



## Crown Minerals Bill Critically Compromises Conservation

by Cath Wallace

The Cabinet not the Minister of Conservation will decide on the classification of conservation land and waters if a little-noticed amendment to the Crown Minerals Bill is passed. The Cabinet, via an Order in Council, will thus be able to remove land from National Parks, reserves, wildlife sanctuaries and virtually every other area with protected area. It gives unprecedented degree of control over conservation to economic ministers who almost always out-rank the Minister of Conservation.

The Crown Minerals (Permitting and Crown Land) Bill is before the Commerce Select Committee which is hearing submissions. ECO presented its submission on the Bill in November.

The provisions to allow other ministers to determine and remove conservation designations is extra ordinarily damaging to conservation. Clearly designed to allow designation changes to permit minerals exploration and mining, it could and almost certainly will be used for many purposes by the economic ministers.

The Bill compromises conservation fundamentally and in many ways. The Minister of Conservation's powers



*Paparoa National Park: protection under threat.*

to decide on whether to allow minerals consents on Conservation land, are also eroded by an amendment to make the Minister in charge of Crown Minerals a joint decision maker. Conservation values are sure to be damaged by this provision.

Schedule 4 which puts some protected areas and classifications off limits to minerals activity, is preserved intact as promised by the government after the public rebelled against the government's earlier plans to allow exploration and mining in these areas. Readers may recall that John Key promised not to allow mining on World Heritage areas and National Parks. This Bill will allow the Cabinet to reclassify minerals prospective areas so that they no longer have such conservation designations. That was the device that the Australian government used to allow a uranium mine in the middle of the Kakadu World Heritage Area: they simply defined it out of the Area.

"The Bill is a slap in the face for all the people who care about conservation, and it is sneaky in also changing the Conservation Act, the Reserves Act, the Wildlife Act, the Continental Shelf Act, the Forests Act and others," ECO Co-Chairperson, Cath Wallace said.

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The Bill also removes the power to create a whole range of reserves from Forests Act lands. The provision in the Forests Act that recreation reserves, historic reserves, scenic, scientific or nature reserves can be created from Forest land is being removed (CI 64)

The Bill adds a purpose to “promote” minerals activity, rather than to “regulate” or “manage” minerals activity. This change sets the scene for numerous provisions that disadvantage all other interests than those of the exploration and mining industry. It gives MoBIE a massive conflict of interest between its promotion and regulatory functions.

Instead of using the same grounds applied to consenting for tourism, recreation and filmmaking activities in protected areas, mining is given a super soft deal in the conservation estate. Yet exploration and mining are inconsistent with conservation purposes.

For all the other activities, the Conservation Act applies and the Minister of Conservation may not allow them if they are incompatible with the conservation or reserve purpose of the land, yet for exploration and mining this test is to be waived.

A matter of particular concern is that applications for minerals permits do not have to be kept in a public register. This requirement was introduced as long ago as 1983 but has been since quietly dropped.

The length of the term of minerals permits is being extended. Holders of prospecting and exploration permits already have an automatic right to renew their permits or to exchange them for exploration or mining permits (s32 of the CMA) with no change to the conditions. Mining permits may have a 40 year term (s35) with a further right to renew for another 40 years.

The Bill proposes that a holder of a prospecting permit may have successive rights to permits which in total may last for 118 years with no ability to change the conditions! Existing permits from almost 80 years ago can continue under the old rules.

Overall, ECO strongly objects to the undermining of conservation principles and the subjugation of intrinsic and non-extractive values and functions of the environment by this Bill as it allows economic ministers to decide conservation classifications and make other conservation-critical decisions.

## Greenpeace wins case on charitable status

Greenpeace New Zealand has won its case to have its charitable status reconsidered. The Court of Appeal in mid-November 2012 set aside an earlier ruling by the defunct Charities Commission declining Greenpeace charitable status. The Court said that decision should now be reconsidered by the Department of Internal Affairs.

Greenpeace Executive Director, Bunny McDiarmid, said they were delighted that the Court of Appeal has recognised that promoting both peace and nuclear disarmament is for the public benefit.

The Court has confirmed that the elimination of all weapons of mass destruction is also in the public benefit.

Greenpeace was denied charitable status in 2010 when it applied to the then Charities Commission which ruled that Greenpeace’s promotion of disarmament and peace was a political purpose that was not “charitable” under the Charities Act 2005. That decision was upheld by the High Court last year.

McDiarmid says today’s ruling provided more clarity on what it meant to be a charitable organisation promoting causes such as peace and nuclear disarmament in the 21st Century.

“We will always remain non-party political, promoting good environmental outcomes supported by nearly 60,000 Kiwis.”

The application of the current charities criteria has been the source of wide discussion especially after the National Council of Women (NCW) also lost its charitable status in 2010 when the then Charities Commission decided to withdraw that status.

NCW criticised the former Commission for not assessing whether political advocacy was for public benefit or public interest. One of the ironies was that NCW was partially funded under a government contract to provide advocacy and representation for women’s interests, which included political lobbying.

Greenpeace are appealing elements of the decision. The case will be relevant to all environmental charities. ECO will have further updates in subsequent issues of ECOLink.

## World Watches as CCAMLR Stalls on Ross Sea Marine Protection

The meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) wrapped up in Hobart in early November with no agreement on Ross Sea Protection.

The meeting failed to adopt the joint USA-New Zealand proposal for marine reserves and marine protected areas in the Ross Sea but agreed to further discussions in July 2013 in Germany. CCAMLR committed itself in 2009 to establish a network of representative marine protected areas across the Southern Ocean by 2012 but has so far established only one south of Orkney Islands, east of the Antarctic Peninsula.

The latest CCAMLR meeting discussed protection proposals for three areas: the Ross Sea region, proposed by New Zealand and the United States; East Antarctica, proposed by Australia, France and the European Union; and the areas currently in ice shelves around the Antarctic Peninsula. These could collapse due to climate change from the UK and the European Union. None of the proposals was agreed to at the meeting.

Behind closed doors, some powerful fishing countries have blocked attempts to establish marine protected areas in the Ross Sea and East Antarctica. The main dissenting countries named by the citizen group AVAAZ include Russia, China and Japan.

New Zealand's fishing industry-generated reluctance by the NZ Government to promote a joint proposal with the USA for the Ross Sea prior to the meeting hindered prospects for the agreement. This result is disappointing but not unexpected, but it is not the end of the matter either.

Now that there is a joint proposal agreed at the meeting between the US and NZ, it should make progress easier. The joint proposal has a number of gaps and deficiencies but it is a significant step forward. Environment groups always knew proposals would be contested. This is just Round One of the struggle to protect that last largely intact ocean environment.

It is always difficult when there are consensus decision rules and some parties are bloody-mindedly self-interested. ECO has seen this before: we struggled for eight years in the 1980s before the minerals agreement was overturned.

The Antarctic marine protection will also take time. The world has woken up to the damage that toothfish-



Photo: ASOC

ing is causing and to the impacts of the loss of the last largely intact marine ecosystem in the Ross Sea. The beautiful and engaging film by New Zealand's Peter Young, *The Last Ocean*, covers the Ross Sea and the debate about it.

ECO welcomes the large component of a no-take marine reserve in the joint US-NZ proposal but said it still does not cover the core slope and shelf. "Neither the New Zealand nor the US proposal gave sufficient protection to the Ross Sea, and the Antarctic Ocean Alliance will continue to press for much more."

New Zealand made a spirited defence of marine protected areas in principle: that was welcome.

Some CCAMLR members have forgotten that the convention is a conservation agreement linked to the Antarctic Treaty and not a fishing-only agreement. And some thinking in CCAMLR is still stuck back in the days when people just took fish without a thought for the ecosystem.

Globally there has been a rejection of the "fish and don't protect" approach as shown by support for the Antarctic Oceans Alliance, the Antarctic and Southern Ocean Coalition and its members, ECO, and the more than one million people who signed a petition for AVAAZ.

ECO hopes that NZ and the US will look for greater ambition for the world's last intact ocean. Overall, CCAMLR and its members need to get real that this is the last intact ocean ecosystem: the world is watching and will be paying close attention to what happens next.

For further information see the Antarctic Ocean Alliance website, [www.antarcticocean.org](http://www.antarcticocean.org), and the Last Ocean, [www.lastocean.org.nz](http://www.lastocean.org.nz), and Antarctic and Southern Ocean Coalition [www.asoc.org](http://www.asoc.org)

## Australia leaps far ahead of New Zealand in Marine Protected Areas

by Cath Wallace

Australia now has a marine protected areas network covering 36 percent of the Australian marine environment, several orders of magnitude ahead of New Zealand.

In November the Australian Government announced the addition of 44 new protected areas which will in total cover 2.3 million square kilometres. Overall this is the largest network of marine protected areas and no-take marine reserves in the world.

In contrast the New Zealand network covers less than 0.3 percent of its Exclusive Economic Zone (EEZ) and territorial sea and just over 7 percent of the territorial sea. The territorial sea extends to 12 nautical miles offshore while the Exclusive Economic Zone (EEZ) runs from 12 to 200 nautical miles offshore.

The Australian marine protected areas have a no-take component which covers over 13 percent of their marine area. As well as prohibiting fishing these no-take areas also prohibit mining activities, including petroleum exploration and development. Mining will also not be allowed anywhere in the Coral Sea Marine Reserve, or in the Special Purpose (Oil and Gas Exclusion) zone in the Australian South-west Marine Reserves Network.

Restrictions on mining activities also apply in Habitat Protection zones and in other areas a permit or approval by the Director of Australian Federal National Parks will be required for mining activities, including in conjunction with the assessment and approval provisions of the Australian Environmental Protection and Biodiversity Conservation Act.

In stark contrast New Zealand has yet to pass revised Marine Reserves legislation which has been languishing in Parliament for over 10 years and has now been withdrawn with new legislation promised in a year or so.

New Zealand has 30 marine reserves, the largest being the Kermadec Islands Marine Reserve, which covers only 7480 km<sup>2</sup>.

Progress on marine reserves has slowed over the last 10 years. Legislation to establish marine reserves around sub-Antarctic Islands has still not had its first reading in Parliament after being tabled in July last



*The 854 hectare Taputeranga Marine Reserve on Wellington's south coast. Photo: Barry Weeber*

year. The Sub-Antarctic Islands Marine Reserves Bill was introduced by the Minister of Conservation for its first reading on 7 July 2011. It proposes marine reserves covering part of the territorial sea around Campbell, Antipodes and Bounty Islands which is already a World Heritage Area.

Ministers have yet to make decisions over five marine reserves proposed last year for the West Coast of the South Island. They have also yet to decide on the reconsideration of a proposal for a 530-hectare marine reserve covering 12 percent of Akaroa Harbour, which was first proposed in 1995.

The Government has yet to establish any further marine protected areas consultation groups other than the West Coast and Sub-Antarctic Forums. The West Coast group was established before the Marine Protected Areas policy was adopted.

The establishment of so-called Benthic Protected Areas (BPAs) has been used as an excuse not to develop marine protected areas in the EEZ before 2013. The BPAs are only a fisheries management tool where over 84.5 percent of the areas included are deeper than 1500m and well out of reach of most bottom trawls. Fifty percent of the BPAs are in the Kermadec region, an area that is too deep to trawl.

A marine science review of the areas showed that they were mainly of low biodiversity and low fish diversity and were a "poor option for the long-term protection of demersal fish diversity in New Zealand's EEZ."

Demersal fish are bottom dwelling fish including orange roughy. BPAs were found to be poor at protecting biodiversity and even worse for endemic fish species where areas picked at random would have provided better protection.

The Australian network includes the Great Barrier Reef Marine Park which was established in 1975 and covers 344,400 km<sup>2</sup> and includes no-take areas covering more than 33 percent of the Park. The reserves in the Australian South-east region were proclaimed in 2007. The Australian new reserves have been proclaimed in all of Australia's six large marine regions.

The new areas protected include the new Coral Sea Marine Reserve which covers 989,842 km<sup>2</sup>. This area alone is nearly 80 times New Zealand's current marine reserves and mining will be prohibited in this area.

The Coral Sea Marine Reserve is to be protected for its important biodiversity and its near pristine condition. The Coral Sea is a global biodiversity hot spot, recognised for the number and diversity of large ocean predators such as sharks, tunas, marlin, swordfish and sailfish. Protecting this special part of Australia will provide a safe haven for marine life and a globally significant ocean legacy for generations to come.

### Large Marine Protected Areas

New Zealand's South Pacific island neighbours are well ahead of New Zealand in marine protection.

There are a number of large marine protected areas in the Pacific including the Phoenix Islands Protected Area in Kiribati which covers 408,250 km<sup>2</sup>. It was established in 2008 and covers an ocean territory roughly the size of California and is 6000 metres deep. The Cook Islands government is investigating protection of over 1 million square kilometres and IUCN, the World Conservation Union, is supporting this endeavour.

Other large marine protected areas in the Pacific include:

- Papahānaumokuākea Marine National Monument, United States (Hawai'i and the Midway Atoll), covering 360,000 km<sup>2</sup>, was established in 2006.
- Galapagos Marine Reserve, Ecuador (Galapagos Islands), 133,000 km<sup>2</sup>, established in 1986.

- Marianas Trench Marine National Monument within the Mariana Archipelago, Commonwealth of the Northern Mariana Islands (USA), covers 250,487 km<sup>2</sup>.
- Motu Motiro Hiva Marine Park (formerly referred to as the Sala y Gómez Marine Park), covers about 150,000 km<sup>2</sup> and was established in October 2010. It is off the coast of Chile, and about 250 nautical miles from Easter Island.

IUCN, the World Conservation Union, has signed a memorandum of understanding with the Government of the Cook Islands to support the establishment of the world's largest marine protected area – the Cook Islands Marine Park which was announced in August 2012.

The Park is proposed to cover 1.065 million square kilometres – four times the size of mainland New Zealand. It is the largest marine park ever declared by a single country for integrated ocean conservation and management. The area includes remote atolls, high volcanic islands surrounded by fringing reefs and unspoilt fauna associated with underwater mountains and includes rare seabirds, blue whales, manta rays and several shark species.

The management regimes in the large areas range from full protection to little added protection. The large area managers are getting together to improve the management of these areas and they held a workshop as part of the IUCN's 2012 Congress in Jeju, Korea to share experiences. It is important that these areas are more than just 'paper parks' and provide a strong element of protection for the Pacific's biodiversity.

### For further information.

IUCN engagement <http://www.iucn.org/about/union/members/resources/news/?uNewsID=11486>

A media release on the Australian network of marine protected areas can be found here: <http://www.environment.gov.au/minister/burke/2012/mr20121116.html>.

A copy of a map of the Australian MPAs: <http://www.environment.gov.au/marinereserves/pubs/map-national.pdf>

For more details on some of the large marine protected areas see: <http://www.bigoceanmanagers.org/>



## New Plymouth District Council company to destroy habitat of endangered Tasmanian devils and quolls

by Cath Wallace

A company owned by the New Plymouth District Council is proposing to clear over 1800 ha of forests in North-West Tasmania for dairy farming.

The company, Van Diemen's Land (VDL), owns land which is the habitat of not only endangered Tasmanian devils and quolls but also a host of other rare and threatened plants and animals.

VDL is looking for investors to allow its proposed \$200 million expansion. The Tasmanian Conservation Trust has warned potential investors in the VDL dairy expansion that they will be financing the destruction of endangered species' habitats and threatened forest communities.

"By all means invest in VDL but only do so on the basis that the expansion proceeds with no clearing of endangered species' habitats or threatened forest communities," said TCT Director Peter McGlone.

ECO received a call for help from the TCT in raising the issues with New Zealanders. ECO co-chairs, Cath Wallace and Barry Weeber, visited Tasmania in November and explored the issues with both the Trust and VDL, whose Chief Executive, New Zealander Michael Guerin, showed us over the properties which cover 16,800ha.

We asked Mr Guerin to reconsider his plans to clear over 1800 ha, including a whole 350ha area of forest he wants to convert to a new dairy farm, and many vital forest patches and corridors that should be left intact.

To his credit, Guerin is prepared to formally protect over 5,000ha of forest, but sacrificing 1800 ha is just not necessary and hugely damaging. Guerin is passionate about farming and raising money, but he does not seem to appreciate that forests once lost are gone and cannot be recovered. He seems unduly relaxed also about the climate change implications of converting native vegetation into grass for methane emitting dairy cows.

VDL uses Fonterra's local factory to process its milk. ECO calls on Fonterra to refuse to accept milk from any areas where native vegetation has been removed. Any such purchases will damage the brand as well as the environment. ECO points out that such clearing would not be tolerated in New Zealand. If we don't

allow it here, how come New Plymouth ratepayers' money is being used to finance destruction of forests and endangered species in Tasmania?

McGlone says: "VDL could proceed with the vast majority of its expansion without resorting to clearing of native vegetation but it seems to be seeking every last hectare.

"The company should be satisfied with expanding by improving existing dairy land, converting beef paddocks to dairy and buying additional dairy land."

The TCT is concerned that the clearing of native vegetation by VDL would destroy habitat of the threatened spotted-tailed quoll and Tasmanian devil but it would also encourage other land owners to seek approvals for large scale land clearing, just when Tasmanians expected policies to allow this practice were coming to an end.

The situation is all the more critical since the Tasmanian devil population is one of the few which is free of the deadly infectious face cancer that is devastating the devil populations in other parts of Tasmania.

"Clearing of native vegetation has been the single biggest cause of species becoming endangered and going extinct throughout the world." McGlone said.

"The potential investors should be worried about what the milk processors and customers would think about this. Are the marginal gains in production worth the damage to the entire VDL milk brand?"

"Will processors and customers want to buy milk which, metaphorically speaking, has been tainted by the blood of Tasmanian devils?"

"The land that VDL wants to convert to dairy paddocks should be protected to help secure it as habitat for Tasmanian devils and Tiger quolls. This way VDL would be able to sell its milk as truly a sustainable product."

ECO is calling on the New Plymouth District Council to stop the clearance and develop alternative proposals to clearing forested areas. If this proposal was suggested in New Zealand it would be unlikely to get approval and there would be a public outcry, as the New Plymouth District Council should be well aware.

## Conservation alive and well

by Cath Wallace

Take heart! Conservation, environmental protection and sustainable development thinking and action are alive and well in the rest of the world, even though here in New Zealand, at the level of central government, these matters are being treated as obstacles to business that must be cleared away.

Cutting edge thinking and action for conservation and the environment, with recognition of the environment as the foundation of society and the economy, engaged, invigorated and inspired participants of the September 2012 meeting of IUCN, the International Union of Conservation of Nature, on the island of Jeju, South Korea.

IUCN is a unique body of governments, NGOs, six world commissions of experts and a substantial staff. It produces authoritative conservation related knowledge and policy and works conservation needs, methods, solutions and the drivers of both environmental damage and behaviour change. IUCN's new knowledge tools include a Red List of Ecosystems, a Green List of Well-Managed Protected Areas, IPBES – the Intergovernmental Platform on Biodiversity & Ecosystem Services (the equivalent for Nature of IPCC) and a Protected Planet Report. You can explore these at <http://www.iucn.org/knowledge/>

The Congress's open Forum heard from major conservation thinkers and experts, world leaders, Government and NGO representatives, indigenous peoples, scientists, UN agencies, business and industry and others. 10,000 people from 153 countries participated in more than 550 events.

An agreed 2013-16 work covers three themes: Valuing and Conserving Nature; Effective and Equitable Governance of Nature's Use; and Deploying Nature Based Solutions to Global Challenges in climate, food and development. More details are available at: [https://cmsdata.iucn.org/downloads/iucn\\_programme\\_2013\\_2016.pdf](https://cmsdata.iucn.org/downloads/iucn_programme_2013_2016.pdf).

New President of IUCN, Zhang Xinsheng is from China. Andrew Bignell from DoC is New Zealand's new IUCN Oceania Regional Councillor, replacing the diligent Diana Shand whose terms were complete. Aroha Mead, was re-elected to Chair the Commission on Environmental and Economic Social Policy, CEESP.



Photo: Barry Weeber

*Diana Shand chairing at the congress*

Four ECO Executive members attended, financed by ourselves personally, or by other organisations. Diana Shand, for eight years the immensely diligent NZ Councillor for Oceania and Vice-Chair of IUCN, was farewelled from the Council but promptly installed as an expert theme leader on accountability of the private sector, reflecting successful work on such matters in Council. ECO Co-chairs Cath Wallace and Barry Weeber, and Betsan Martin representing RESPONSE, completed the hard-working delegation.

The NZ government attended as did the NZ Conservation Authority

New Zealand voted against several motions we hoped that our government would support, including a motion calling for non-regression on environmental policy and law, one for better processes for consideration of seabed mining, and a motion calling for ecosystem based fisheries management.

New Zealand attracted opprobrium as the sole opponent of a well-supported ECO-proposed motion to protect endangered dolphins and porpoises, including Maui and Hector's.

ECO worked on many marine issues including the Antarctic and Southern Ocean and protection of the Ross Sea; high seas governance; better regulation of seabed mining, and the protection of sharks. We contributed to a panel on resilience to the threat of oil spills and we helped with forests and bear protection, an international soils convention, and initiatives on ethical principles and moves for a declaration on responsibilities of people. We contributed to improved decision making and governance within IUCN itself. The Resolutions and Recommendations from the Congress, can be found at: [http://www.iucn.org/about/work/programmes/global\\_policy/gpu\\_resources/gpu\\_res\\_rec/](http://www.iucn.org/about/work/programmes/global_policy/gpu_resources/gpu_res_rec/)

## Developments at Ghost Road

by Pete Lusk

Recently a friend and I walked almost the entire route of the Old Ghost Road in the Buller region and I wouldn't be surprised if we are the first people to do so. Parts of it are through very slippery limestone - the sort of place you can't avoid leaving a boot print, where you must break a ponga frond or you must scuff some moss. But we saw no such marks over many kilometres of the proposed route of the track.

So it's likely the architects of the track worked off aerial photos followed up by helicopter sweeps. Then it was launched with a blast of PR which happily coincided with the John Key Cycleways project. To the best of my knowledge, no proper budget was presented for the Ghost Road. The understanding was that it was just a matter of joining the existing Lyell and Mokihinui Gorge tracks by completing the bit in the middle. However, the bit in the middle is long and tortuous, it requires two big bridges, has some incredibly steep pitches and straddles a mountain range where the solid granite rock must be blasted metre by metre over a couple of kilometres. On top of that, many more kilometres are so exposed they will need safety rails. In the limestone section, which lies along the fault rupture of the Murchison Earthquake, there are slips of mind-boggling dimensions where rocks as big as houses sit poised on the still-bare slopes, waiting for the next jolt to pummel their way to the valley floor.

This is dramatic country and it's not just the quakes. Rivers rise to frightening heights, chewing away at their banks and overflowing into the rainforest. The newly-built Stern Creek hut has already become a victim. Someone who doesn't know West Coast rivers sited it too close to the bank and we came across a party of six building groins in the creek bed in an attempt to stop more erosion.

But, there are pluses to this track. It will give you a wonderful ride/walk through a wilderness, there's drama as well as biodiversity and then there's the to-die-for views. The huts are in magical places and you will see (and perhaps squash) rare Powelliphanta snails of two species, see kiwi and whio/blue duck if you're lucky, big trout, plenty of goats and maybe a deer or two.

In saying this, I'm assuming the track will be completed. By my guess it's already swallowed upwards of \$3 million. It will take at least another \$3m to complete.

Then there'll be another million per year for maintenance. Can the mountain biking/tramping fraternity generate this sort of money? If they can't, who will?

There are so many worries about the Old Ghost Road:

1. The environmental damage caused by a track of mountain biking width is vast. It's so much greater than a tramping track. Tens of thousands of trees will be destroyed, not just with track building but with the clearances needed for huts and views. Then there's the swathes of vegetation cut to pieces by blasting. Then the damage to pristine landscapes in places that have seen no previous tracks or huts.
2. This track is wide enough and the bridges strong enough for quad bikes. I imagine these will be used for maintenance and to service the four new huts. So we actually have a road going through this wilderness. And that's more access for weeds in an area that has very few and in places, none.
3. DOC has pretty much given this area of public conservation land to the Ghost Road Trust. It seems DOC has thrown the Conservation Act out the window. DOC's job is to protect and conserve. But where's the evidence of this? The track has been allowed to carve its way through an Ecological Area and a Priority Site for Biodiversity. How can this happen? One of the track gangs had a dog with them - and this in kiwi area! Where's DOC in all this? What is it doing?
4. The amount of blasting required to complete the track is phenomenal. On one very steep siding near Rocky Tor the track gang still has to drill and blast at least 800m of solid granite. In this section we found it impossible to sidle because the slope was so slippery. Sturdy safety rails will be needed here and for a couple of kilometres in the Mokihinui Gorge as well.
5. Many large trees along the route have had their roots cut on one side to accommodate the track. They will blow over in the first big storm and cause a lot of damage.
6. Trust workers have taken over the Mokihinui Forks Hut and the giant kahikatea tree which so characterised the place has been felled and





*The giant kahikatea tree which has since been felled at Mokihinui Forks Hut*

*Photo by Debs Martin*

chopped up for firewood. DOC was asked to save it but replied that it must go because the site is 'constrained'. Yet the extensions to the hut have not encroached on the tree, and the track builders' fly-in cribs and machinery still have to work around the huge stump. A public hut has been totally taken over by the track gang - there is no room for trampers at all. But I saw no signage to warn trampers of this. The historic Goat Creek hut is next in line for this treatment. Already the top two bunks of this cosy four bunker have been removed and taken who knows where. A couple of fly-in cribs now stand beside it.

7. The trust has built four new huts, Lyell Saddle, Ghost Lake, Stern Creek and Specimen Creek. On our tramp, Lyell Saddle and Specimen Creek were unoccupied by the gangs but were still locked. Yet DOC's local manager Bob Dickson assured me in an email they would be unlocked if not being used by the gangs. My understanding is that even when a hut is built by a private group, DOC still owns it. Or more correctly, the public owns it and DOC administers it on the public's behalf. I'm told that this is the case with the new Mt Curtis Hut built on the Brunner Range by another local trust. So how is the Ghost Road Trust getting away with locking their huts? A trust spokesman told me they own the huts, not DOC. How can this be when they are built on public conservation land?

ECO will keep readers informed of developments at the Old Ghost Road in further issues of ECOlink.

## **ECO Annual Street Appeal 2013 (Wellington)**

Calling all Wellingtonians! The date for our Annual Street Appeal will be Thursday 21st March 2013. We will be out collecting from 8am until 5.30pm, mostly in the Wellington Central Business District, although if we can get enough volunteers for collecting we'll work the suburbs too.

If you have an hour or two to spare on Thursday 21st March next year, and really want to contribute to ECO, please volunteer to be a collector. Every little helps, and the more collectors there are, the more money we raise.

## **ECO Street Appeals (Nationwide)**

We would like to invite ECO members and Friends in other centres to consider running a street appeal on ECO's behalf. We can offer you advice on what you need to do, such as obtaining approval and a date from any local governing body, how to persuade people to be voluntary collectors, what sort of collecting vessels seem to work best, and give you stickers and brochures to hand out.

Being a street collector gets you out into the sun – or rain or wind, is an opportunity to meet many other people, gives you time to think about things during quiet moments, and to watch as the world goes by. And you will help ECO's work by contributing to our finances.

Please be encouraged to think about running an appeal in your town or city. We will support you.

For more information, and to put your name forward, please contact the ECO office, (04) 385 7545, or via email [eco@eco.org.nz](mailto:eco@eco.org.nz)

We hope you can help us make our 2013 Street Appeal a success!

## Sustainable Whanganui Trust

by Lyn Pearson

As you'd expect with an organisation called Sustainable Whanganui Trust, one of its purposes is to build community resilience and sustainability - and all our projects have that in mind. Here are some notes from my report to our recent AGM.

We run an environment base/learning centre which we manage to keep open two days a weeks with help from five volunteers plus Graham, our Coordinator. We are working towards this becoming part of Wanganui District Council's new Resource Recovery Centre. We try to keep our library current; and with help from local film buff, Helen, we have established a DVD resource library. Our networking continues with our Honorary Advisor Robin and Webquest's development of our website [www.sustainablewhanganui.org.nz](http://www.sustainablewhanganui.org.nz). Thanks are due here to TreeLife Nursery. Our active Google Group continues to share information, some of which is hard to find in standard news sources. Through Main Street and AA we have a shop window on Victoria Avenue where the Trust's secretary Janet, Graham and Robin display coming events and topics of interest.

We do as much advocacy on the environment, sustainability and social and cultural equity issues as our time allows. This year Phil McCabe (KASM, seabed iron sand mining), Mike Joy (Massey Uni, freshwater ecologist), Lawrence Boomert (Community Solutions), Colleen Sheldon (Horizons R.C.), Mabelle Dennison (oranga wairua), Stuart Hylton (WDC, Waste Recovery Centre), Kritzo Venter (WDC engineer, day-lighting streams) and Guy McPherson and Nicole Foss (Global Warming) all gave public presentations. All lectures and discussions had good community participation. Some were co-sponsored with the Eco School, St Josephite Centre, Forest and Bird and/or Dudding Trust.



*Creating treasures out of trash at Aramoho School*

ECOLink December 2012

This year our Coordinator spoke at the Whanganui River Institute Conference and we supported the Whanganui Community Foundation at a Climate Change discussion and launch of their 5:10:5:10 strategy. We also enjoyed sponsoring a recycling category in the Underground Youth Fashion Awards.

Jonah of our Green Bikes Project continues to be our main biking advocate.

With all this happening trustee Hadi and our contractor Nelson realised the need for a Zero Waste Events project and the Positive Futures Trust agreed! They have proved it works at two successive YMCA Connecting Families Day events. The Master Games in February is next!

As well as working and meeting Councillors and staff we make submissions to Horizons and WDC to keep the conversations going with our Councils. We also enjoy keeping in contact with sustainable groups in Marton and Palmerston North.

Indeed a lot happens in our small city!

Our Fruit Trees in Schools project (see photo on right) continues to establish and maintain fruit trees in schools, kura and early childhood centres throughout our district. We are fortunate to have the support of Powerco, WDC, TreeLife Nursery and Nga Hononga Trust. Between two and six of us have worked on this project over the last four years.



Another sustainable living and environmental education activity we did this year was running a workshop we called Trash to Treasures at Aramoho School's River City Kids Conference. Six of us enjoyed helping students use real tools to create something from "waste".

Lyn Pearson is the chair of the Sustainable Whanganui Trust.

## Protection of Opua Reserve, Bay of Islands

by Maiki Marks

The Bay of Islands Coastal Watchdog began a restoration and beautification project of the esplanade at Opua, Bay of Islands, a reserve which had been on our books since 2003 when the first round of management plans were abandoned by Council. However, one man has a quest to expand his private boatyard business onto the reserve land.

The Schmuck family purchased the boatyard adjoining public esplanade reserve in Opua in 1994. A condition at purchase was that the slipway was granted consent to be placed over public land only for the purpose of moving vessels between the sea and private boatyard land. Boatyard work was expressly prohibited from being conducted on the public land and specifically restricted to the private land. The boatyard has all the consents it needs to operate successfully (in 'Boating NZ', July 2010 Issue, Schmuck describes his boatyard as being the busiest for 7 years).

During the past 15 years Mr Schmuck has been applying for easements to extend his business onto the reserve. After being repeatedly turned down, he asked Minister John Carter for support, who shepherded the clauses into the Reserves and Other Lands Disposal Bill (ROLD) to allow "The current registered proprietor of the adjoining land" (Doug and Carl Schmuck) to use the whole reserve for whatever they want including constructing buildings on it for his boatyard.

The ROLD bill is a technical bill used for non-controversial matters where all parties involved agree that what is proposed is the right thing to do. In the case of the Opua reserve, FNDC (Far North District Council) did not request the insertion, neither did DOC, the wider Pakeha community, nor hāpu and iwi. The only one who stands to gain from the inserted clauses in the Bill is Mr Schmuck.

Minister John Carter also bypassed the public submission process by shepherding the clauses into the ROLD Bill at the end of its Select Committee stage.

On Sunday 4 November, Marae Investigates, on Television One, showed a documentary highlighting the seventeen year process of attempted land annexation by Mr Schmuck and key people who supported his quest to almost create a law under the ROLD which would have enabled Council to grant him easements and resource consents on the reserve to do whatever he wants to do.



*Boat slipway showing unconsented wall to hide infrastructure on esplanade reserve land. Cuts to bank and removal of bush visible. Note: two dinghy racks on the reserve.*

During TV ONE's 6pm news, on Sunday 4 November, Minister Williamson stated in his press release last month and on Sunday 4 November 2012, on National TV, that the government is now removing the Schmuck Clauses from the ROLD which effectively means that the Reserves Act still applies to Mr Schmuck. He does not have resource consents to carry out boatyard activities on the reserve. The current resource consent is for a slipway to convey boats, which is sited over reserve land. No work is to be conducted on the slipway.

Ngati Manu, Ngati Hine and Te Kapotai all have outstanding Treaty claims over this land. Hapu do not want the status of the land to be changed until after Treaty Claims have been heard.

Since 2005, FNDC and NRC have failed to respond to complaints and their CEOs have decided that they have the statutory powers to over-ride an act of Parliament, and to neglect entirely their and the Councils' statutory duty under the Reserves Act, the Local Government Act and the RMA to manage and protect the reserve for the purposes for which it was created.

Specifically, offences pursuant to the Reserves Act continue to be committed on the reserve by the boatyard owner and Council has taken no action to stop it. Council staff inaction has contributed as much to this problem as the actions of the offending boatyard owner.

Maiki is on the Bay of Island Coastal Watchdog Committee and also on the ECO Executive Committee.

## Doha Climate Change Negotiations

by Hannah Griffin

This year's international negotiations on climate change took place in Doha, Qatar. 2012 marks the end of the first commitment period to the Kyoto Protocol, which bound developed countries to emission reductions pledges. The Doha negotiations closed off discussion around the second commitment period to the protocol, due to begin in 2013.

Discussions at Doha were intended to move forward with the Durban Platform established in 2011, which sets a roadmap to the world's next climate change treaty. Negotiations around this treaty are due to end in 2015, and it is to be put into place in 2020.

### What is New Zealand doing?

New Zealand is set to meet its 2012 targets. The Government however, has announced it will not sign up to a second commitment period under the Kyoto Protocol. The decision essentially means that New Zealand will not be subject to an international legally binding commitment to reduce emissions between 2013 and 2020. New Zealand is instead set to adopt a voluntary commitment under the United Nations Framework Convention on Climate Change (UNFCCC) track.

The decision is not surprising given the context of national policy. The most recent amendment to our Emissions Trading Scheme has rendered it almost ineffectual and was vehemently opposed by both environmental NGO's and the forestry sector. It appears the Government intends to delay any real action to reducing our greenhouse gas emissions until the next global agreement is decided.

The second commitment period of the Kyoto Protocol sets an important precedent for future climate change agreements and is a vital demonstration of international good will and integrity. The decision not to commit legally is one that puts New Zealand at odds with the largest single bloc of fellow developed nations, including Australia and the EU. It disregards New Zealand's responsibility to commit meaningfully as a developed country and will hurt New Zealand's international reputation. It is also likely to weaken New Zealand's negotiating position around the second commitment period, set to shape the next eight years of climate action.

Furthermore, at the international level New Zealand's actions could hamper global momentum towards the next global agreement, set to be decided in 2015 and implemented from 2020. Achieving a binding, ambitious and globally inclusive agreement is integral to achieving the 2 degree warming limit adopted by the international community. At the domestic level, lack of action will from 2015 restrict us from accessing the global carbon markets the Government is pushing to expand.

Lack of action in the next 8 years could make it more difficult (and potentially more costly) in the new post-2020 agreement. New Zealand could be left behind as the world transitions to low carbon technologies and practises. The risks posed by the direction the Government has set, and the missed opportunities for New Zealand, could become something that we, as a nation come to regret in the not too distant future.

### What was delivered at Doha:

Doha had the task of deciding upon the specifics of the second commitment period of the Kyoto Protocol. This included the date it will enter into force, 2013, and the length of eight years. It also includes what will be done with surplus credits including 'hot air' created in Eastern Europe carried over from the first commitment period as well as eligibility and restrictions to carbon markets under the protocol.

Negotiations in Cancun in 2010 and Durban in 2011 set up processes for issues such as climate financing. Negotiations in Doha failed to make progression financing.

The form and content of the future binding agreement are yet to be set. Doha has the responsibility of putting negotiations for the next agreement on a firm footing.

Most Kyoto 2 members agreed not to access 'hot air' credits. Small island states worked for an agreement on 'loss and damage' from the impacts of climate change to be included in the new arrangement.

Hannah Griffin was part of the New Zealand Youth Delegation (NZYD), on the ground in Doha. You'll find all of the delegation's blogs and press releases on their webpage: <http://youthdelegation.org.nz>



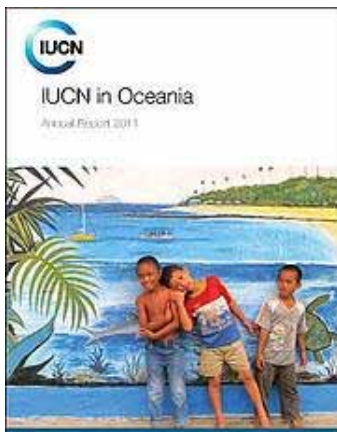
## IUCN Oceania resources

### IUCN Oceania 2013-16: Charting a sustainable future in Oceania



The Oceania Regional Programme 2013-2016 outlines the approaches for the Regional Office in the delivery of the IUCN Global Programme in adopting a “One Programme” approach.

### IUCN Annual Report 2011



This and other publications can be found on the IUCN website at [http://www.iucn.org/about/union/secretariat/offices/oceania/oceania\\_resources\\_and\\_publications/](http://www.iucn.org/about/union/secretariat/offices/oceania/oceania_resources_and_publications/)

### IUCN Red List

The IUCN Red List most recent update was released on 17th October, and contains information from the CEPF-funded IUCN Oceania project, which assessed freshwater fishes, land snails and reptiles from the region.

The summary documents highlighting the results for each taxonomic group can be found on IUCN Oceania’s website: <http://ow.ly/exaBL>

The latest update brings the total number of species listed on The IUCN Red List to 65,518, of which 20,219 are threatened with extinction.

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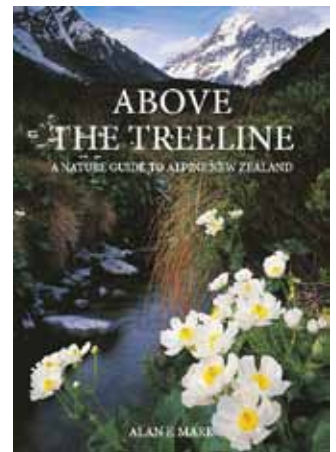
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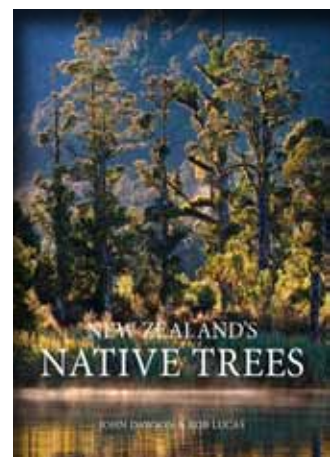


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What has been happening in environment and conservation around New Zealand? Here are some of the recent issues and projects we've heard about. If your group has something they would like to share, please let us know by emailing us at [eco@eco.org.nz](mailto:eco@eco.org.nz) or by phoning the ECO office on (04) 385 7545

## Wetland restoration film project



Photo: Lou Taylor

A team of filmmakers are working towards making a 3D film that takes place in the New Zealand wetlands. The film will try to highlight that if we don't start considering what we will lose, we soon will not have anything left.

The filmmakers are trying to raise funds towards production costs. A crowd funding page for smaller donations has been set up that also gives a little more information about the project. If you are interested in becoming a supporter of this project please feel free to do so through the crowd funding page here.

<http://www.indiegogo.com/projects/264754?a=1681230>

## Keep the Coal in the Hole Summer Festival - 18-21 January 2013

Earlier this year the Coal Action Network held a successful summer festival in Matura, in Southland. This year the festival will be held from Friday 18th – Monday 21st January 2013, at Dolamore Park, west of Gore, Murihiku/ Southland. The theme is Shaping Our Future: We have Options! There will be talks, skills sharing and education to explore the problems and challenges of coal mining and in particular the proposed lignite mine in Matura Valley.

The festival organisers are looking for volunteers as well, so if you can help out please contact them on the website link below or email on: [camsummerfestival@gmail.com](mailto:camsummerfestival@gmail.com)

More details of the festival and how to register are on their website here: <http://nocoalsummerfest.org.nz/>

## Civic Trust Auckland

Civic Trust Auckland has been submitting on a number of local issues, including the Draft Auckland Regional Public Transport Plan, the Draft Hibiscus and Bays Area Plan, as well as national issues such as the Civil Fees Review - Environment Court Proposals.

The Trust has also held a number of talks including one on a history of stone house building, and during the Auckland Heritage Festival in October held a guided tour of a local heritage building, the Scott Homestead, which members of the Trust spent 20 years restoring.

See their website at: <http://civictrustauckland.org.nz/>

## Yellow-eyed Penguin Trust conference - 17-18 October 2013

Conservation Inc. - What's ahead for community-based conservation in NZ?

Conservation in NZ is on the threshold of fundamental change. This conference is to bring NGOs up to speed with how to cope with this change, and is in response to the Department of Conservation's changing operation model. Custody of our unique biodiversity is passing progressively to community groups, many operating as NGOs. This conference will explore some of the challenges faced by these groups operating independently with local purpose.

Conservation Inc be held in Dunedin, the 'Wildlife Capital of New Zealand'.

Still to be confirmed is the proposal to hold pre-conference workshops on Wednesday 16 October 2013.

Call for conference themes:

There was a call for proposals for themes supporting the overall conference purpose in December.

Any queries regarding the conference please email [conference@yeptrust.org.nz](mailto:conference@yeptrust.org.nz)

Following confirmation of the identified themes, there will be a call for conference papers and posters in early 2013.

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
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Please place me on your e-mail list for notices and information or contact us by e-mail [eco@eco.org.nz](mailto:eco@eco.org.nz)

**Groups - Join ECO:**

- Please send information on becoming a member of ECO
- Membership is by application for groups involved in the protection of the environment. Subscriptions for member organisations are determined by the size of the organisation:
- 1 - 100 members: \$85 p.a.
  - 101 - 1000 members: \$130 p.a.
  - 1001 - 4999 members: \$440 p.a.
  - 5000 + members: \$1000 p.a.
  - Student Groups: \$35 p.a. (all GST inclusive)

**Individuals - support ECO by:**

- subscribing as a 'Friend of ECO' - \$45 P.A. (GST inc.)  
 'Friends of ECO' receive this quarterly newsletter, mailings and invitations to ECO gatherings.
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**Appointments to Conservation Boards**

There are approximately 80 vacancies arising across the 13 Conservation Boards nationwide in 2013. They embody the active partnership between Government, represented by the Department of Conservation, and citizens in the management of public conservation areas. One of the functions that is the focus of Conservation Board work is to recommend the approval by the New Zealand Conservation Authority of conservation management strategies and national park management plans and the review and amendment of them.

You can nominate suitably qualified people to be considered for appointment to the Conservation Boards in 2013. Nominations close on 25 January 2013. For any questions, please contact the conservation private secretary - Gavin Rodley, via email: [gavin.rodley@parliament.govt.nz](mailto:gavin.rodley@parliament.govt.nz)

There is more info at the Department of Conservation webpage: <http://www.doc.govt.nz/getting-involved/nz-conservation-authority-and-boards/conservation-board-information/>

**Disclaimer:** While every effort is made to ensure the accuracy of information contained in this publication, ECO, its executive and editorial staff accept no liability for any errors or omissions. Views and opinions expressed in this publication do not necessarily represent the policy options and views of ECO, its executive or its member organisations.

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## ECO MEMBER ORGANISATIONS

Action for the Environment  
Appropriate Technology for Living Association  
Auckland Civic Trust  
Bay of Islands Coastal Watchdog  
Bay of Islands Maritime Park Inc.  
Baywatch Hawkes Bay Environment Group  
Buller Conservation Group  
Clean Stream Waiheke  
Coromandel Watchdog of Hauraki  
Cycling Advocates Network  
East Harbour Environmental Association  
Eastern Bay of Islands Preservation Society  
EcoMatters Environment Trust  
Engineers for Social Responsibility  
Environmental Futures  
Far North Environment Centre  
Friends of Golden Bay  
Friends of Lewis Pass and Hurunui Catchment  
Friends of Nelson Haven and Tasman Bay  
Friends of the Earth - NZ  
Gecko, Victoria University Environment Group  
GE-Free New Zealand  
Greenpeace NZ  
Guardians of Pauatahanui Inlet  
Initial Volco Trust  
Kaipatiki Project

Marlborough Environment Centre  
Monarch Butterfly New Zealand Trust  
National Council of Women of NZ  
Nelson Environment Centre  
Nga Uri o te Ngahere Trust  
North Canterbury Branch Forest & Bird  
Orari River Protection Group  
Organics Aotearoa New Zealand  
Pacific Institute for Resource Management  
RESPONSE Trust  
Save the Otago Peninsula  
Soil and Health Association of NZ  
South Coast Environment Society  
Students for Environmental Action  
Surfbreak Protection Society  
Sustainable Otautahi Christchurch  
Sustainable Whanganui Trust  
Te Aroha Earthwatch  
Thames Coast Preservation and Protection Society  
The Sandy Walker Group  
Wellington Botanical Society  
Wellington Tramping and Mountaineering Club  
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