



## No public consultation in RMA Review?

By Barry Weeber

The government has announced further aspects of Phase II of the Resource Management Act review but has yet to announce any process for public engagement.

The Minister for the Environment, Nick Smith, in February announced two new technical advisory groups to look at urban management and infrastructure issues.

In May last year the Minister stated,

“Phase II is a far more complex reform process. The first four work streams involve greater central Government direction to improve management of aquaculture, infrastructure, urban design and water. There is also a major job to develop the scope, functions and structure of the proposed Environmental Protection Authority.”

There is no detail on the proposals for forming an expanded EPA or options for how an EPA would function. The current ‘EPA’ only has fast track powers under the Resource Management Act.

Last year the Minister also said, “A further four work streams involve better alignment of the RMA processes with those of the Building, Conservation, Forests, and Historic Places Acts.”



*Auckland waterfront*

The final work stream involves a number of generic RMA processes that were too complex to include in Phase I of the reforms. The Minister has not advised on the process of the last element.

The Prime Minister, John Key, in his speech at the opening of Parliament commented on freshwater issues. He said: “The Government will ... remove particular regulatory roadblocks to water storage and irrigation in Canterbury. This will be in addition to the work already being carried

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### ECO Annual Street Appeal

ECO is looking for volunteers to help with our annual Street Appeal Day in Wellington on Thursday 25 March. If you would like to help please contact the ECO Office on 04 385 7545 or email [eco@eco.org.nz](mailto:eco@eco.org.nz) for more information.

**COLLECTORS NEEDED!**

out by the National Infrastructure Unit and the Land and Water Forum on progressing water storage infrastructure throughout the country.”

“Overall, the Government is committed to ensuring that water storage and irrigation projects which meet environmental standards, and which are good economic propositions, can happen in a decent time frame.”

The Government has yet to indicate what environmental standards they are concerned about. There was nothing in the Prime Minister’s speech to indicate what environmental bottom lines exist, for example, to deal with the current poor state of lowland rivers.

The main focus in the speech was on economic growth and it did not consider impacts on the environment or changing the economy to reduce our impact on ecological processes and biodiversity.

The Urban Technical Advisory Group (TAG) is chaired by barrister Alan Dormer and includes planning consultant Adrienne Young Cooper, research economist and consultant Arthur Grimes, architect and urban designer Graeme McIndoe, Chief Executive of the Property Council of New Zealand Connal Townsend and Ernst Zollner of the New Zealand Transport Agency.

The group is due to report back by 30 June.

There is no local authority representative or public transport interests on the TAG.

*“The main focus appears to be on removing Auckland’s urban limits rather than considering how the environmental footprint of an expanding population can be reduced.”*



Photo courtesy of Bob Zuur

The main focus appears to be on removing Auckland’s urban limits rather than considering how the environmental footprint of an expanding population can be reduced.

The Minister Nick Smith noted that,

“I don’t think we have the incentives right for developers to do the best urban design in our largest cities. There are also questions about the policy of metropolitan urban limits, the effect they have on section prices and the negative flow-on effects to the broader economy. Nor do we have a good track record of having the right infrastructure in place at the right time for supporting urban development.”

*“There is no formal submission process proposed for input into any report produced.”*

The Infrastructure Technical Advisory Group is chaired by Mike Foster, Director of Zomac Planning Solutions Ltd, and planning consultant Adrienne Young Cooper, barrister Alan Dormer, solicitor Kelvin Reid, civil engineer Lindsay Crossen, Sacha McMeeking from Ngāi Tahu, and the Chief Executive of the New Zealand Council for Infrastructure Development Stephen Selwood. The group is to report by 31 March.

Again there are no local authority representatives or environmental interests on this TAG.

Like the previous TAGs, there is no formal submission process proposed for input into any report produced, unlike previous Government processes, both National and Labour, where there has been a public process of input into reviews. The only input into these reviews will be when the legislation is introduced to Parliament.



Auckland CBD

## Phase II of the RMA Review

Phase II of the Review covers:

- improving infrastructure provisions
- consideration of better freshwater management
- exploring approaches to better urban planning
- sustainable and cost effective aquaculture planning and development
- addressing the establishment, role and functions of the new Environment Protection Agency (EPA).

In addition there is also the opportunity to address other issues including:

- Alignment of processes under the RMA with processes under other legislation where there is overlap
- Possible further amendments to the RMA to deal with complex issues that could not be dealt with in Phase I.

## Governments ten related work streams:

- addressing barriers to sustainable and cost-effective aquaculture development
- alignment of consenting processes under the RMA and the Building Act 2004
- alignment of consenting processes under the RMA and the Conservation Act 1987
- developing further the scope, functions and structure of the EPA
- alignment of consenting processes under the RMA and the Forests Act 1949 and Forests Amendment Act 1993
- investigating generic issues in the RMA that were too complex to be dealt with in Phase One
- alignment of consenting processes under the RMA and the Historic Places Act 1993
- improving infrastructure provisions, including the application of the Public Works Act 1981
- exploring better approaches to urban planning
- establishing a fairer and more efficient water management system.

## Terms of Reference

### Urban Technical Advisory Group

The RM Phase II Urban Technical Advisory Group (TAG) is appointed to provide independent advice to the Minister for the Environment on proposals for the reform of the urban planning and design mechanisms in the RMA and related legislation.

The scope of the review will look at the merits of tools currently available for implementing urban planning and design including:

- housing affordability / section pricing mechanisms
- urban design panels
- metropolitan urban limits
- financing and funding mechanisms for infrastructure
- spatial and structure plans

It will also look at integrating and aligning planning statutes and planning mechanisms (specifically the RMA, Local Government Act and Land Transport Management Act).

### Infrastructure Technical Advisory Group

The RM Phase II Infrastructure Technical Advisory Group (TAG) is appointed to provide independent advice to the Minister for the Environment on proposals for the reform of the Infrastructure provisions in the RMA and related legislation.

The scope of the TAG's investigation of infrastructure work will include:

- A review of the role of designations in facilitating infrastructure development and an examination of options for reviewing and streamlining the designation mechanism.
- An investigation of alternatives to designations for planning for and managing the effects of activities on network infrastructure.
- Streamlining and integrating processes including for acquisition and compensation, under the Public Works Act 1981 and other relevant legislation.

### More information

For further information contact: Nick Smith,  
Minister for the Environment, Parliament Buildings,  
Wellington, [nick.smith@parliament.govt.nz](mailto:nick.smith@parliament.govt.nz)

## Mining on conservation land

By Barry Weeber

The Government is poised to announce proposals to weaken the protection against mining on some of the most important parts of the conservation estate.

The Government announced in May 2009 that the protected areas in Schedule Four of the Crown Minerals Act would be reduced. Schedule Four specifies protected areas in the DOC estate that are too special to be mined and puts them offlimits to exploration or mining.

These provisions were passed under a previous National Government in 1997 and represented a wide consensus in Parliament. Schedule 4 includes Coromandel forest parks, national parks, wilderness areas, nature reserves, scientific reserves, wildlife sanctuaries, marine reserves, and forest sanctuaries. The areas do not include World Heritage Areas which are internationally recognised as high value conservation areas, an anomaly that has raised eyebrows internationally.

Prime Minister, John Key, in opening Parliament this year, tied his colours to the mast of reducing protection of conservation land and marine areas. He stated that,

“The Government will shortly be releasing a discussion document for public consultation on potential changes to Schedule 4 of the Crown Minerals Act. The discussion document will recommend that some areas of Crown land be removed from Schedule 4 and in addition that some areas currently not in Schedule 4 be added to it.”

He also indicated that the Government had a closed mind on the issue by stating,

“Notwithstanding the public consultation process, it is my expectation that the Government will act on at least some of these recommendations and make significant changes to Schedule 4. This is because new mining on Crown land has the potential to increase economic growth and create jobs.”

A leak to Radio NZ indicates that the government is into damage control and is proposing to reduce the impact of changes to Schedule 4 of the Crown Minerals Act to 7000 ha. While the Government tries to spin that this area is small, it is not, especially when you compare it to the parks,



*Oceana Gold tailings dam in Victoria Conservation Park, near Reefton on the West Coast of the South Island*

*“The Government is proposing to reduce the impact of changes to Schedule 4 of the Crown Minerals Act to 7000 ha. While the Government tries to spin that this area is small, it is not.”*

reserves or offshore islands. The total area of the three Hauraki Gulf Islands Rangitoto, Motutapu and Little Barrier Island combined is less than 7,000 ha.

When compared to our smallest national parks it would be a third of Abel Tasman National Park or a quarter of Paparoa National Park. All are high value conservation areas.

It is understood that the Government is proposing to remove protection on parts of the Coromandel behind Thames to Tararu, and near Whangamata, the Otahu Ecological Area and the Parakowhai Quarry Ecological Area, and Paparoa National Park amongst others.

Mr Key’s speech also suggested a new conservation fund drawing on royalty revenue from mining operations on Crown Land. The fund would receive no money for prospecting or exploration activity and would be very unlikely to compensate for the lost conservation values associated with mining. Currently all hard rock mining pays less than \$5 million in royalties to the Crown.

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## Irrigators go after Canterbury Regional Council?

By Barry Weeber

The Government's review of the Canterbury Regional Council's performance and its recommendations is a great leap backwards to the 1970s in resource management and local Government accountability. The report proposes to get rid of an elected regional council and in part replace it with a narrowly focused water board reminiscent of the outdated catchment boards from the 1970s and 1980s. The report was commissioned by the Minister for the Environment, Nick Smith, and the Minister of Local Government, Rodney Hide. There was no broad public consultation or a mandate for the key changes suggested.

The report proposes to replace the water management functions of Environment Canterbury with a new entity under a new Act, and replacing the rest of ECan's functions with a commission. The removal of a democratically elected regional council has not happened before under the Local Government Act or the Resource Management Act. The review was chaired by current dairy director and former National Party Deputy PM, Wyatt Creech.

Canterbury is the area with the strongest conflict between water irrigators for intensive dairying and the community who want to protect the environmental integrity of rivers and water quality. Canterbury has 15 percent of the national dairy herd and it has grown by 60 percent between 2002 and 2009. It also has over 66 percent of New Zealand's irrigated land and about 55 percent of the total amount of water allocated under water consents.

The report's authors show in several places that they think that ECan is too green, has too great a focus on science as a basis for decisions, exhibits "lack of balance in decision making", and focuses too much focus on "adverse natural environmental effects" in resource consents advice. The report considers the number of water conservation orders to be 'nationally unrepresentative' and wants to 'unlock' the potential for "future agricultural development in Canterbury."

This is consistent with Government thinking as Prime Minister Key in opening Parliament stated, "the Government will take action this year to remove regulatory roadblocks to water storage and irrigation in Canterbury."

The authors consider that the RMA is only a balancing act and that there are no bottom lines for ecological and environmental integrity that must be considered. The report focuses on the national significance of water use rather than the environmental impacts of water use.

While ECan notified a Natural Resources Plan in 2004 it has not completed the decisions on submissions. A Canterbury Water Management Strategy is also assisting in advancing

integrated water issues. The report acknowledges that ECan has faced a gold-rush of consent applications but its performance in the way it deals with consents has recently much improved. The review authors also state that "with the exception of water the council functions as an effective body".

ECan was also affected by a failing in the Resource Management Act to not require regions to produce water management plans which meant that it embarked on that process later than it should.

The report fails to note that ECan was never in a good position to develop voluntary plans without rating to fund these. ECan, unlike other regional councils, did not have other assets to help fund its resource management activity.

The absence of national policy and standards for water, and the weak provisions in dealing with non-point pollutions arriving from intensified dairying have also exacerbated the problem of water management in the region. ECan was gifted a huge task which it has had difficulty in tackling, but the same equally huge task awaits any alternative approach. The report does not substantiate how its approach is better, and fails to get to grips with both flaws in the Act or how central government might improve its implementation.

The Government is currently fixed on increasing irrigation in Canterbury without answering the question of whether there are alternative options for land use apart from irrigated dairying, or how to deal with the impacts on lowland water quality, biodiversity and the internationally significant braided rivers ecosystem. There is only so much abuse that our lowland waterways can take.

The recommendation of establishing a water board and losing integrated resource management functions fails to consider the impact on water quality of water use. It is also linked to the current Government's an anti-regional council approach.

The Government would be better to require regional councils to produce water plans under the RMA and strengthen the footing of regional councils under the Act. In addition the development of national standards and national policies for water use is long over-due.

### More information

The report can be downloaded from [www.mfe.govt.nz](http://www.mfe.govt.nz). The Minister has also referred the report to the Land and Water Forum as part of its deliberations see [www.landandwater.org.nz](http://www.landandwater.org.nz).

## Effective conservation pest management – itself endangered

By Diana Shand

Effective control of conservation pests is threatened by a number of new directions from Government. One is a proposal to move the responsibility for wild animal control from the Department of Conservation (DOC) to a New Zealand Game Animal Council (NZGAC) which will be set up to co-ordinate and foster hunting and farming interests in deer, chamois, tahr and wild pigs.

This change is not based on science but in politics. Peter Dunne's United Future Party still retains remnants of the safari/hunting lobby from its former partnership with the Outdoor Recreation New Zealand Party. As part of the Confidence and Supply Agreement with the Government, it negotiated agreement to "proceed with the establishment of a Big Game Hunting Council as part of a national wild game management strategy with a view to it becoming a statutory authority".

'Big Game' focuses on ungulates (hoofed animals). The impact of introduced browsing and grazing mammals on the vegetation of New Zealand is widely perceived as an ecological disaster. Established research has demonstrated many adverse effects including severe depletion of the plant cover and widespread erosion. This understanding is reflected in the present control regimes.

This NZGAC proposal has serious implications for our indigenous biodiversity. These animals will have legal status as game animals and be managed primarily for recreation, commercial and tourism values on public conservation land. It is a recipe for conflict between conservation managers seeking to protect flora, fauna and ecosystems and hunters seeking not to reduce herd numbers, but to build trophy, meat and hunting resources.

Other conservation activities are likely to be affected also. For example, hunters are very much opposed to aerial 1080 which has proved an essential tool for DOC and the Animal Health Board. Implications of this change from DOC control include an increased risk of TB spreading.

Already, 1080 pellets containing a deer repellent are in use in some areas as a concession to hunting interests. However, the negative impact of ungulates requires additional control



Red deer, Queenstown. Photo by Rod Morris, courtesy of DOC.

*"[the proposal] is a recipe for conflict between conservation managers seeking to protect ecosystems and hunters seeking ...to build trophy, meat and hunting resources."*

in most areas so the widespread adoption of this technology would be both unwise and introduce a significant extra cost to 1080 use.

It would also be necessary to change legislation including the National Parks Act, the Conservation Act, Wild Animal Control Act (WACO) and the Himalayan Tahr Control Plan, as well as the National Biodiversity Strategy and plans and policies for protected areas and for conservation management. All of these have taken years of consultation and work to complete, so the exercise would be very costly even before the future costs of failed ungulate management might be counted.

In addition, the status and reputation of our conservation areas, especially our national parks and world heritage areas (where currently hunters are not allowed) would be greatly affected, as international definitions of protected areas and internationally endorsed best practice, require these areas to be managed according to the main objective of nature conservation. Following the proposal to open up the conservation estate to mining, ripples of dismay and consternation are already becoming evident from around the world. Thus very real costs may result from loss of our clean and green image upon which so much of our export markets and tourism depend. These remain poorly considered in discussions of economic benefits to date.

It is proposed that the NZGAC be set up with a Wellington head office and an annual operating budget of around \$850,000 - which would not go far in managing ungulates effectively. It is intended the council be self-funding, principally from licenses. However, the Establishment Committee is already costing some \$200,000 which is provided from 'Vote Conservation' funding.

## Conservation management increases commercial focus

By Barry Weeber

It is interesting to note that in Australia there have been parallel moves to open up National Parks to shooters, driven by the same fraternity of game and safari interests. In NSW, concessions to the votes of hunters led to the state government opening up conservation land and setting up the NSW Game Council, against the advice of their own conservation biologists. The results are considered not only ineffective but also very expensive, costing the ratepayers millions of dollars (and causing widespread resentment) instead of being self-funding.

There are hunters who support the NZGAC proposal as they have long been in conflict with DOC over differences on the impact of deer, management of areas, use of commercial hunters, and use of 1080 control. However, wiser heads amongst hunters see the risks of moving from the current position of inexpensive access for all, to losing out to international hunters and safari operations paying higher fees and getting priority on both the public and private land available for hunting. There is also the issue of helicopter safari hunting deterring ground hunting, as well as dispersing hinds over a far greater range.

There are really no good reasons to set up the Game Animal Council, even to gain greater financial return from hunting - there are other ways of doing this that do not involve an expensive structure which undermines traditional hunting access on the conservation estate and scientifically-directed pest management.

In the UN Year of Biodiversity it seems incredible that we should be considering any new regime which fundamentally threatens our cultural and environmental values. That the social and environmental values at stake are not well considered in this debate is perhaps the greatest worry of all.

### More information

You can view the proposal for the NZGAC online at [www.gameanimalcouncil.org.nz](http://www.gameanimalcouncil.org.nz).

### What can you do?

If you are concerned about the proposals you should be writing to the Minister of Conservation, the Hon. Kate Wilkinson, [k.wilkinson@ministers.govt.nz](mailto:k.wilkinson@ministers.govt.nz) or freepost to Parliament Buildings, Wellington. Or write to the Prime Minister himself, John Key, at the same address, or email [j.key@ministers.govt.nz](mailto:j.key@ministers.govt.nz).

*“There are really no good reasons to set up the Game Animal Council”*

The Government is looking at increasing the commercialisation of the Department of Conservation and its approach to protection.

There are currently 4,500 concessions held by commercial operations on conservation land, ranging from small guiding operations to historic hotel facilities.

The Department now plans to establish a business unit to look at expanding commercial activities on public land. The commercialisation being looked at includes more mining and energy generation ventures on conservation land, as well as putting stock into high country parks.

DOC is also considering charging for the use of facilities such as toilets and car parks.

The Department of Conservation's budget is to be cut by \$54 million over the next four years, and further cuts are possible in the upcoming budget. The last three years has seen a reduction in the Department's work on marine conservation in particular, with the axing of the national marine conservation unit.

The Department will receive funding from the Ministry of Research Science and Technology (MORST) of \$1.68 million over the next three years to look at increased development on conservation areas. This includes investigating 'biodiversity offsets'; in other words, we will allow conservation to be trashed in one place if we can improve it somewhere else.

This approach forgets that conservation and biodiversity values are not replaceable, and ignores the loss of biodiversity over the last 150 to 800 years.

It would mean that dollars would dominate and the environmental and biodiversity values would be relegated to commercial decisions. DOC's priority should be conservation, and it is a shame that funding cuts mean it has to seek money from the private sector.

Private businesses are unlikely to take part in conservation projects that are not profitable. The purpose of the conservation estate is for public values and public purposes, which are mostly not consistent with private business and private purposes.

*“...dollars would dominate and the environmental and biodiversity values would be relegated to commercial decisions”*

## The End of the Line: global over-fishing crisis coming soon, to a sea near you

New Zealand's commercial fisheries are under scrutiny as 'The End of the Line', the world's first major feature documentary revealing the devastating global impacts of overfishing made its New Zealand premiere on March 4th 2010.

Lauded at the Sundance film festival as the 'Inconvenient truth for the oceans', 'The End of the Line' reveals how commercial fisheries are systematically over-exploiting our oceans for short term profit - and that left unchecked, scientists predict this will cause the global collapse of fish stocks.

New Zealand's leading marine advocates from ECO, Greenpeace, WWF and Forest & Bird warn that some of New Zealand's commercial fisheries are part of the global overfishing crisis revealed by the film, and that the full extent of the overfishing crisis in New Zealand is unknown. At the film's premiere in Wellington the environmental groups called for an end to unsustainable fishing in New Zealand's waters.

"We often hear from the fishing industry and Government that our fisheries are the best managed in the world but as The End of the Line shows, this is because of the dire state of fisheries elsewhere," they said in a joint press release.

"Since 1950, one in four of the world's fisheries have collapsed, which means the population is so small it may never recover to its former numbers. Here in New Zealand we are not immune - at least one third of the assessed stocks under the quota management system are defined as depleted or collapsed.

*"Imagine an ocean without fish. Imagine your meals without seafood. Imagine the global consequences. This is the future if we do not stop, think and act." - The End of the Line*

They cited the collapse and closure of three of the eight orange roughy fisheries as an example of QMS failure. They were also critical of the current Ministry of Fisheries proposal to increase the quota for southern bluefin tuna, listed as critically endangered, by 25 per cent when, globally, catches should cease until stocks recover.

"Under the Ministry of Fisheries own Harvest Strategy Standard, this species would already be classified as collapsed and be considered for closure.



Tuna free sushi served at The End of The Line premiere. Sushi and sashimi in Japan is the major market for the endangered blue fin tuna. Photo © Louise Hatton.

"We are calling for the fishing industry and the Government to take an honest look at where our fisheries are heading. They have a responsibility to safeguard our oceans and ensure there is still fish for future generations of Kiwis to eat, by moving to genuinely sustainable methods of fishing, and reducing destructive methods such as bottom trawling and dredging."

Al Brown, co-owner of the Wellington restaurant Logan Brown, presenter on Hunger For the Wild and author of 'Go Fish' is amongst celebrities attending the NZ premiere. He said: "The End of the Line is a brilliant film. We need to get back to only taking what we need from nature, and this film shows us just how high the stakes are - we could be facing a future without fish. To me, as a fisherman and a chef, that's unthinkable."

### More information

The End of the Line is screening as part of the Documentary Edge Film Festival throughout New Zealand in March.

For more information about the film and screening times visit [www.endoftheline.com](http://www.endoftheline.com)





## Marine Stewardship Council condemned by scientists and Antarctic Coalition.

By Barry Weeber

The Marine Stewardship Council (MSC) is heading from bad to worse in its approach to green labeling of fisheries around the world. The MSC has long courted controversy with its certification of the hoki fishery in New Zealand and the pollack fishery in the North Pacific is now being criticised for trying to certify Antarctic fisheries and dredge and salmon fisheries in Canada.

Scientists and environmental groups have criticized the MSC for its proposed certification of Ross Sea Antarctic toothfish and the Antarctic krill fishery.

The certifications are being recommended by UK-based Moody Marine, the organisation selected by the New Zealand and UK Ross Sea fishers and Norwegian Krill fisher, Aker. Both are being appealed by the Antarctic and Southern Ocean Coalition (ASOC). Appeals require an organisation to pay a substantial fee which is beyond the capacity of most.



Its report on the Ross Sea toothfish ignored the written arguments of 40 marine scientists from seven nations who have worked in the Ross Sea for decades, as well as submissions by ASOC and several of its member organisations.

The Ross Sea Toothfish fishery is ‘exploratory’ under the Antarctic fisheries regime (CCAMLR) rules, due to the lack of scientific data and a reliable stock assessment, said David Ainley, a marine scientist who has been studying the Ross Sea for 35 years for the US Antarctic program.

There is great uncertainty about the toothfish population and its biology. “It is completely inappropriate for the MSC to consider certifying this fishery”, said Dr. Sidney Holt, an independent expert on fish population dynamics.

Last year, an independent analysis of human impacts on the world’s oceans published in the journal *Science* classified the Ross Sea as the least affected oceanic ecosystem remaining on Earth. “Awarding Antarctic toothfish the MSC seal of approval will stimulate demand and dupe the public. The Ross Sea is a world treasure that must be protected,” said Karli Thomas, Greenpeace oceans campaigner.

“Certification of the Ross Sea toothfish fishery ignores the very inexact science surrounding the fishery, including the age at which fish are fully mature and how often they breed.

It flies in the face of public opinion and the wish to see one of the very few intact ocean ecosystems on Earth - the Ross Sea - fully protected as a marine reserve,” said Jim Barnes, ASOC Executive Director. “Moody Marine’s analysis is shocking.”

ECO notes the same disregard for the environment is evident in this certification as was the case when hoki was certified, and recertified, despite plummeting fish stocks, drowning of hundreds of fur seals per year and the devastating impacts on benthic species of the trawl nets on the seafloor. When MSC certified the hoki fishery it was a 250,000 tonne fishery. It is now at 110,000 tonnes and has declined to as low as 90,000 tonnes.

The decision to certify the eastern Canada offshore scallop fishery has been criticised by Greenpeace. The fishery uses destructive dredges with an unintended bycatch of turtles.

The decision by MSC certifier TAVEL Certification Inc. to certify British Columbia sockeye salmon fisheries, in particular the Fraser River, has been objected to by three local Canadian environmental organisations - Watershed Watch Salmon Society, Skeena Wild Conservation Trust, The David Suzuki Foundation and the first nation Gitksan Watershed Authorities.

“Scientists have shown that many salmon populations – particularly in the Fraser River – are not only at very low levels, but also at risk of extinction,” said Dr. Craig Orr, executive director of the Watershed Watch Salmon Society. “Endangered salmon should not be considered a sustainable choice for consumers.”

No fishery has ever been denied certification after completing the MSC assessment process, and no objection to a certification has ever been upheld.

Moody Marine is also the MSC certifier looking at five New Zealand fisheries for certification – southern blue whiting, hake trawl, ling trawl and longline, Challenger dredge scallops, and trolling for albacore tuna. The Challenger scallops fishery includes the Tasman Bay scallops which was last assessed at 3 percent of its earlier stock size.

**For information about the Marine Stewardship Council visit [www.msc.org](http://www.msc.org)**

## Public science taskforce report makes good sense

By Cath Wallace

The Government has received the report of the *Taskforce on options for strengthening the settings for Crown research institutes* (CRI Taskforce). The report, chaired by Neville Jordan is clear and to the point. The performance of CRIs needs to be improved, but they should not be considered to be for profit, and their wider role and context within the rest of the New Zealand science and technology picture needs to be considered. Further reforms are needed there too.

The main problem with the review is the limitations of its terms of reference. Primary among these is this overarching goal laid down by Ministers:

“Government wants CRIs that respond strategically to the needs of their end-users in a way that will drive future economic growth.” Sustainability, human well being, and environmental integrity are nowhere to be seen in these terms of reference.

After making the case that CRIs do already contribute to economic growth, the Taskforce has responded with a wide range of recommendations both about the CRIs and the NZ Science system and relationships with universities and other science providers.

In the report, the Taskforce tries to remind the Government what the CRIs are all about and the basics of the provision by government of non-market public good benefits:

- If the Government is to help CRIs perform their roles more effectively, it needs to be very clear about what it wants CRIs to achieve. The company model for CRIs has created a perception that the CRIs’ purpose is to generate profit in their own right, rather than create wider benefits for New Zealand.
- A CRI is not a normal business, established in response to a market opportunity. Rather, CRIs were established in response to a market failure and the resulting lack of private sector activity in the areas in which CRIs operate. The market failure arises in part from the public good nature of research, which makes it difficult for research organisations to capture the benefits for themselves of the strategic research they perform. Significant proportions of the returns that arise from CRI research do not (and should not) go directly to the CRI that performed the research, but instead flow to other stakeholders, such as firms, industry groups and government departments.
- The difficulty of capturing all the benefits of research means that the genuine rate of return on the Government’s investments in CRIs is often much

greater than that used in return-on-equity calculations. It is not possible for a CRI’s financial statement to reflect adequately the public good benefits of long-term capability and the diffusion of knowledge created by CRI research. There are problems in measuring the overall return but this does not mean that government should ignore it – otherwise government is ignoring the whole rationale for setting up the CRIs in the first place.

- A business set up in response to a market opportunity may pay a dividend to its shareholders. This, along with any capital gains, is how shareholders receive a return on their investment. While the technical shareholders of CRIs are two Ministers, from a broader public policy perspective the true shareholders are the New Zealand taxpayers and community.
- The returns to shareholders include: the capability to respond to unexpected events, new options created by research, improvements in national wellbeing, better informed decision making, and economic and commercial activity that results from the uptake of knowledge by other sectors.
- The Taskforce believes that the Government has tended to direct the governance, management and monitoring of CRI performance almost exclusively as if they were for-profit businesses. In particular, we believe that, over time, Government has placed too much emphasis on the commercial return to the CRI rather than the economic and other returns to New Zealand resulting from CRI research. Existing monitoring arrangements place too little weight on the extent to which CRIs transfer technology and information to the wider community, or on the economic and social gains captured outside CRI balance sheets. This emphasis encourages CRIs to deliver \$1 million in profit to their bottom lines rather than \$100 million to New Zealand as a national benefit.

The Taskforce goes on to recommend that each CRI develop in consultation with some stakeholders, a “Statement of Core Purpose” but disappointingly excludes non-governmental organisations and the public from such a process.

“In preparing the Statement of Core Purpose in consultation with the CRI, the Government should consult with other CRIs and CRI stakeholders, including industry groups, large companies, research collaborators, iwi, territorial and local authorities, and central government.”

## Will endangered fish be recognized by CITES?

By Barry Weeber

Such ignoring of civil society has become endemic in Wellington where the Government's expectations have been made clear that it is business and not society that should be consulted. ECO wonders if this is an instruction from John Key since we see this appearing in many fields – it does not seem to be the result of just one Minister's directions.

The Taskforce articulates a clear case for changing the funding model and methods to give CRIs more control over their budgets and longer term funding, with stability of funding for the core purpose of each CRI. It concludes that the contestable funding model has largely been counterproductive.

The role of CRIs in providing knowledge and technology transfers are recognised and stressed in the report, but so too is their role in addressing and reducing risks to the economy, society and the environment.

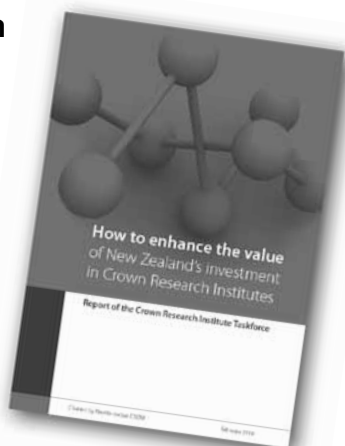
A national research infrastructure funding and sharing arrangement is recommended in the report, so that universities, CRIs and other science providers can share infrastructure that is too expensive for just one agency.

As well as discussing performance monitoring and how this could be better tailored to the nature of the public science function of the CRIs, the task force recommends that the fractured and disjointed ownership, funding and monitoring of the CRIs by several government agencies should be scrapped. Instead, it says:

“The CRI Taskforce recommends that Government align the funding, ownership and policy functions for CRIs into a single entity. The single entity could also manage contestable and infrastructure funding, and be responsible for developing policy and strategy for the whole RS&T system.” (Recommendation 25)

### More information

The full report *How to enhance the value of New Zealand's investment in Crown Research Institutes*, February 2010 can be downloaded in PDF format from [www.morst.govt.nz](http://www.morst.govt.nz)



The biennial meeting on the Convention on the Trade in Endangered Species (CITES) is to start later this month (13-25 March) in Doha, Qatar. On the agenda will be proposals to add a number of fish species to either Appendix I or Appendix II of the convention.

CITES has been working to protect species threatened with extinction since 1975 and now has 175 countries as members, including New Zealand. The convention protects around 30,000 species globally and has until recently been focused only on terrestrial species including birds.

The main marine focus of this year's meeting is likely be a proposal by Monaco to add the Atlantic blue fin tuna to Appendix I of CITES. Appendix I listing is the highest level of protection under CITES and international commercial trade is prohibited. The category includes tigers and mountain gorillas.

The tuna is listed on the IUCN Red List of species threatened with extinction, and is used mainly for sushi and sashimi in Japan which is the major market for the tuna. New Zealand does not catch Atlantic bluefin but instead catch southern bluefin tuna which is listed as critically endangered but is not covered by this proposal.

The European community looks likely to vote en masse in favour of the proposal after a recognition of the failure of ICCAT – the International Commission for the Conservation of Atlantic Tuna – to sustainably manage the species. Research has show that the species has declined by 80 percent since 1970.

A number of shark species are to be considered, including adding to Appendix II porbeagle shark, oceanic white tip shark, and scalloped hammerhead shark, sandbar shark, dusky shark and spiny dogfish. Appendix II listing is the second highest level of protection under CITES.

Porbeagle is listed as a vulnerable threatened species by IUCN with several populations listed as endangered or critically endangered. Spiny dogfish is listed as a vulnerable species. Porbeagle shark and spiny dogfish are commercially fished in New Zealand waters.

There is also a US proposal to move polar bears from Appendix II to Appendix I based on the threat from climate change to the bears which rely on pack ice to live and breed.

A new listing or a change in a listing requires a two-thirds majority of those countries voting. Please write to the Minister of Conservation, and the Minister of Foreign Affairs, Murray McCully, supporting these proposals.

## Biodiversity is the essence and basis of life - join in the UN Year of Biodiversity

By Diana Shand



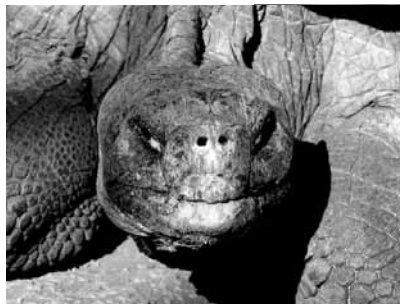
The United Nations General Assembly has declared 2010 the International Year of Biodiversity. It is a celebration of life on earth and of the value of biodiversity for our lives. The world is invited to take action in 2010 to safeguard the variety of life on earth: biodiversity.

The variety and many aspects of life (from cells through species to ecosystems) build the natural resources on which we depend. It is the basis of everything we value - spiritual beauty, our culture, well-being and economic wealth. Too often, all but the last is forgotten. Even in our economies, unsustainable exploitation threatens humanity's future – just think of climate change, loss of marine resources, water pollution and waste. Every loss is a treasure from our natural heritage – lost forever.

Biodiversity is threatened everywhere. We face a global extinction crisis and it is important to have a year focusing on how essential it is to protect nature's systems and species.

It is estimated that 40 percent of the world's biomass is used by one species – homo sapiens. Human activity is causing the diversity of life on earth to be lost at a greatly accelerated rate than what is natural.

*“It is estimated that 40 percent of the world's biomass is used by one species – homo sapiens.”*



We are commandeering resources and habitat from other species and destroying our own future in doing so.

In opening the International Year of Biodiversity, German Chancellor Angela Merkel warned that the world will face 'enormous costs' if no action is taken to secure biodiversity.

We all need to join in raising awareness and taking action. Not only is New Zealand the home for so much unique indigenous biodiversity, but we are also a country that figures embarrassingly badly in terms of biodiversity loss.

### Getting involved

Even the smallest organisation can devise an event, and everyone can join in one. International Biodiversity Day is to be celebrated on 22 May 2010, but there will be opportunities throughout the year.

There is some wonderful information available and opportunities for action protecting local and global biodiversity. Check out the Convention on Biological Diversity website at [www.cbd.int/2010](http://www.cbd.int/2010). The IUCN website, of which ECO is a member, also has great information at [www.iucn.org/iyb](http://www.iucn.org/iyb).

For local events contact your local DOC office or access the DOC website [www.doc.govt.nz/features-archive/international-year-of-biodiversity](http://www.doc.govt.nz/features-archive/international-year-of-biodiversity). See the 'get involved' section for local events.

## A Tax System for New Zealand's Future?

By Cath Wallace

The Report of the Victoria University of Wellington (VUW) Tax Working Group, of January 2010, was a major opportunity to re-think the New Zealand tax system. Unfortunately, the group apparently chose to limit the scope of their thinking and decided to rule out considering health or environment taxes, principally on account of the voluntary nature of the Tax Working Group and their lack of resources to widen the scope.

Headed by Prof Bob Buckle, who is Dean of the Faculty of Commerce and Administration, the team was unpaid and did not get reimbursed by the government even for expenses, according to Professor Buckle. It was formed with the support of the Minister of Finance, Bill English and the Minister of Revenue, Peter Dunne and had the support of the Treasury and Inland Revenue (IRD). There is little indication that the Tax Working Group had the environment or health in the scope of their interest. Prof. Buckle explained (pers comm.) that they decided that they'd never finish the job if they considered environmental and health taxation.

Such a stance is regrettable given that the idea of regearing taxation to tax 'bads' (such as pollution and other environmental or health harms) is well established in the tax and environmental literature. Such taxes not only raise revenue, but importantly they increase the efficiency of the economy, sending more accurate price signals to consumers and producers alike. The revenue gained could allow a reduction in Good and Services Tax (GST) or income tax to compensate and to maintain 'fiscal neutrality', that is, to leave the total of tax revenue unchanged.

The introduction of a carbon charge was ditched by the Labour led government in late 2005 and the very badly designed Emissions Trading System (ETS) was eventually introduced in 2008. The ETS, as amended by the National-led government in 2009, is little more than a wealth transfer mechanism so that taxpayers and small to medium enterprises pay the pollution liability costs generated by larger greenhouse gas polluting industries, most notably agriculture, and those burning coal and fossil fuels.

The Tax Working Group has made a range of suggestions aimed at achieving the Government's growth agenda and catch-up with Australia goal. It did not critique these goals.

There is some focus on issues of fairness and social justice, particularly concerns from the TWG about the very high effective marginal tax rate faced by some people receiving benefits when they contemplate earning and so lose benefits and incur tax. Similarly the Group considers various tax

sharp practices of the wealthy and the avoidance of tax via property investment, when losses can be and are offset but capital gains are not paid.

Land taxes, if adopted, would have to be carefully crafted to recognise and reward the retention of native ecosystems and biophysical functions – the Working Group gives no attention to these matters in its discussion of a land tax. Such considerations would be especially important for Maori land owners and for conservation minded land owners who have retained native forests, wetlands, native shrub lands, tussock grasslands and unmodified coastal areas.

This is not the place for a detailed review of the Tax Working Group's analysis or recommendations, but it is disappointing that they did not engage in the international conversation amongst environmental and ecological economists and health economists on how to gain environmental and health gains by shifting taxation to 'bads' and raising revenue and efficiency in the process. Such revenues would then allow a decrease in income tax or GST.

Levies on abstraction of water for industrial and agricultural purposes, discharges of pollutants, charges for the conversion of, or impacts on, native ecosystems, and resource rentals for the occupation of public space or the taking of fish are all examples where we New Zealanders (including Maori owners) would gain revenues and economic efficiency from such tax mechanisms but these were not discussed.

There was a minimal consideration of the impacts of a land tax on extensive land holdings with the suggestion of a minimum value/ha threshold on land taxes to protect farmers and foresters – but that would not help those who own but have refrained from building on or modifying coastal land.

Similarly, 'fat taxes' or sugar taxes on unhealthy foods would discourage the production and consumption of high fat and/or sugar products that beguile the unwary. Such mechanisms were not considered.

Have we been offered a Tax System for New Zealand's Future? Not for a healthy and environmentally sound future.

On the positive side, the process used for this Tax Review was open and consultative compared to many, and that was a good process.

**The full Tax Working Group report is available online at [www.victoria.ac.nz/sacl/cagtr/twg](http://www.victoria.ac.nz/sacl/cagtr/twg)**

## Jeanette Fitzsimons

By Cath Wallace

Jeanette Fitzsimons' 13 year term in Parliament closed a chapter in 2010 in an illustrious career that clearly is not over yet. When I first knew Jeanette, in the late 1970's, she was on the ECO Executive Committee and was in the immediate aftermath of the Royal Commission on Nuclear Power.



Together with that largely unsung hero, Molly Melhuish, and a few others, Jeanette had forged ECO's energy policy and was a clear-headed thinker around the table in the old St John's Church buildings in MacDonald Crescent, Wellington.

Jeanette by that time had already been forging the comparatively new ideas of sustainability in the Values Party, and was an academic in the Planning Department at Auckland University from 1980. During the Muldoon era, it was the environmental organizations such as ECO, Federated Mountain Clubs, and the Native Forest Action Council who seemed to be at the forefront of the opposition to the Think Big policies.

When the Green party formed and Jeanette took a prominent role, she left ECO, preserving our non-partisan status. As is well known, she became a standard bearer for green ideas, the fusion of respect for the limits of the planet's carrying capacity and ability to withstand human impacts with a profound respect for social justice. Core to this is the belief that human well-being should be promoted but only within the limits of biophysical systems and with equity in the future and amongst those present.

Following the introduction of Mixed Member Proportional Representation (MMP), for which the Greens and many others campaigned, and with co-leader Rod Donald, and other colleagues, Jeanette in Parliament had to both promote ideas of sustainability, and withstand the jibes and stereotyping of hostile MPs and media. Whereas the Greens were portrayed as wild-eyed radicals, in fact she showed herself to be someone with a remarkable grasp of technical detail, a profound vision for a planet with a future and the need for humans to take care of our habitat. She projected a serene calm that elevated her above the corrosive pettiness and absurd carping of party politics in Parliament. She more than any showed there was a different, more respectful, focused and substantive way of engaging. For that commitment to integrity and playing the policy not the person alone, New Zealand owes her heaps.

Jeanette entered Parliament in 1996 and during her time there was the Green Spokesperson for; Energy, Transport, Climate Change, Science, Agriculture and Sustainable Economics. She chaired the Local Government and Environment select committee and sat on others and could be relied on to ask penetrating questions, and at times to expose flaws in arguments with a gentle incisiveness.

Harry, a shearer and her partner, and others in her household had to carry much of the burden of keeping the farm and organic production on it going while she was away. They also had to steel their nerves as her crowded schedule reinforced her existing tendency to cut timing for catching planes and other deadlines ever finer.

We in the non-partisan environment movement owe Jeanette a good deal – her endless hard work pushed the ideas of many of us in a Parliamentary environment many of us eschewed.

We wish Jeanette well for her next niche in the movement and are grateful for her dedication, hard work and clear vision.

### Cabinet changes

#### New Minister of Conservation

From 27 January Kate Wilkinson, formerly Associate Minister, has taken over the role of Minister of Conservation from Hon. Tim Grosser, who is now Minister Responsible for International Climate Change Negotiations. Kate is a National list MP based in Rangiora. She was raised on a mid-Canterbury farm and worked as a solicitor in Christchurch from 1979 before entering Parliament in 2005.

#### Contact Details:

Hon Kate Wilkinson, Minister of Conservation,

Parliament Buildings, Wellington 6160

Email: [k.wilkinson@ministers.govt.nz](mailto:k.wilkinson@ministers.govt.nz)

Website: [www.katewilkinson.co.nz](http://www.katewilkinson.co.nz)

Phone: (04) 817 6819 (Parliament), (03) 3107468 (Electorate)

#### Acting Minister of Fisheries

The resignation of the Phil Heatley as a Minister has led to the appointment of David Carter as acting Minister of Fisheries in the interim. Mr Carter is also the Minister of Agriculture, Forestry and Biosecurity. He was also a previous National Party spokesperson on fisheries.



**ENVIRONMENT AND CONSERVATION  
ORGANISATIONS OF NEW ZEALAND**  
ECO • PO Box 11-057 • Wellington

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Phone \_\_\_\_\_

E-mail \_\_\_\_\_

- 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: \$80 p.a.
- 101- 1000 members: \$125 p.a.
- 1000 + members: \$430 p.a. (all GST inclusive)
- Student Groups \$30 p.a.

#### Individuals - support ECO by:

- subscribing as a 'Friend of ECO'  
-\$40 P.A. (GST inc.) 'Friends of ECO' receive this quarterly newsletter, mailings and invitations to ECO gatherings.
- subscribing as a sustaining 'Friend of ECO'  
-\$112.50 P.A. (GST inclusive).
- subscribing as a corporate 'Friend of ECO'  
-\$500 P.A. (GST inclusive).
- subscribing as unwaged 'Friend of ECO'  
-\$20 P.A. (GST inclusive).
- making a regular automatic payment  
-send me a form and details today.
- contributing services or goods:

- \_\_\_\_\_
- making a donation (*donations over \$5 are tax deductible*)

- \$20     \$50     \$100     \$200

- Other amount \$ \_\_\_\_\_

TOTAL ENCLOSED: \$ \_\_\_\_\_

#### VISA PAYMENT

Cardholder name: \_\_\_\_\_

Expiry date: \_\_\_\_\_

VISA card number: \_\_\_\_\_

## Payroll giving - give to ECO as you earn

The government has recently introduced payroll giving - a system that allows you to donate to ECO through your employer's payroll system.

Payroll giving is a voluntary scheme that allows employees to 'give as they earn' by making donations directly from their pay to approved donee organisations, such as ECO. For every dollar an employee donates, they will receive a third back as a tax credit in the same pay period.

Your employer deducts any donation from your pay, reduces your PAYE by the appropriate tax credit, and then forwards the donation to the chosen donee organisation.

Depending on how the scheme is set up by your employer, the frequency, amount and donee organisations chosen can change at your discretion.

Ask your employer about setting up payroll giving in your workplace.

To find out more, go to [www.ird.govt.nz](http://www.ird.govt.nz)

## World Conservation Congress, Korea, 2-12 September 2010

IUCN, the International Union for Conservation has announced that its next World Conservation Congress will be held at Jeju Island, South Korea, 6-12 September, 2010 at the International Convention Centre. The Congress is a major event and melting pot for ideas, for learning about practice and for debating policy. The Union was formed in 1948 and is most unusual in that its members are both national and international non-governmental organizations and countries and government agencies – a rare combination.

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## ECO MEMBER ORGANISATIONS

Action for the Environment	Kaipatiki Project
Appropriate Technology for Living Association	Kakariki, Canterbury University Environmental Group
Auckland Civic Trust	Lincoln Environment Group
Bay of Islands Coastal Watchdog	Marlborough Environment Centre
Baywatch Hawkes Bay Environment Group	Massey Environmental Group
Biodynamic Farming and Gardening Association	Monarch Butterfly New Zealand Trust
Buller Conservation Group	National Council of Women of NZ
Clean Stream Waiheke	Nelson Environment Centre
Clean Water Clean Water Whangamata	New Zealand Institute of Landscape Architects
Coromandel Watchdog of Hauraki	Nga Uruora - Kapiti Project Charitable Trust
Cycling Advocates Network	Orari River Protection Group
Dunedin Environment Centre	Organics Aotearoa New Zealand
East Coast Bays Coastal Protection Society	Pacific Institute of Resource Management
East Harbour Environmental Association	Save Mahinerangi Society
Eastern Bay of Islands Preservation Society	Save the Otago Peninsula
Eco Fest Educational Charitable Trust	Soil and Health Association of NZ
Engineers for Social Responsibility	South Coast Environment Society
Environmental Futures	Students for Environmental Action
Environmental Law Centre	Surfbreak Protection Society
Far North Environment Centre	Sustainable Otago Christchurch
Federated Mountain Clubs of NZ	Sustainable Whanganui Trust
Foundation for Environmental Education New Zealand	Sustaining Hawke's Bay Environment Centre
Friends of Golden Bay	Tasman Environmental Education Trust
Friends of Lewis Pass and Hurunui Catchment	Te Aroha Earthwatch
Friends of Nelson Haven and Tasman Bay	Thames Coast Preservation and Protection Society
Friends of the Earth - NZ	The Sandy Walker Group
Friends of the Shoreline	Toxins Action Group
Gecko, Victoria University Environment Group	Wakatipu Environmental Society
GE-Free New Zealand in Food and Environment	Wellington Botanical Society
Greenpeace NZ	Wellington Tramping and Mountaineering Club
Guardians of Pauatahanui Inlet	Wildlife Society, NZVA
Initial Volco Trust	Yellow Eyed Penguin Trust
Island Bay Marine Education Centre	YHA New Zealand

# JOIN US!!!

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