed to help raise the capacity of developing countries.

The Ocean Biogeographic Information System (OBIS) allows free access to a large and expanding collection of marine databases with taxonomic and geographic information.

The History of Marine Animal Populations is using innovative historical information to document and model past animal populations to gain centuries long perspectives on abundance and distribution, to study the ecological impacts of large scale harvesting and to get wider perspectives than the short-term view of much harvesting management.

For more information see: www.coml.org

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Census of Marine Life (COML)

AN AGREEMENT amongst researchers in 1997 to set up a huge cooperative system of information collection, storage, modelling, assessment and retrieval to assess and explain the diversity, distribution and abundance of organisms in the sea is gathering pace.

The Census of Marine Life has several projects well underway including:

- a History of Marine Animal Populations, an Ocean Bio-geographic Information System (OBIS) and a modelling, integrating and analytical facility to understand, describe, interpret and predict changes in marine biodiversity.

Hosted by the Consortium for Oceanographic Research and Education in Washington, there are seven demonstration projects in what is intended to be a 10-year cooperative effort that may secure itself a permanent existence.

Projects established include the Pacific Ocean Shelf Tracking Project, a programme of tagging Pacific pelagics and a biogeography of chemosynthetic ecosystems which aims to compare ecosystems of deep sea vents, cold seeps, whale falls (whale carcass ecosystems) and wood

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Scientists’ statements of concern on impacts on the deep sea to the UN

A SERIES of statements has expressed the mounting concern of the international marine science community over the impacts of fishing and other human activity. The statements are a recurring message on the need for urgent action to the policy and law community including the United Nations.

Deep-sea biologists at the 10th Deep-sea Biology Symposium at the University of Oregon’s Institute of Marine Biology in Coos Bay, issued a “Statement of Concern to the UN General Assembly Regarding the Risks to seamounts, cold-water corals and other vulnerable ecosystems of the deepsea in August. The international meeting responded to the request at the UN General Assembly and the UN Informal Consultative Process on Oceans and the Law of the Sea to urgently consider the risks to those ecosystems.

Many scientists signed the declaration, and many more agreed with it but did not sign on account of their desire to stay removed from policy debates. The statement was also endorsed by some participants at the 2nd International Symposium on Deep Sea Corals, at Erlangen in Germany in September 2003.

The signatories concluded:

“Populations of numerous commercially important species of deep sea fish and precious corals associated with seamounts, ridges, plateaus, continental slopes, coral reefs and sponge fields in the deepsea have been severely damaged by fishing.

“Benthic habitats and communities have been severely damaged by fishing activities.

“The biological characteristics of most deep-sea species is limited, evidence to date suggests that deep water habitats such as coral, seamount, seep and vent ecosystems are likely to harbour distinct assemblages of diverse and highly endemic species.

“The lack of effective international regulations for the conservation of natural systems and the protection of the deep sea on the High Seas, as well as within areas of national jurisdiction (EEZs) is a cause of great concern. In this regard, consistent with the precautionary approach, we recommend that:

- The conservation and protection of the biodiversity of the deep sea is the responsibility of all nations, in particular on the global ocean commons, the high seas.
- Non-commercial research, within ecologically appropriate constraints, should be promoted and freely conducted to better understand species diversity and life-history, community structure, trophic organisation and ecosystem processes of the deepsea.
- Conservation measures should be established at the global, regional and national levels with an emphasis on developing representative networks of marine protected areas (MPAs) which are called for by the World Summit on Sustainable Development and endorsed by the UN General Assembly.

- Areas critical for baseline scientific research and to furthering the understanding of the deepsea environment should be designated as Science Priority Areas.
- All regulations should be in conformity with the 1982 UN Convention on the Law of the Sea (UNCLOS) and other relevant instruments including the Convention on Biological Diversity and the 1995 UN Fish Stocks Agreement.

Similar concerns were aired at the Deepsea 2003 conference at Queenstown in December but the FAO, one of the sponsors of that event, insisted that the conference make no declaration.

Kevin Hackwell returns

LONG time conservationist, ecologist and activist, Kevin Hackwell is the new Forest and Bird Conservation Manager, replacing Eric Pyle who has moved on to the Ministry of Research, Science and Technology.

Kevin was most recently in action for the godly and ungodly alike in the Downtown Community Ministry in Wellington where he coordinated both support for individuals in need of help and research and advocacy to address poverty.

His roots however go deep into the conservation movement. A trained geologist, he has been involved in establishing the Nelson Beech Action Committee in 1972 to fight the West Coast Beech Scheme. He fought against all four such schemes that have been proposed.

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Think Big in the Waitaki

IN A STEP back to the early 1980s, the Government has introduced special legislation to reduce public participation and limit appeal processes under the Resource Management Act. The changes are proposed in the Resource Management (Waitaki Catchment) Amendment Bill. Many of these changes are similar to those proposed for fast-tracking large projects (see article below). The people and environment of the Waitaki are being used as a guinea pig for change being worked on by the Ministry.

The Government has introduced special legislation to assist the processing of the Meridian Energy application to convert most of the lower Waitaki water flow into a canal. The Bill also deals with a range of competing irrigation applications.

National, NZ First and Act have opposed the Bill. The Greens and Unitary have yet to decide their positions. The Greens supported the Bills introduction but stated they may not support the Bill progressing, depending on what submissions were heard.

The key provisions of the Bill are:
1. To establish a Waitaki Catchment Water Allocation Board which will develop a regional water plan or framework for the Waitaki Catchment. Decisions of the board are only appealable on points of law to the High Court, and there is no appeal to the Environment Court.
2. To establish a Panel of Commissioners who will hear submissions on resource consent applications. Submissions will be closed and hearings will take place prior to the water plan being finalised.

The Government is assuming that Project Aqua is in the national interest and should be promoted. The Minister has already called in many of these concerns so it is unclear why the legislation needs to be changed. The only argument for legislative change is that the Minister cannot call-in the requirements of a requiring authority; the trouble is, this Bill does not make these changes. Neither does it require regional councils to prepare water management plans, which are optional under the RMA.

Fast Tracking the RMA

THE GOVERNMENT is still considering introducing changes to the RMA that will introduce discredited think-big National Development Act powers that favour large applications (like Project Aqua). Officials from the Ministry for the Environment are working on changes that will give special treatment to large projects. The Waitaki legislation includes several of the changes which the Government is considering making to the RMA.

Our understanding of current considerations are:
1. Before there is any public notification, a developer will bring a proposal to the Minister for Economic Development. An economic feasibility study on the project will be available but nothing on environmental, social, cultural or community impacts.
2. The project will then, if the MED minister agrees, be taken to the Cabinet who will decide whether to give the project the favoured project fast track. If the Cabinet does agree, then it will be publicly announced that the project has this status and a statement of national interest will be called for, with officials given a very short time to develop such a statement. At the same time, environmental impact studies and other project documentation will be developed by the applicant.
3. The Statement of National Interest, will then, by virtue of the amendment of the RMA, have to be considered along with other matters of national interest under the RMA. The project will go to whichever local authority it normally have considered it, but they will have to "have particular regard for" the Statement of Interest. As before, this statement is about economic benefits of the project, not a consideration of the costs and benefits or of environmental, social or cultural impacts. (Note that the Waitaki legislation includes statement of national interest considerations.)
4. The government will appoint an "independent" (yeah right) coordinator for the project whose job will be to ensure that the project proponent has done enough homework, has not underestimated the environmental effects, has consulted with affected parties and so on. There will be some money for groups or individuals to seek independent advice (that is the sugar on the pill). Note that there is supposed to be some money in the Waitaki process but it is unclear where it is.

The criteria for the designation of such projects was mooned by the Minister for the Environment and her officials in June as needing care lest they allow judicial review and it was thought then that they would need plenty of discretion and wriggle room. The wriggle room that they are understood to be looking at is huge. We can expect legions of qualifying projects to get the fast track. It will be a juggernaut highway and a right royal gravy train for the privileged and patronised.

The criteria include that there be one of the following: significant economic, environmental or social effects; significant use of resources; significant capital investment; complex, new or innovative technologies or designs (IE anyone?); significant infrastructure or essential services; significance with respect to section 8 of the RMA (the Treaty clause).
7. There is also to be widening of the grounds for Ministerial call-in. All criteria above are to apply but also the grounds of significant public interest or significant impact on New Zealand's international obligations (terrorist detention centres?).
8. The government statements are to be sorted out at a Ministerial level so what should be a public process will actually be done behind closed doors and subject to Cabinet collective responsibility and a "whole of government approach." However, we understand that DOC is to retain the statutory power to put its case (but you bet it won't be keen to, with the rest of government intent on fast-tracking these projects).
9. The local authorities will have to have particular regard to the Statements of National Interest subject to the purpose and principles of the RMA. One rumour has it that the Statements of National Interest were to take priority over section 7 matters.
10. Just to ensure that the project is pushed even faster, it will queue-jump at both the local authority hearing level and in the Environment Court.
11. The earlier discussion of "streamlining" (i.e. making it harder for opponents) at the Environment Court remains.

There is to be a restriction on various aspects of the Court's operations. The Court will not be able to admit new evidence, even if this has emerged since the local authority hearing. It will be restricted to a re-hear.

There will be other (unspecified) controls. (A similar approach is being applied in the Waitaki legislation.)

The general intention is to raise the Court's obligation to make sure appeals have reasonable or relevant cases, and to include failure to follow the instructions of the court as a criterion for striking out the case. There is more that is unspecified, but clearly with the intent of limiting the chances of successful challenge.

Many of these changes are similar to those in the much criticised National Development Act.
Forests

Forest Stewardship Council

ECO HAS been engaged in the National Initiative to develop a NZ FSC standard for Plantation Forests. The Process involves consensus decision making via four input groups or chambers, Economic, Maori, Environmental NGO and Social. ECO has been engaged in the process with Rick Barber as its representative on the Environment Chamber.

The latest draft plantation standard has been posted on the www.nzcertification.com site. This draft drew many submissions across the sectors. The chambers are now working through the submissions and preparing a draft for final consideration.

The path has been a long one with the interests of all the chambers coming to the fore in the round the table, telephone and email debates. In addition to these issues, ECO has had the following concerns:

- Chemical use and phase-out regimes
- Identification of indigenous biodiversity
- Developing restoration programmes and phase-in times for certification
- Riparian management
- Harvesting regimes
- Mixed species and age
- Landscape effects
- Public Access for use of non-timber forest products
- Recreation
- Labour and Safety

The challenges have been to create a worthy standard within the New Zealand social, environmental, economic and cultural matrix that represents a National Standard worthy of the FSC mark.

The work has been at times frustrated by some industry groups pushing hard to engage the environment chamber in the parallel development of FSC Indigenous logging standards. ECO and fellow environment chamber representatives, including representatives from Forest and Bird and Greenspace have had long debates over this issue. ECO has discussed our engagement in development of FSC standard for indigenous logging at our AGMs and we are holding firm to the mandate from our member groups not to engage in the development of indigenous logging standards. This has remained a consistent principle across the major NGO groups since the initial FSC national initiative meeting in May 2001.

It has been a pleasure to work with the many dedicated people within the environment chamber, who have put many hours of work smithing and often tense negotiation toward an improved and secure future for our indigenous biodiversity within the plantation forests. Also the Forest Industry has been commended for considering the marketing advantage of the FSC mark and for putting considerable investment into the process that will create positive return for their industry.

-Rick Barber

Visit by aquaculture campaigner timely

The visit of Don Staniford, UK aquaculture campaigner, in September/October was well timed with the aquaculture moratorium extended to December 2004, due to the foreshore & seabed debate, and Regional Councils moving through the process of establishing AMAs’s (Aquaculture Management Areas). Don’s main message was on “The Five Fundamental Flaws of Sea Cage Fish Farming.”

He arrived in New Zealand following his presentation as a keynote speaker at “Charting the Best Course” conference in Brisbane in August. The Queensland Conservation Council and the Australian Marine Conservation Society together organised the conference, the focus of which was “the future of Mariculture in Queensland’s marine environment” (see: www.qccqld.org.au/aquaculture/index.htm).

While here Don participated in seminars and workshops at the Marine Sciences Department of Otago University, met with government officials, councils and spoke at public meetings.

New Zealand aquaculture has been primarily focused until now on relatively low value shellfish farming but it is now looking to follow its Australian counterparts into finfish farming which, until now, has been limited to a few salmon farms. The Protect Peach Cove group (www.protectpeachcove.com) in Whangarei recently successfully fought the first attempt to establish a finfish (kingfish and snapper) farm at Whangarei Heads and was instrumental in bringing Don to New Zealand.

Don highlighted the potential pollution and other harmful effects of this intensive form of aquaculture. His work can be followed at http://www.salmoffarmmonitor.org

-Clive Monds

Heritage Update

CAMPAIGN for a Better City (CBC) has lost its High Court challenges to archaeological authorities granted by the Historic Places Trust for Wellington’s inner-city “bypass” road. The challenge arose in part because the Historic Places Trust has effectively become a partner with Transit New Zealand in the most significant destruction of heritage values by a single project in years. In its findings the High Court has created a worryingly narrow interpretation of the phrase “directly affected” and also limited the role of the public in the Historic Places Trust’s planning activities. It also means Campaign for a Better City may cease to exist if costs awards are prohibitive.

ECO members with an interest in heritage and protection are invited to contact Roland Sapsford of CBC on (04) 385 1105 or roland.sapsford@parliament.govt.nz for more information.

Transports of delight!

ECO members around the country need to gear up to participate in the new opportunities created by the Land Transport Management Act. The LTMA arose from the collaboration between the Government and the Greens on transport issues. It broadens the focus of land transport thinking beyond roads. It also environmental issues into the centre of planning, long with public health, safety and economic development.

Five new objectives: assisting economic development, assisting access and mobility, assisting safety and personal security, protecting and promoting public health and ensuring environmental sustainability are now touchstones for land transport organisations.

The LTMA provides much greater opportunities and obligations for consultation, paralleling those in the Local Government Act. Contact your local authority, regional council or regional Transit New Zealand office and ask how you can participate in developing their land transport programme.

Another big opportunity comes from the revision to Regional Land Transport Committees under the Act. They are now required to include a representative of “environmental sustainability”, among other areas. Most regional councils will have little idea where to start and there is an opportunity to work with them now to get ecologically sustainable transport advocates involved in transport planning.

The LTMA is one of several steps aimed at implementing the New Zealand Transport Strategy released in 2002. See www.mot.govt.nz for copies of the NZTS and the new Act.

Of course changing the law and changing practice are two different things! Around the country struggles against outdated, pointless and destructive road projects continue. Two well-known examples, the Inner-City Bypass in Wellington and State Highway 20 in Auckland are both being reviewed at present and the outcome is unknown as this went to print. Looking to the future, the change in law makes it even more urgent to establish a national sustainable transport network; any takers out there for organising a conference/hui sometime this year?
ECO Street appeal

FRIENDS OF ECO will have recently received an Annual Appeal letter, and if you have not already sent a donation, but intend to, please put it down as one of those things to do before Christmas and the holiday period!

For Wellington Friends, please put in your diaries this date: Friday 23 January 2003.

Wellington City Council has allotted it to ECO as our street appeal day, and it is the first in their calendar, so we will not be trying to capture the goodwill of people tired of weekly street appeals. The weather will be good, the public will be refreshed after holidays, and it will be a lovely day to be out in the fresh air, so please do consider giving an hour or so of your time to collecting for ECO. We would love to hear from you. Contact Kate at the ECO office, 385 7545, or Elizabeth at 476 9809.

ENVIRONMENT & CONSERVATION ORGANISATIONS OF NEW ZEALAND

ECO PO BOX 11057 SWELLINGTON

Name

Address

Phone ______________________ (work)
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