ECO Conference 2017 - Limits, pathways and actions

ECO’s annual conference, is upon us. Themed *Environmental Responsibilities and Democracy for the Future: Limits, Pathways and Actions*, the main conference is 26-27 August, at Stoke Memorial Hall in Nelson. There are field trips both on Friday 25th and after the conference.

Protecting democracy and the environment are intimately linked. Both involve responsibilities to the future and to the present. What happens when the focus shifts from rights to responsibilities? Do we need a constitution for New Zealand and if we were to have one, what should it contain? How do we restore democracy to environmental and resource management decision making and respect the Treaty of Waitangi and the relationships involved at the same time instead of sacrificing one for the other?

What should we ask of ourselves and our politicians for today and for the future? Where do the political parties stand on climate change, biodiversity, and water quality?

What are the pathways and actions for decarbonising our society and economy, restoring biodiversity and ecosystem functions, species and water management? In all this we will discuss laws, scenarios and institutions as well as our own individual and community actions.

Can we find a way through the murk on water quality and aquatic ecosystems? What successes and challenges are there for biosecurity, biodiversity, coastal management and plantation forestry?

Throughout the conference there will be time for questions and discussion.

We explore the theme of the conference and the programme more below, but first a few logistical and other essentials.

**Venue:**
The *Stoke Memorial Hall* is at 548 Main Road Stoke. A link to details about the venue and a locality map is on the ECO Website www.eco.org.nz.
Environmentally better pathways, but actions and pathways are needed to make such change.

In the context of climate change, environmental and resource management, coastal biosecurity, forestry and conservation, the conference will hear from people speaking to local and national challenges and solutions. Public and community engagement is a central element to this. How democracy and our responsibilities under Te Tiriti o Waitangi can mesh to help us “manage for centuries” for the future is explored throughout the conference.

Collective action can drive environmentally responsible change and the protection of all of our futures – and there are many scales and spheres for this. Institutions for decision can have huge impacts on whether we are successful in addressing environmental problems. Many recent changes have limited democratic participation.

We’ve been losing the coherence and effectiveness of our environmental management and conservation laws. In 2017 and before, we’ve had multiple changes by the government to make protecting the environment harder. The losses of environmental quality are severe. Many of these changes were in the Resource Legislation Amendment Act 2017, but these reinforce previous changes such as to the Local Government Act 2002. Ministerial powers to override councils have proliferated in many legislative changes.

Multiple decision making tracks such as Boards of Inquiry instead of the Environment Court, have dis-integrated decision-making. Ad hoc measures such as the Special Economic Zones announced this year and the Mangroves Bill bypass vital aspects of environmental and other legislation altogether.

Removals of public participation rights provisions and the scope of considerations have tilted decisions in favour of short term economic benefits. Ministerial over-ride has been inserted into many of our environmental management laws and Ministerial appointments to decision teams are stacking the deck and displacing independent decision making.

The ethos and obligation of responsibility and kaitiakitanga, the coupling of responsibilities to rights, the meshing of Te Tiriti o Waitangi obligations with democracy for environmental responsibility now and for the future are closely linked. Speakers will explore themes and scenarios and case studies of successful (or otherwise) approaches.

The theme of the conference will be explored at the national and local levels, with environmental responsibility, democracy and the future overarching concerns. Climate change, environmental management, biodiversity protection, biosecurity and restoration efforts, coastal and water quality are at the heart.

Speakers in sessions on climate change, biodiversity and environmental laws and management will identify biophysical limits – for ecosystems, climate, and species protection. Effective and fair pathways and actions to protect biodiversity, exercise biosecurity, clean up our water and decarbonize our lives will be discussed in sessions on conservation and restoration, resource management laws, climate change and water and aquatic ecosystems. There will be case studies to show what is working or not.

Other limits are political, social, ethical, the power of vested interests, the allocation of funding, underlying social injustice and the capacity and strength of ourselves and our communities. Social, political and institutional limits can be changed to get us onto environmentally better pathways, but actions and pathways are needed to make such change.
ECO Update: Office news

The office has been busy over the winter months with our intern from France, Valentin Grabet, providing us with much useful help particularly with conference organisation. Valentin brought an enthusiastic spirit to the office and we were sorry to say goodbye as he headed back to France at the end of July.

Funding ECO

We have been successful in our application for several grants so far this year. Our thanks to Pub Charities, the Pelorus Trust and the Greenwood Trust for their help with funding for printing ECOlink, a new ECO brochure (see this enclosed) and funds to make new banners for use at stalls and other events. We have also recently received a grant from the Methodist PAC fund for printing two issues of ECOlink, and a generous grant from the Lion Foundation towards paying the rent on our office in Wellington.

We welcome donations and one of the best ways to help us is to become an ECO Friend and to make a regular auto payment. This helps us with our annual budgeting and planning. Please email us at the ECO office to find out more – thank you! Eco@eco.org.nz

Communications projects

We are receiving valuable help from a lecturer in web studies to improve our website by moving this to a new platform and increasing the content. Our online newsletter, Tieke, continues to be well read and appreciated with wide uptake on social media with over 900 weekly readers. Our Twitter and Facebook posts are also receiving greatly increased pickup.

ECO Conference (continued)

By virtue of politics and moves to remedy past wrongs, Treaty settlements have been gained. Iwi have more rights to be consulted than in the past in resource management decisions and have conservation management and co-management rights and responsibilities. This recognition is welcomed.

So, do we need a national constitution, and if so what should it contain? How do democracy and Te Tiriti o Waitangi mesh to help us better protect the environment and the future? What changes to laws have happened and what changes to laws and ways of doing things are needed?

Climate change, species and ecosystem restoration and protection, coastal, water, and land management will be focal areas in the conference for this discussion.

Friday 25 August: Field Trips

Sequential field trips on the afternoon of Friday 25th August explore community conservation and restoration projects at Waimarama Sanctuary and Paramata Flats, Cable Bay. Details for connecting with these field trips are on the programme – but please let us know that you intend to join the field trips. Contact eco@eco.org.nz.

Gathering on Friday afternoon and evening: As people gather for the conference, during the afternoon and after the field trips, Stoke Hall will be open for people to put down their luggage and to join us for a meal. This is a time to catch up with each other prior to groups quickly introducing themselves after dinner.

At 7:30pm on Friday, ECO member groups, followed by other groups and then if time allows, individuals, will have an opportunity to introduce themselves, their interests and work – very briefly. This is designed so that we can get to know each other and find old friends and new.
ECO Conference Programme - Saturday & Sunday

ECO conference: Saturday and Sunday - Details (continued)

Saturday 26 August

Coffee and tea will be available from 8:00am, with the start of the Conference proper at 8:30am with a Mihi Whakatau Te Atiawa. Please be seated by 8.30am.

After welcomes and introduction to the theme of the conference, Dr Betsan Martin will explore how environmental responsibility now and for the future depends on thinking ecologically. Other speakers will consider politics and policy, democracy and their links to the environment and the future.

Rick Zwaan, of ActionStation, will speak to the theme and the work that Action Station is doing to give people direct routes to express their views and to coordinate action. This gives people voice, but will those voices be heard?

1:00pm, Sir Geoffrey Palmer, in a keynote address examines what a constitution for New Zealand might offer for democracy and the environment and how these mesh with our Te Tiriti o Waitangi obligations.

At 1:50pm, Climate change limits, pathways and actions to transition to a low carbon society is explored. Sir Alan Mark, of Wise Response presents the Climate Coalition Agreement. This is followed by Gen Zero’s James Young-Drew on the Zero Carbon Bill, and Kennedy Graham, MP and Chair of Globe NZ, speaking to the Vivid Economics scenarios report.

Joanna Santa Barbara speaks to Our Climate Declaration, and Catherine Cheung of Climate Justice Taranaki focuses on just transition from fossil fuels.

4:10pm: Derek Shaw opens a session on Environmentally Responsible and Democratic Conservation and Resource Management Pathways for the Future.

Sally Gepp of Forest and Bird, gives a lawyer’s perspective on the issues. Peter Lawless discusses regional marine biosecurity in the Top of the South Island. Bill Gilbertson explains how to harness the Forest Stewardship Council national standards and how to get involved.

7:00pm by Politicians on the Environmental Spot. This is the chance to explore party policies in the run up to the General Election. Party representatives are Hon David Parker for Labour, Eugenie Sage for the Greens, Hon Dr Nick Smith, Minister for the Environment, Richard Prosser of NZ First, and Geoff Simmons deputy leader of The Opportunities Party. Questions follow, with ECO member bodies given first cut. Patsy questions will be actively discouraged.

Sunday 27 August

ECO member bodies meet for our AGM at 8:30am. There will be coffee and tea. Friends of ECO and other approved observers may attend but do not have voting rights.

We will do the usual reports and set priorities for the coming year and consider policy remits already circulated. An incoming executive committee will be elected.

11:00am Barney Thomas, Managing for Centuries – Wakatū Incorporation.

11:35am, AnnaBeth Cohen will discuss Navigating through the muck to clean and healthy fresh water and ecosystems.

After lunch from 12:35-1:30, we will turn to a panel of speakers on Challenges, Pathways and Actions to protect and restore Biodiversity, with examples in the Top of the South Island. Contributors include Devon McLean of the NEXT Foundation; Martin Rodd of DoC, Nelson, Derek Shaw of the Waimarama Sanctuary Trust. Following a break we will hear from Peter Lawless again on the Nelson Biodiversity Forum and Strategy; Susan Moore-Lavo of the Nelson City Council on their Nelson Nature project; and Debs Martin of Forest and Bird on working with bats across a broad landscape.

The 4:00 - 4:30 pm session brings us to Reflections, Conference outcomes, pathways and actions – a moderated process.

The conference closes from 4:30-4:45pm and the logistics of the Takaka field trip will be explained if not already covered.

Monday, 28 August, extendable to Tuesday 29 August. Field Trip to Takaka with Heather Wallace. This is an opportunity to see the largest freshwater springs in the Southern Hemisphere. Visit the site and hear Andrew Yuill speak on why he and Ngāti Tama ki Te Waipou nanu are seeking a water conservation order for the aquifer that feeds the internationally renowned Te Waikoropupu Springs. This is the first time that such an order has been sought for an aquifer.

If time permits there will be an opportunity to visit the Grove Scenic Reserve that contains a diverse lowland forest remnant that has provided the launch pad for Project DeVine, an innovative weed-busting project.

There is a two day option if you wish to stay on in Golden Bay. Experience the mass dawn gathering of spotted shags at Tata Beach and see the ecological restoration project at the large Mangarakau Swamp.
Call for climate commission and carbon budgeting

The Parliamentary Commissioner for the Environment has recommended the establishment a Climate Commission, a New Zealand institute carbon budgeting, and urgently adopt a cross-party commitment.

The Commissioner’s report, Stepping stones to Paris and beyond: Climate change, progress, and predictability, is available on the PCE’s website - see http://www.pce.parliament.nz

The report adds to the consensus on the need for action by New Zealand to meet the commitments in the Paris climate agreement and transition to low carbon economy with a multi-party approach.

The Commissioner’s proposals are based on the UK Climate Change Act and an approach which has already been adopted by nine countries including Denmark, Finland, France, Ireland, Mexico, Norway, Scotland, Sweden and Switzerland.

As the PCE reports - the UK Climate Change Act four key features are:

- Emission targets in legislation;
- Carbon budgets – the stepping stones to targets;
- Policies set by Government to ensure Carbon budgets are met;
- An expert body to provide objective analysis and advice.

Generation Zero Carbon Act is based on the UK legislative approach to combating climate change.

It is urgent that New Zealand move to reduce its carbon emissions and develop a clear strategy to transition to a low carbon economy. A climate commission and climate budgeting could do that.

The proposals are similar to the recommendations by GenZero for a Zero Carbon Act and to the Climate Consensus Coalition Aotearoa statement which contains similar recommendations. This statement is supported by many groups and was also released in late July.

New Zealand emissions have continued to rise by a staggering 68% compared to our 1990 levels. By contrast the Commissioner shows that the UK has reduced emissions by 38%.

ECO was extremely disappointed by the government’s proposals following the Emissions Trading Scheme Review in 2015-16 that were finally released by the Climate Change Minister in July. The government proposals, on the Ministry for the Environment website, are “in principle only.

The Government’s “in principle” proposals on outcomes from stage two of the NZ ETS Review 2015/16 were released on 26 July 2017 and can be found on the Ministry for the Environment website at www.mfe.govt.nz.

We already lag far behind other countries and yet the ETS Review proposals set out by Ministers have slow timelines, are vague and will not provide investor certainty. They will not remove the rorts and flaws in the emission trading scheme or add agriculture to the ETS.

It is urgent there is cross-party commitment for action on climate change and to make the Emissions Trading Scheme apply to all emitters including agriculture, and that the price of emissions units be allowed to rise.

New Zealand can no longer rely on purchasing poor quality international units of dubious value. The costs of inaction are rising rapidly it will hurt the environment, the climate and the economy if we don’t take immediate action.

The Parliamentary Commissioner notes “there is no direct link between New Zealand climate policy and reaching the Paris target”. This is a polite way of saying the policy needs urgent overhaul.

The Government has yet to integrate climate policy with key decisions on infrastructure or resource use. Infrastructure developments like roading can last generations and become stranded assets.

Climate Change Minister, Paula Bennett, and Environment Minister, Nick Smith, have both rejected the need for legislation or the need for 5 year climate budget and targets in legislation.

Labour, the Greens, and New Zealand First have declared support for elements of the Zero Carbon Act. Both Labour and the Greens have committed to put the targets into law.

www.eco.org.nz
Squid fishery plan for sea lions still have lots of holes

Endangered sea lions will continue to be drowned in the squid and other fisheries under the operation plan proposed by the Ministry of Primary Industry (MPI).

MPI released an ‘Operational Plan to Manage the Incidental Capture of New Zealand Sea lions in the Southern Squid Trawl Fishery (SQU6T)’ in late July. Operational Plan is proposed to apply for the 2017/18 and 2018/19 fishing years.

Most of the sea lions breed on the Auckland Islands and pup number declined by 50% between 1998 and 2009 but appears to have stabilised in recent years. The other main breeding colony is on Campbell Island.

The current objectives of sea lion threat management plan management are to:

1. Halt the decline of the New Zealand sea lion population within 5 years and
2. Ensure the New Zealand sea lion population is stable or increasing within 20 years, with the ultimate goal of achieving ‘Not Threatened’ status.

Part of the debate is the assumption used in the modelling, including the efficacy of sea lion exclusion devices (SLEDs) used in fishing nets, and projections of annual pup numbers.

The effectiveness of SLEDs and whether sea lions survive escaping from them has been an area of debate for many years. To date there has been no detailed camera trials on the efficacy of SLEDs and whether sea lions survive despite contrary claims in the discussion document.

Many of the key assumptions are arbitrary when setting discount rates for sea lion deaths. The more precautionary levels should be applied but MPI does not support that approach. This is also true of the strike rate to be used with the most recent years having less information than years prior to the introduction of SLEDS.

A key failing in this operational plan is that it only applied to the squid fishery and does not consider sea lion drowned in other fisheries including southern blue whiting, scampi, hoki, and orange roughy. If MPI is serious about meeting the objectives in the threat management plan then they should be developing an operational plan that looks at all fishing interaction, including the impact of fishing on the sea lions food supply.

All written submissions must be received by MPI no later than 6 September 2017. They can be emailed to: FMsubmissions@mpi.govt.nz or posted to Squid 6T Operational Plan Consultation, Fisheries Management, Ministry for Primary Industries, P O Box 2526, Wellington 6011.

Progress on an agreement to protect High Seas biodiversity

The latest UN preparatory meeting in New York agreed in late July to recommend to the UN General Assembly to move forward on a process to negotiate a new high seas agreement. The high seas, or areas beyond national jurisdiction, are the ocean beyond countries Exclusive Economic Zones and continental shelf.

New Zealand has supported moves to develop a new agreement. The elements of the proposals include area-based management tools (including marine protected areas - MPAs) and marine genetic resources, including access and benefit sharing, capacity building, and technology transfer.

The High Seas Alliance (ECO is a member) has been working for nearly 10 years to get an agreement to protect biodiversity on the high seas. The High Seas Alliance has 32 non-government members, as well as the IUCN. The high seas includes some of the most biologically important, least protected, and most critically threatened ecosystems in the world. For more information see http://highseasalliance.org/

The high seas represent about 64% of the Oceans or nearly 50% of the Earth’s surface area. Currently there are a number of gaps in international framework with robust environmental provisions and no arrangement to protect biodiversity including establishing MPAs. The UN Convention on the Law of the Sea does not even refer to biodiversity.

Less than 1% of the high seas are MPAs - the largest being the Ross Sea MPA. There is a very long way to go if governments are to meet Aichi Biodiversity
Mangroves Bill a bad look for biodiversity

The Thames Coromandel District Council and the Hauraki District Council have asked Parliament to pass a special law to allow further destruction of mangroves. Mangroves or Manawa are a native species found in northern Harbours of Northland, Auckland, the Waikato and Bay of Plenty. New Zealand has the southern-most mangroves in the world.

The Bill was introduced on 7 July to Parliament by Coromandel MP and Associate Environment Minister, Scott Simpson. The legislation was introduced and has been referred to the Local Government and Environment Select Committee. The Bill would over-ride the provisions in the Resource Management Act.

When the Bill was introduced only the Greens voted against its introduction. While several Labour MPs raised questions they supported the Bills introduction as did all the other parties in Parliament.

The Bill has a contradictory objective “to achieve and maintain acceptable levels of mangrove vegetation in order to restore, protect, and enhance any amenity values or ecosystems of the coastal area.” What is acceptable is not said, neither is how you can protect an ecosystems by removing mangroves which are part of the ecosystem.

Globally effort is being put in to protect and restore mangroves. July 26 was International Mangrove Day. Why, you may wonder, do mangroves get their own special day? Because they are a truly unique and sadly endangered form of ecosystem. Globally there is a target of restoring 20 percent of mangrove cover by 2030.

In the Bay of Plenty, Coromandel, in Auckland and

Target 11 of the Convention on Biological Diversity, which calls for at least 10% of the ocean to be covered by a network of MPAs by 2020. Scientists have advised going even further, recommending that between 20% and 40% of the ocean be given MPA status in order to conserve viable populations of key species, secure ecosystem functions, and allow sufficient connectivity between individual protected areas.

High biodiversity features at risk include hydrothermal vents and seamounts. The threats to the high seas including fishing, oil and gas mining, and seabed mining.

The UN General Assembly has set up an intergovernmental conference which can develop the formal treaty. The Alliance is now championing a UN resolution to adopt this recommendation and hopefully move toward a negotiation conference as soon as 2018.

Northland there has been local opposition to mangroves. This has included some illegal removal of mangroves.

Part of the debate is how mangroves have expanded over the last 30 or so years in some estuaries and harbours. There may be many factors increasing mangroves – increased sedimentation and creation of causeways that create ideal conditions for mangroves are some of the reasons.

As NIWA report stated earlier this year research from the Firth of Thames has shown that the “muddy sediments are typically deposited before mangroves expand into new areas, rather than mangroves causing an increase in deposition of muddy sediments”

“Many mangrove removal areas have shown both immediate and long-term adverse impacts, which include anoxic (lacking oxygen, often black in colour and smelling of sulphur) sediments, minimal dispersal or decomposition of mangrove debris, high levels of hydrogen sulfide associated with rotting plant material, bacterial mats, large and prolonged algal blooms, and vehicle track marks persistent for many years after removal.”

There is also some historical evidence which shows that mature mangroves were affected by cattle grazing in the inter-tidal zone. Mangrove removal is not “restoration” of natural habitat.

Many of the areas where mangroves are proposed to be removed are at risk from sea level from climate change. Mangroves can be a buffer against sea level rise and storm surges. Mangroves are also important carbon sinks to combat climate change with over 85% of the biomass of mangroves are in the roots and pneumatophores.

A wide range of bird species are known to inhabit mangrove areas including banded rail.

The closing date for submissions will be set by the Select Committee at a later date.

Donate to ECO
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Aquaculture gets special treatment by Government in NES

By Helen Campbell

The first shots have been fired in this government’s plans to reduce costs and make processes easier for those in aquaculture: to exponentially expand aquaculture activities and to ignore the current and future impacts of these activities on an ever-changing marine environment. The cannon used for these shots is enshrined in the Resource Management Act 1991 (RMA) – check out sections 360A-360C. This was passed in 2011 and introduced the Minister of Aquaculture into the RMA.

These sections enable the Government through an Order In Council (an “Executive” decision), to amend regional coastal plans, without public notification or the ability to appeal to the Environment Court. The provisions for consultation under Schedule 1 of the RMA do not apply.

The National Environment Standard (NES) for Marine Aquaculture is the first salvo to be fired for the “priority” changes the National government intends to make to the aquaculture processing regime. Still to come are proposals for industry growth outside of existing consented space, and/or creation of new consented space, which are likely to follow the same framework. (See MPI.govt.nz for a copy of the NES).

The NES deals, in particular, with re-consenting process, species changes and biosecurity matters. The proposal will replace practices in existing regional coastal plans and change second generation plans currently under preparation. These changes will not follow Schedule 1 of the Act – that is, no public input will be possible. While the legislation states that proposed regulations “will continue to give effect” to the New Zealand Coastal Policy Statement (NZCPS) as well as any regional policy statement, it is clear that aspects of the former – such as strategic planning, biodiversity, natural character, natural landscapes and features, have only been given token, if any, recognition.

Councils currently reviewing policy documents including regional policy statements will be required by the Ministry for Primary Industries (MPI), the Minister of Aquaculture, and the Department of Conservation (DOC) to comply with the changes, again with no notification or rights to appeal.

The proposed NES overrides the (current) NZCPS 2010 and significant recent case law that has emphasised the importance of the objectives and policies of the NZCPS; including requirement for “appropriate activities in appropriate places”.

The legislative changes constitute a significant loss in the democratic processes that are inherent in the RMA and will undoubtedly mean that the purpose of the Act will be undermined and that natural and physical resources, including marine ecosystems, degraded for future generations.

Issues to consider include lack of adequate information or direction on:

- Relationship between the NZCPS 2010 and the NES/regulations e.g. the recent Supreme Court case (and other decisions) emphasise the need for adverse effects on Outstanding Natural Features and Landscapes (Policy 15) to be avoided. This Supreme Court case and other case law shows that the values of landscape must be assessed as if existing structures were not in the site under consideration. This directive also relates to Outstanding Natural Character (Policy 13) and Biodiversity, ecosystems and habitats etc. (Policy 11). No existing farms, until this decision, have been assessed in accordance with this.

- Strategic planning: Some plans show no indication of being constructed in a strategic manner: consents may have been granted due to external influences, or to pressures applied during hearings. Without public scrutiny of RMA processes the occupation of space by marine farms is effectively privatisation of the “commons”. The specific impacts of marine farming whether shellfish or “fed” fish (eg salmon) is not, despite the discussion documents’ protests, adequately known: there is a huge “knowledge gap” which has been acknowledged by various agencies including the MPI, and proven by case law.

Policy 7 (2) NZCPS requires the identification by councils of the coastal processes, resources and values that are either under threat or at significant risk from adverse cumulative effects with thresholds (zones, standards and targets) to be set in plans (or specification of acceptable limits) to assist in determining when activities causing cumulative effects are to be avoided.
These effects of course need to consider all impacts on the coastal marine area: e.g. urban activities including development, fishing and dredging, forestry sedimentation, climate change etc. as well as actual aquaculture activities including those associated with feeding and harvesting. The “connectivity” of ecosystems within the marine environment is still largely unknown.

No information on the state of strategic planning throughout NZ has been assessed by the Ministries involved in this exercise. Without this crucial information no extension in the terms of the current farms should be permitted, but should continue to be assessed as discretionary activities with public/community/iwi/scientific input.

- **Adaptive management** – many consents are granted with conditions that allows for adaptive management: in **active adaptive management**, managers design practices so as to discriminate between alternative models, and thus reveal the “best” management action. This sometimes involves testing practices that differ from “normal”, in order to determine how indicators will respond over a range of conditions. In **passive adaptive management**, managers select the “best” management option, assuming that the model on which the predictions are based is correct. Both passive and active adaptive management require careful implementation, monitoring, evaluation of results, and adjustment of objectives and practices. Active adaptive management usually allows more reliable interpretation of results, and leads to more rapid learning.

- **Existing and “deemed” permits** – many consents have been granted or extended by a process that involved no public consultation either through consent applications or planning processes. Many of these decisions were made on an ad hoc basis, encouraged by the years of such consideration of how to best handle the legislation that consents should be “permitted” under. This has meant that the “appropriateness” of a particular farm in a particular site may never have ever been assessed under the RMA. Much has changed in the marine environment since the 1970’s and change is the one constant that can be depended on in the marine environment. No environmental limits or “carrying capacity” of the environment has been contemplated in the NES; despite the objective!

- **“Inappropriate areas for aquaculture”**. The NES states that the public, once the regulations are in place, will be able to participate in 2nd generation coastal plan changes where councils should assign areas as being “inappropriate” for marine farming. But if the NES is in place and councils must make plan changes that comply with the regulations then all of the existing farms will already have “restricted discretionary” status, which is tantamount to being able to stay in perpetuity! No public/community involvement.

- **“Certainty”**: The NES has been written to provide “certainty” for the aquaculture industry and its investors, but not for the general public over an area of the public domain that cannot be “owned”. The discussion document admits that public input has been useful but then proceeds to exclude just those opportunities.

- **Effects on biodiversity** - “token” points relate to management practises to minimise (not avoid) “marine mammal and seabird interactions” – particularly entanglement, “but not habitat exclusion”! The resting, feeding and breeding places of for instance seabirds are ignored, as well as areas for fishing breeding e.g. elephant fish. All “restricted discretionary activities and Categories 3 & 4 (change to fed finfish species) only require “management practices” to minimise marine mammal and seabird “interactions” - not avoidance.

- **Effects on benthos** – again token words relate to “reefs and biogenic habitats” and “benthic values and the seabed” with qualifiers added such as “significant”. The vulnerability of certain areas of other areas/habitats/ecosystems is ignored.

- **Ability to have “more stringent or lenient activity classification”**. This statement is very questionable…. and singularly unhelpful. When and how does a council make such a decision when its” rights” have been overcome by this NES and there is no Schedule 1 process to get public/scientific input? Again the assumptions are made that plans adequately identify import “values” and “characteristics”.

- **Sites of “particular importance” to the industry**. No indication of what criteria will be used for identification of such sites or what rights do the public have for objection? The example given, Wainui Bay, Golden Bay has been subject to many objections over many years, is in an area of ONFL, and is outside of AMAs established in Golden Bay as a consequence of a significant enquiry and Environment Court case. An appeal against a plan change to make these a “controlled” activity – that is no decline is possible, is currently underway.

Ed Note: The aquaculture industry does not pay rent or rates for the space they occupy. They only pay monitoring fees. Marine farmers should pay rent and rates for the space they occupy just like any other commercial activity.
Freshwater Rescue Plan brings Comprehensive Solutions for Clean Water

Water is building up to be an important issue in the upcoming election with reports, policies and standards being launched.

The Plan’s backers now include 16 well-known organisations with collective support from at least half a million people. Supporters include leaders in the science, public health, tourism, recreation, community, and environmental sectors.

A coalition of environmental and recreational groups have developed a seven point plan. The groups include Choose Clean Water, public health and tourism organizations. The Freshwater Rescue Plan is the most comprehensive proposal to solve the water crisis and associated land use issues that has been brought to the table to address the crisis of freshwater.

The Plan draws together science, tourism and environmental interests to put in place policy for human and ecosystem health. It also takes account of farming sustainability by proposals for diversification and ‘farming with the land’ through profitable results with fewer cows per hectare.

Intensification involving major inputs of fertilizer and intensive stocking with cows is resulting in pollution of waterways. While the economic returns are boosting the economy what is not counted with the downstream costs.

A key policy platform announced at the launch is to stop funding irrigation and make the irrigation fund into a transition fund. Irrigation infrastructure like the Ruataniwha dam and farm irrigators cause a cycle of investment and debt which locks in the current model of farming including conversions to more dairy farming.

There are alternatives. Research has shown that less intensive farming with fewer cows and lower input costs, can provide a better returns for farmers than high input, high intensity farming models.

Intensification of dairying and conversions to dairy are a threat to human health – with 400 cases of toxic E. Coli poisoning per year. Concerns have also been raised in Canterbury at the impact of water nitrate levels on the safety of water.

The Plan gives responsibility to Regional Councils for monitoring and reporting on water pollution. The failure of Regional Councils to implement water regulations will be turned around by this Plan, which provides for proper resourcing of Councils to be effective in their role.

The announcements so far by Political parties have been mixed.

The National Government has announced a revised National Policy Statement on Freshwater Management which was consulted on earlier in the year. The revisions do make some improvements but the standards are still confusing and don’t go as far as the rescue plan proposed.

National have also announced funding as part of the $100 million over 10 years (Freshwater Improvement Fund) for restoration in catchments around the country but it also includes dam construction in the Waimea (near Nelson) and irrigation schemes in Canterbury. They are still proposing to spend $480 million on new irrigation proposals.

The Greens earlier announced a proposal for water charging on water bottling operations so that all water bottling operations would be charged a significant royalty. The funds would be used to clean up waterways, and protect drinking water sources and infrastructure. They have also proposed to reinstate funding for programmes that help small communities and marae upgrade their water systems to drinking water standard.

Labour has announced a comprehensive water policy which includes setting a royalty for water which would assist regional council to clean up their waterways. This proposal is consistent with charging for other resources including minerals. They have also proposed helping farmers and other owners of waterways with fencing and riparian planting.

NZFirst also have a policy of charging a royalty for

Water Rescue Plan is in part to make waterways swimmable
bottled water with 25% to go back to the regions the water came from.

**The Freshwater Rescue Plan Proposal Are:**

1. Protect the health of people and their waterways by setting strict and enforceable water quality standards, based on human and Ecosystem health limits

2. Withdraw all public subsidies of irrigation schemes, as they increase pressure on waterways.

3. Invest in an Agricultural Transition Fund, to support the country’s shift towards environmentally-sound primary industries by redirecting $480 million of public money earmarked for irrigation.

4. Implement strategies to decrease cow numbers immediately.

5. Reduce freshwater contamination by instigating polluter pays systems nationally.

6. Address the performance of regional councils on improving water quality through quarterly reports from the Ministry for the Environment on enforcement, breaches and monitoring.

7. Adopt OECD recommendation to establish a “whole-of-government, multi-stakeholder process to develop a long-term vision for the transition of New Zealand to a low-carbon, greener economy”.

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**Water conservation order application open for submissions**

Five parties have applied for a water conservation order on the Ngaruroro and Clive rivers in the Hawkes Bay. Submissions can now be made to the special tribunal on the proposal.

The applicants are the New Zealand Fish and Game Council, the Hawke’s Bay Fish and Game Council, Ngāti Hori ki Kohupatiki, Whitewater New Zealand, Jet Boating New Zealand, and the Royal Forest and Bird Protection Society of New Zealand.

The application seeks to protect:

- the entire length of the Ngaruroro River;
- the tributaries and hydraulically connected groundwater to the Lower Ngaruroro River; and
- the 7km-long Clive River.

The application is being made due to outstanding values of the water bodies including:

- significance in accordance with tikanga Maori;
- cultural and spiritual purposes;
- habitat for rainbow trout;
- angling, amenity and recreation;
- habitat for avifauna;
- habitat for native fish;
- boating amenity and recreation;
- wild, scenic and natural characteristics; and
- scientific and ecological values.

The application seek protection of these values through a number of conditions contained in the draft order appended to the application.

Submissions close at 4 pm on Thursday 24 August. You can send a written submission to: The Special Tribunal at the Environmental Protection Authority, Private Bag 63002, Wellington 6140 or email to: WCO.Ngaruroro@epa.govt.nz Download a copy of the submission form (pdf, 211 kb) or call 0800 777 501 to request a hard copy by post.

You must send a copy of your submission on the applicants whose address for service is: Maree Baker-Galloway, Anderson Lloyd, PO Box 201, Queenstown 9348 or email: maree.baker-galloway@al.nz
Supreme Court Decision Protects Ruataniwha Conservation Land

The Supreme Court decision protecting land in Ruahine Forest Park was a major step forward in conservation land protection. Forest and Bird is to be congratulated on their advocacy to protect public conservation land.

When the Conservation Act was passed in 1987 and amended in 1989, Parliament agreed with ECO and other conservation groups submissions that the Crown should not be able to dispose of specially protected conservation land.

The Supreme Court majority decision is principled and rightly meant an end to the Ruataniwha Dam proposal. The decision will be welcomed by people all over the country.

ECO paid tribute to Forest and Bird and to the people and groups in the Hawkes Bay who have opposed the Dam in order to protect threatened species and native forest.

As noted in the Supreme Court decision, nationally significant conservation values would be lost in any dam-induced inundation. The Court also noted that no one is arguing that the 22 ha of protected land are not appropriate to include in the Forest Park.

As the Supreme Court reports (at Para 6):

"Advice provided to the Department [of Conservation] concerning ecological values and effects of the proposed easement described the entire 22 hectares as "threatened", and areas within it as "acutely threatened" or "chronically threatened". Of concern in terms of the national priorities for biodiversity protection were the oxbow wetland on the true right of Dutch Creek, and a small portion of land on the true left of the Makaroro River adjacent to and including braided river gravels, a nationally rare ecosystem. The land also contains habitat for a nationally vulnerable species (the North Island long-tailed bat) and declining species (North Island fernbird and red mistletoe). The ecological advice concluded that “[t]here is no doubt, therefore, that the areas of indigenous habitat which are subject to the proposal contain significant ecological values within a national context.

The Court also ruled that the Minister (and any delegated decision maker) has to consider the statutory plans and policies. These include the Conservation Management Strategy and the national conservation policies.

It will be a relief to groups and thousands of individuals throughout the country who have submitted to the Department of Conservation on plans, strategies and policies that the Minister and officials cannot ignore these in key decisions.

The Prime Minister, Bill English, and the Minister of Conservation, Maggie Barry, should think again about proposing to change conservation law to facilitate private business like the Ruataniwha Dam at the expense of the conservation land held in the public trust. The proposal to change conservation land status by special legislation will be strongly opposed.

The Minister of Conservation initially the argued that the transfer involved swapping low value piece of conservation land for a piece of land with higher conservation values. This position could not be sustained given the evidence accepted by the Court and reports of the high conservation values in the area proposed to be flooded.

The Minister of Conservation must give effect to the legal obligations under conservation law to protect conservation land and not to allow it to be traded away. The Minister has so far only stated that the legislation would not be retrospective and thus affect the Ruataniwha decision.

To change the law now would continue the recurring pattern of the government arrogantly removing environmental protection. The government

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In early July, the National Government quietly introduced new criteria for the Environmental Legal Assistance Fund that will restrict non-profit groups from being able to utilise the fund. The new criterion requires the funds decision makers to consider whether a group bringing a case would “contribute to impeding or delaying the ability of people and communities to provide for their social, economic and cultural well-being in relation to important needs, including employment, housing and infrastructure”.

The fund was first established in 2001 as part of a budget agreement between the Labour Government and Green MPs, and is managed by Ministry for the Environment. The fund can cover the cost of legal and expert witnesses in cases under the Resource Management Act. This includes assisting with mediation on cases which resolves around 75% of RMA appeals to the Environment Court.

The Minister for the Environment, Nick Smith, in answer to Parliamentary questions said that “A new consideration is the issue of housing and infrastructure. The Government makes no apologies for making it harder for groups to get Government money to stop houses and infrastructure from being built.”

The changes made will restrict this. “Now if someone can demonstrate an economic or social benefit from activities that will damage the environment, communities and groups will likely not get legal aid to make their case,” says Augusta Macassey-Pickard, Coromandel Watchdog of Hauraki spokesperson. Coromandel Watchdog is one ECO member which has successfully accessed the fund to achieve better outcomes for the environment.

The Minister particularly singled out funding which if successful would stop roading projects being built.

The new criteria apply to deliberations by the panel, who consider whether to grant assistance with expert witness and legal costs, to environmental and community groups. The panel makes recommendations on an application but does not make the final decision.

The last four years has seen a reduction in the fund and more political oversight. The ELA annual budget was cut to $600,000 in 2013, down $445,000 on the year before.

Then in 2016 the Minister for the Environment, Nick Smith, took over final control of funding decisions from the chief executive of the Ministry for the Environment. This move politicised the fund and took it further away from its original focus on an independent expert body making recommendations at arms length from politicians.

The fund was designed to ensure that environmental and community interests can take part in environment court or similar processes. The establishment of the fund was an important step towards addressing the barriers to effective public input into environmental decision-making.

Good environmental decision making depends on the ability of all members of the community to use formal processes. Funding needs to be available to ensure the public can take part in all decisions about the environment.

The changes made will restrict this. “For example, this fund can enable an organisation such as Coromandel Watchdog of Hauraki to go to Court to protect their areas from exploitative industries such as gold mining, which may provide economic benefits for a small group while having a significant environmental effect.”

A major failing of the fund is that it is restricted to RMA cases and it is not available for procedures under EEZ legislation. This limit the experts and legal advocacy which means that the EPA Decision Making Committee (DMC) is less informed than it could be on mining cases.

The fund also excludes fisheries and conservation legislation. This means that important public interest legal issues are rarely tested in the Court.

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Thanks

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Labour & Greens Commit to Extend Protection in Coromandel

In August Coromandel Watchdog of Hauraki, supported by Protect Karangahake, presented their petition calling for Schedule 4 to be extended to protect conservation land across the whole Coromandel Ecological Region. This includes the Karangahake Gorge and Mount Te Aroha.

Currently conservation land North of SH25 Kopu-Hikuai is protected by Schedule 4, but land in the Southern Coromandel is not, and is under increasing pressure from mining activities.

The petition, carrying over 4,500 signatures, was delivered to Green Party MP Catherine Delahunty, by the conservation groups. Labours David Parker was also present in his capacity as Labour Conservation spokesperson and confirmed that Labour support the extension of the Schedule 4 protection as do the Green Party – spokespeople for Conservation and Environment Eugenie Sage and Mojo Mathers also attended. Both parties have formerly included the extension of the Schedule 4 protection of the Coromandel in their Conservation policies.

The presentation included songs and karakia from the Karangahake community who are passionately opposed to mining activities on what they say is their ‘sacred mountain’, and members of Coromandel Watchdog who have been working for more than 35 years to protect the Coromandel from mining.

Coromandel Watchdog Spokesperson Augusta Macassey-Pickard said the group was very pleased that Labour and the Green Party had agreed to extend Schedule 4. “The Coromandel Ecological Region is a significant area, with many special species of flora and fauna, some of which are threatened and iconic and unique landscapes. Our beautiful environment is hugely important to both the residents of the Coromandel and our economy, and mining here would not be appropriate.”

“We want it protected, from Te Moehau in the North, to Te Aroha in the South,” said Macassey Pickard. “Coromandel Watchdog has long campaigned to have the whole of the area protected, so we are very happy that Labour and the Greens have again agreed.”

Susan Durcan of Protect Karangahake says an extension of Schedule 4 would protect Karangahake and be a huge win for the country in the fight to get all conservation land protected from industrial access.

New Talisman Gold, the company currently prospecting in the Karangahake Gorge, declared it had discovered over 8,500kg of gold located between the Coromandel and Kaimai ranges and has stated it intends to begin bulk sampling the gold next year.

“Mt Karangahake is conservation land, not an industrial estate. It is integral to our local tourism industry and sacred to members of our local iwi and to our extended community - we want to make it very clear to our government where the Karangahake community stands on this issue; we are absolutely opposed to mining on the mountain.”

Minister of Conservation, Maggie Barry, told Parliament in August in response to a question that the National Government would not support extending schedule 4 land to protect Mount Karangahake.
World Heritage areas still not protected from mining

New Zealand has three world heritage areas which are areas internationally recognised for their outstanding natural value under the World Heritage Convention, which is managed by UNESCO.

The three areas are Tongariro National Park, Te Wāhīpounamu - South West New Zealand World Heritage Area in the South Island, and the Sub-antarctic Islands, including the surrounding territorial sea. Internationally World Heritage areas include East Africa’s Serengeti, the Pyramids of Egypt, the Great Barrier Reef in Australia.

In New Zealand World Heritage Areas are not protected from mining by the provisions of Schedule 4 of the Crown Minerals Act which protects certain special categories of conservation land including national parks. World Heritage is clearly a special area given global recognition so should be protected from mining.

A private members bill, from Labour’s Ruth Dyson, the Crown Minerals (Protection of World Heritage Sites) Amendment Bill had been was voted down in its first reading in June. The vote shows that only Labour and the Greens voted for the Bill, and National, NZ First, ACT, and United voted against the Bill.

It’s seems National and NZ First would like to allow mining in Te Wahipounamu - South West New Zealand World Heritage Area.

In introducing the Bill in Parliament Labour’s Nanaia Mahuta said “this bill is designed to ensure that the world heritage sites that are currently listed… are added to schedule 4 of the [Crown Minerals Act] so that mining cannot occur.”

Ms Pugh, the National Party list member from the West Coast, led the debate for National and said they would “vehemently oppose this bill.” This was supported by other National MPs.

Richard Prosser for NZ First said: “We can have the wide-open spaces, we can have the pristine clean, green wilderness, and we can have mining as well, as long as it is done properly.” He didn’t articulate what “properly” might mean.

National Party MPs and Richard Prosser raised the issue of mining in Te Wahipounamu. It was clear from the debate that National and NZ First MPs do not understand what World Heritage Area means.

Globally questions of mining in World Heritage areas has led to these areas ending up on the World Heritage in danger listing by the World Heritage Commission. Currently there are 54 sites on this list many of them threatened by mining. There are nearly 1100 sites or areas listed by the Commission.

New Zealand should cherish world heritage areas and protect them from mining. New Zealand’s tentative list for possible new World Heritage areas were notified to the Commission in 2007 but there has been no progress on formally assessing these areas:

- Auckland Volcanic Fields (30/03/2007)
- Kahurangi National Park, Farewell Spit and Canaan karst system (30/03/2007)
- Kerikeri Basin historic precinct (30/03/2007)
- Kermadec Islands and Marine reserve (30/03/2007)
- Napier Art Deco historic precinct (30/03/2007)
- Waitangi Treaty Grounds historic precinct (30/03/2007)
- Waters and seabed of Fiordland (Te Moana O Atawhenua) (30/03/2007)
- Whakarua Moutere (North East Islands) (30/03/2007)

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Massive seabed mining given green light, appeals likely

In Early August the Environmental Protection Agency (EPA) announced that in a split decision a decision making committee had approved a large seabed mining proposal in South Taranaki Bight, off Hawera.

The proposal by Tran Tasman Resources Ltd (TTRL) is to extract 50 million tonnes of sand every year for 35 years, to get five million tonnes of iron ore per year for direct export to Asia. The rest of the material would be discharged back onto the seafloor.

The four member committee was equally divided on the proposal and it was only approved with the casting vote of the decision making committee (DMC) chair. The Committee was made up of Mr Alick Shaw (Chair), Ms Sharon McGarry (Deputy Chair), Dr Kevin Thompson (EPA Board Member) and Mr Gerry Te Kapa Coates. Mr Shaw and Dr Thompson voted to grant consent and Ms McGarry and Mr Te Kapa Coates voted to refuse consent.

The consent was granted with conditions which Shaw and Thompson noted the “conditions we have imposed reflect in large measure those finally proffered by the applicant”. This is the first seabed mining consent that has been approved by the EPA – an earlier application by TTRL was rejected by a different DMC.

Shaw and Thompson found that the sediment model domain from the mining covers “approximately 31,300 km2 [and] comprises around 42% of the South Taranaki Bight.”

There were 13,533 submitters (including ECO) and only 115 supported the proposal. Opposition came from Iwi, recreational and commercial fishers, community and environmental groups, and many individuals. The Department of Conservation did not submit on the proposal leaving up to community groups and Iwi to lead the case against the mining proposal.

Kiwis Against Seabed Mining (KASM) have announced they will appeal the decision to the High Court. Ngati Ruanui, who hold mana whenua status, are also likely to appeal.

KASMs Chairperson, Phil McCabe said “We have to take the only responsible route here by appealing this decision, on behalf of the future of our coastal peoples and environment, the blue whales, maui dolphins and little penguins.”

McCabe said they were stunned that the EPA could have given this experimental industry the go-ahead, given the startling lack of available crucial information. Even the EPA’s decision making committee was split on its decision, requiring an extra vote from the Chair.

“This decision sets a dangerous precedent for New Zealand’s marine environment. There are further proposals closer to the coast in the South Taranaki Bight, off the coast off Kawhia, the South Island’s West Coast, the Chatham Rise and an area off the coast of Waihi Beach” said McCabe.

He noted that the UN’s International Seabed Authority (ISA) was in the process of establishing rules for seabed mining in international waters.

“New Zealand is acting prematurely in this space. Seabed mining is an untested activity and other countries have put moratoria in place, yet our government is promoting the industry and granting consents long before any clear scientific evidence on the damage it would cause is available. This is not a race we want to be leading.”
Special Economic Zones – making it easy for the miners

Cath Wallace

Government and local government plans for special economic zones to fast track environmentally and socially harmful projects, were condemned by Forest and Bird, ECO and others.

This call follows the release to Forest and Bird of Ministry of Business, Innovation and Employment (MBIE) and other official advice to Ministers* that Special Economic Zones would put the environment and “social licence” at risk. Forest and Bird exposed the Government’s “plans to expand mining on high conservation value land on the Buller Plateau” and noted that this included extracting an assumed 62.3 million tonnes of coal over 20 years.

The advice to Ministers, released under the Official Information Act, was from Ministry of Business, Industry and Employment, MBIE. It outlined the officials’ understanding in March 2017 of what Ministers wanted. Officials warned against pushing through special economic zones and special legislation using proposed fast-track bypass methods.

The advice to Ministers included that rushed legislation would be hard to do properly and would cause a public furor. If conservation and environmental values are over-ridden in favour of mining, aquaculture, and other activities in sensitive environments, the “social licence” to operate would be endangered. The advice shows that the officials thought that it might be a good idea to drop the idea”.

“Ministers announced their plans and that for a West Coast regional growth strategy, substantially disregarding the officials’ advice. The plans include Special Economic Zones where normal due process for consideration under the RMA and other laws would be suspended, The SEZ’s have been proposed for coal mining on conservation land on the Buller Plateau, for tourism, for aquaculture, geothermal and housing developments, and other purposes. The Buller District and Grey District Councils supported the proposals, as has Local Government NZ.

The officials were right to suggest due process not be suspended. People who have worked for generations and decades for environmental protection to benefit the future will not stand for special purpose legislation to allow the destruction of conservation values on conservation land on the Buller Plateau or other areas of the West Coast, Southland or anywhere else.

Most New Zealanders will not think it is acceptable to fast track developments, least of all coal mining on conservation land, tourism or other activities. Aquaculture with its disease and landscape impacts in con-

Earlier this year KASM and Ngati Ruanui presented a 6000 signature petition to Parliament calling for a moratorium on seabed mining until there was sufficient information.

“With the direct export of the raw iron ore and no added value on land, this proposal brings very little economic benefit at huge environmental cost.”

“The company’s consultation process was flawed, its science was flawed, it tried to redact key evidence, and they did not consult properly. We had to go to the Environment Court to force the release of key environmental information – a decision the Court said we won “by a considerable margin.”

McGarry and Coates alternative recommendations to turn down that consent is damning in its criticisms. They stated as “we have reached is our view that overall the localised adverse environmental effects on the Patea Shoals and tangata whenua existing interests are unacceptable, and are not avoided, remedied or mitigated by the conditions imposed. We also have concerns regarding uncertainty and the adequacy of environmental protection within the coastal marine area (CMA).”

They further stated that “We consider that granting consent to the application before the collection of sufficient baseline data on the existing environment is unwise and untenable, and inconsistent with recognised best practice for environmental impact assessment.”

They said: “We are not satisfied that the potential of the natural resources of the Patea Shoals and the CMA will be protected and sustained to meet the foreseeable needs of this generation or future generations.”

They later said “We consider that the conditions imposed are inadequate to control the effects of the mining activity given the lack of information presented to us about existing environmental conditions, the potential adverse cumulative effects over time, and the fact that the proposed monitoring often has significant time delays before a major reaction such as ceasing extraction activities can occur.”

In their conclusion that stated that “There is no basis to ignore or dismiss the views of submitters or to prefer the evidence of TTRL’s particular scientific experts given the uncertainty and inadequacy of the information before us.”

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travention of the NZ Coastal Policy Statement and the King Salmon Environment Court ruling would also be opposed. The papers suggest Ministers want such by-passes for aquaculture in sensitive South Island marine and coastal conservation areas. These would include around national parks and other sensitive places such as Rakiura – Stewart Island, Southland and Fiordland National Park and their surrounding coasts and seas. Geothermal energy projects and housing developments were also discussed.

The papers show that there is a clear understanding by Ministers that such special economic zones and special legislation would bypass the Resource Management Act, its National Coastal Policy Statement, and other legislation that would otherwise give consideration of the environment and social issues when mining and other economic projects are promoted. Officials pointed out the proposals would violate the Purpose and Principles of the Resource Management Act.

The proposals go even further, reported Kevin Hague, CEO of Forest and Bird: “A May 2016 MBIE briefing paper shows that in the development of the plans, a range of special powers and benefits for the zones would be considered.” These would include bypassing regulatory processes and plan changes, consents, rules for acquisition of private and public land for development purposes and lifting overseas investment rules.

The Special Economic Zones proposal was floated in October 2015 by the NZ Initiative, the re-branded Business Round Table. It proposed suspension in some regions of many aspects of the RMA, the Overseas Investment Commission and other rules. This would could be a substitute for, and bypass of RMA reforms.

It is no surprise, but it is very disappointing, that the many in local government, especially on the West Coast, seem to support this bulldozing – literally and figuratively – of projects on public and private lands, and around the coast.

The moves were promoted as a recipe for regional growth. The NZ Initiative proposed regional variations in rules suspensions as experimental trials for a post RMA arrangement. As a clear bribe to local government, the business lobby group also suggested that a percentage of locally raised taxes would be given to local government. That idea has also resurfaced. Local Government NZ supports this idea too.

Even though Ministers have already severely reduced the consideration of environmental and social concerns with their amendments in the Resource Legislation Amendment Bill earlier this year, and pushed the primacy of economic interests, senior Ministers still seem to want to bypass due process further. The changes to the Resource Management Act, the EEZ & Continental Shelf Act, the Conservation Act and the Reserves Act in the Resource Legislation Amendment Act that the government rammed through already tilt decisions in favour of economic activity and against social and environmental concerns.

Ludicrously, when interviewed by NBR, the NZ Initiative claimed that their idea of Special Economic Zones, would allow government “by the people for the people”. The plans were devised by the NZ Initiative business interests and promoted by Ministers with consultation with business, some iwi interests, and local government. There was no consultation with the public or environmental groups.

Unions should also be concerned. Special Economic Zones in other parts of the world have also led to serious labour rights violations and to harm to workers and their communities from pollution.

The idea of fast track routes for environmentally and socially harmful activities belongs back in the 1960s and 1970s and should stay there.

The more special legislation and zones are cooked up for the mining and other industries, the more there will be direct action and other conflict on the ground.

For further information includes:


https://www.nbr.co.nz/article/nz-initiative-councils-should-be-given-power-create-their-own-special-economic-zones-180314

See ECO for more details.
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| Civic Trust Auckland | Kiwis Against Seabed Mining |
| Clean Earth League New Zealand | National Council of Women of NZ |
| Buller Conservation Group | Nelson Environment Centre |
| Coal Action Network Aotearoa | North Canterbury Branch Forest & Bird |
| Climate Justice Taranaki | NZ Sea Lion Trust |
| Conscious Consumers | Opua Coastal Preservation Society |
| Conservation Volunteers NZ | Orari River Protection Group |
| Coromandel Watchdog of Hauraki | RESPONSE Trust |
| East Harbour Environmental Association | Save the Otago Peninsula |
| Eastern Bay of Islands Preservation Society | Soil and Health Association of NZ |
| EcoMatters Environment Trust | South Coast Environment Society |
| Engineers for Social Responsibility | Surfbreak Protection Society |
| Environmental Futures | Sustainable Otautahi Christchurch |
| Environment Network Manawatu | Sustainable Whanganui Trust |
| Far North Environment Centre | Te Aroha Earthwatch |
| Friends of Golden Bay | Thames Coast Preservation and Protection Society |
| Friends of Lewis Pass and Hurunui Catchment | Water Action Initiative |
| Friends of Nelson Haven and Tasman Bay | Waiheke Sustainability Centre |
| Friends of the Earth NZ | Wellington Botanical Society |
| GE-Free NZ | West Coast Blue Penguin Trust |
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