RMA: GOVERNMENT SACRIFICES ENVIRONMENT TO BUSINESS (YET AGAIN)

By Cath Wallace
ECO

The government’s chief spin doctors are into overdrive as they try to spin as “improvements” changes to the RMA that will make it much, much harder for community groups to defend the environment. The changes will also allow “Think Big” style precedence for a whole host of policies and projects that qualify under new “national interest” criteria; processes, and rules. This change will demote consideration of the environment and fast track some policies and projects. Projects could include hydro dams, roads, and the Minister’s favourite pet proposals.

Associate Minister for the Environment, David Benson-Pope presented the changes at meetings but failed to engage with some questions. Thanks to Pete Hodgson and some others in Cabinet, the proposals do not include changes to the Purpose and Principles of the RMA. There are some minor positive amendments but most systematically disadvantage those trying to protect the environment. Treasurer, Michael Cullen, was one of the chief movers for radical damage to the RMA, aided and abetted by others in the Cabinet.

There are some genuinely helpful changes to local government practice under the RMA such as training and accreditation for Councillors and less adversarial processes. Despite this, the weight of the changes are to the disadvantage of the environment, affected people and environmental organizations trying to protect the environment.

Forcing the hand of Local Government in the “National Interest”

Benson-Pope’s background is with local government, so it is perhaps little surprising that he has laid considerable emphasis on leaving many decisions with local government – but only once its hand has been forced by central government. Craftily, the government has found mechanisms for achieving its “think big” process while leaving the local authorities to take the flack when their choices have been forced by economic objectives in National Policy Statements, by government designation of projects with special status, and by changes elsewhere. Consultation under the local government Act that relate to the considerations under the Act.
The changes will allow a menu of matters and projects to get special consideration as matters of national importance which will trump environmental protection.

**Development given priority**

The government has signaled that its “first priorities” for national policy statements and standards will not be about the protection of the environment. Rather they will be development priorities – and many of these are local authority projects, not “national” projects at all:

“energy – electricity transmission, energy generation, energy resources” – for which read pushing the power grid, coal fired power stations, coal mines and unpopular hydro dams.

“telecommunications, services, lines wires” – for which read more repeater stations, cables and other telecommunications cutting through the landscape, views and scenery, including cell phone towers.

“transport – roads, rail, airports, shipping and ports”.

“reticulated water and waste water”.

Thus the priorities of those doing developments are to trump the environment and the affected communities. There is no mention of the long lost national policy statement on biodiversity.

**Policy instability**

Policy instability will result from the government’s intended new “quick and dirty” approach to National Policy Statements – which may involve little more than some ostensible “consultation”. Since national policy statements under the RMA bind regional and district level policies and plans, we can expect waves of changes to these as successive governments change and re-change national policy statements. The existing processes were amended only last year and their strength is that the requirement for consultation and testing of the policies by a Board of Inquiry means that they would be robust and durable. This will be lost under the new proposals.

Boards of Inquiry for national policy statements will now become optional and the government’s policy will be fast-tracked into regional and local government documents. “To implement national policy statements more quickly, it will be possible to specify that certain provisions can be included in council planning documents without the need for local planning processes.” In other words, regional and local communities will be rolled. Just wait for those national policy statements on GE to overrule those pesky local councils trying to make their own stand on the environment.

Policy instability from national through regional and to local level will result from the new processes and flip-flopping can now be expected.

The Government’s proposal is to make national environmental standards a maximum level not just a minimum environmental standards. This could prevent councils set stronger standards for air or water quality to meet their local conditions or the demands of their residents.

National environmental standards flagged as “possible” include: “water issues, network utilities, noise and further air quality standards and septic tank standards”.

**“National Interest”**

The Ministry for the Environment’s paper has an attack of vagueness when it deals with one of the most pernicious of the processes proposed. That is the process by which certain projects will get favoured “national interest” status.

In October 2003 we reported on Marion Hobb’s proposals understood then to have been considered by Cabinet but not adopted. It may be that these Muldoonist processes have survived.

Then the proposal was that the developer would go to the Minister for Economic Development and persuade him or her to recommend to Cabinet that the project have “national interest” status – and that this decision to lend the Government’s weight to the project be done prior to any public notification or environmental assessment.

We now understand that the government has a menu of criteria that sound innocuous but which would allow a large number of projects through for special treatment, including coal mines, hydro dams, roads and much more.

The policy released makes it clear that once such a status has been attained that special treatment could include the Government making reports and submissions in favour of the project, “calling in” the project, appointing people to hearings panels, “assisting” the applicant with the process, and/or requiring several local authorities to combine into one hearing.

A “whole of government” approach may be taken, which means that only one view of the project would be put by government. In effect this would mean that the views of the Ministry of Economic Development or the Treasury would trump that of the Ministry for the Environment or the Department of Conservation. They might retain the right to dissent, but only on pain of government opprobrium. In effect, matters that should be contested in open planning fora would be decided behind closed government doors with no public input into the central government position taking.

**High Hurdles at local council level**

New provisions will make participating in local council hearings almost as much a hurdle as the Environment Court is now. The proposals will massively outweigh the few genuine improvements to the training and practice of local authorities under the Act.

If the real intent was to speed things up for the 900 or so cases that annually go to the Environment Court, you would not make the 2,500 or so cases that are publicly notified and that may go to local council hearings much more difficult. The changes are clearly designed to shake the community and environmental organisations off the case of environmental protection in order to allow a quicker and largely unscrutinised process for developers.

Applicants and submitters will have to provide written statements of evidence to Council and any attachments or additional material. People will essentially have to have expert
Waitaki Project Aqua Legislation Passed

The Government has passed the Resource Management (Waitaki Catchment) Amendment Act 2004 in early September. The Bill was supported by Labour, NZ First, United Future, the Progressives and the Maori Party and opposed by National, the Greens, and ACT.

It is unclear why the Government persisted with the Bill, after Project Aqua was canned, rather than requiring regional council to produce water plans. With Project Aqua out of the way the competition for water was much reduced.

The Bill has been heavily changed since it was introduced last year. The main provisions that have been retained is the establishment of a board to prepare a regional plan for allocation of water. The Board has 12 months to prepare a regional plan for the allocation of water.

The Government continued with the provisions which removes any appeal to the Environment Court on a plan and instead leaves it with appeals on points of law to the High Court. All parties will just have to hope that the Board gets it right and there are no mistakes or error in the plan. The Government forgot that most plan appeal to the Environment Court are settled by negotiation rather than going to a full hearing.

Section 13 of the Bill sets out the key features of a regional water allocation plan which:

- must include objectives, policies, and methods (including rules, if appropriate)... to provide for —
  - (a) water that is or may be taken from, or used in, the Waitaki catchment in accordance with sectio 14(3)(b) and (e) of the principal Act, and
  - (b) water to sustain the intrinsic values and amenity values that the Board identifies and determines should be sustained in the Waitaki River and associated beds, banks, margins, tributaries, islands, lakes, wetlands, and aquifers;
  - (c) the allocation of water to activities, as appropriate; and
  - (d) the management of allocated water, including

Natural Resource Allocation – Trading pollution, water, and what else?

The government has signalled some “simple amendments” to allow discharge permits to be transferred in a manner similar to water permits and coastal permits” but “longer term work plans are in the process of identifying and resolving other issues”. For this read: we are paving the way for pollution and water trading and other mechanisms for natural resource allocation. (“Improving the RMA – Improving natural Resource Allocation” www.mfe.govt.nz 16/9/04). The government also intends to give those with existing investment prior rights when reallocations are intended – with some consideration given to compliance records.

Regional councils are to have an explicit obligation to develop natural resource allocation plans. Geothermal energy and air shed allocations are to be developed as well as water.

The Government is giving people just over 2 weeks to respond to the proposals. Their current intention is to introduce legislation before the end of the year and start holding hearings before the end of the year.

For further information on the Government proposals see http://www.mfe.govt.nz/issues/resource/improving/index.html

ECOlink October 2004 * PAGE 3
ECO’s new website, www.rmalink.org.nz, was launched in Wellington on August 5th. The Associate Minister for the Environment, Hon David Benson-Pope, attended the function and officially launched the website. Other speakers included Cath Wallace, for ECO, Beryl Anderson, National President of National Council of Women, and Jan Simmons who is the project coordinator.

The website is an initiative to help those with a concern for conservation and the environment to find information quickly and easily. It also promotes networking amongst groups that have experience dealing with the RMA.

The Resource Management Act has a number of decisionmaking processes that are open to community participation. However, there are a range of barriers that prevent communities and individuals from taking full advantage of these opportunities to participate. Access to good quality information is essential. RMAlink aims to improve access to information, and draws together ‘grey literature’ on the RMA from a wide range of sources, both printed and web-based. References and case law examples are brought together under topic headings so that information can be found quickly and easily.

Even when good quality information is available, other barriers to effective and equitable participation can exist. Citizens and community groups cannot always afford to pay for the same level of legal advice and representation as an applicant, or an industry advocacy group. Nor will they be able to afford to commission experts to produce technical reports for use as evidence in a consent application, a plan review, or an Environment Court case, in the same way that a consent applicant can. RMAlink’s directory of environment groups is a point of contact for networking nationwide. Groups and individuals can use the directory to contact others who have dealt with similar situations, and share skills and experience.

RMAlink also contains information about agencies where people might find advice and assistance on environmental matters.

The launch of RMAlink followed many months of work by the project team. Firstly, a pilot survey was carried out in mid 2003 to find out more about the information needs of community groups involved in RMA decisionmaking. Then in February of this year, over 300 questionnaires were sent to groups throughout New Zealand inviting them to list with the RMAlink directory. Now that the directory is available online, the process of approaching groups with an invitation to participate will be ongoing. New groups are continually forming in response to environmental issues.

The project was made possible by a grant from the Ministry for the Environment’s RMA Education and Advisory Fund, for which we are grateful.

The information on the website is also available as a printed publication, or as a CD, price $10.00. Order from ECO’s Wellington office.
There have been many discoveries about the deep sea over the past 25 years. We now know that out from New Zealand’s coastline and into the high seas, massive mountain ranges and vast plateaus exist.

Some of these areas have coral forests, thousands of years old, with trunks as thick as lamp posts. Scientists say the abyss holds the greatest pool of undiscovered life on the planet, with estimates ranging between half a million to 100 million unknown species, living in unknown worlds.

But these areas are under threat.

After orange roughy was discovered in the deep sea areas off New Zealand in 1979 our fishing industry pioneered a method of fishing deep-bottom trawling.

The largest bottom trawl nets have mouths that can fit a rugby field across and are three storeys high. Many of the nets are weighted across the bottom with heavy steel rollers that indiscriminately smash and crush coral and anything else in their path.

Nobody knows if these areas can ever recover once destroyed. Scientists are warning that species are becoming extinct even before they are discovered and named.

NIWA scientists estimate that 85% of seamounts in New Zealand waters have been bottom trawled. As fish populations collapse and their habitat is wiped out, the trawlers move further afield to international waters.

Over the past few years, UN concern has increased to the point where countries are now discussing ways to regulate bottom trawling in international waters, where there are currently few rules.

Environmentalists and scientists across the world are calling for a moratorium on this fishing method on the high seas, to give the deep sea “time out” for scientific work and to assess the best way to protect this unique biodiversity.

The New Zealand Government is not yet supporting a moratorium and, behind closed doors, the bottom trawling industry is arguing against an international moratorium, saying that regional fisheries agreements will do the job.

But history has showed us this isn’t the way for ard. The South West Indian Ocean is a useful case-study. Orange roughy were first targeted in this area in 1999, with New Zealand and Australian vessels among the first there. More vessels followed over the next several years and a fishing “bonanza” ensued. Negotiations for protection through a regional agreement began in 2001 and continue today. In the meantime, the fishing vessels have come and gone, the damage done, leaving little left to manage or conserve.

The deep sea is in a crisis situation. An international moratorium on the high seas is the only short-term answer, as it would get the bottom trawlers off the high seas and provide time for scientists to research deep sea life and to recommend areas for permanent protection, as well as areas available for fishing. Time too, to develop methods of fishing less destructive than bottom trawling. Without this there will be little or nothing left to protect.

Bottom trawling is notorious for clearfelling deep sea corals such as this magnificent species (paragorgia sp.) during the initial trawls across seamounts. Some paragorgia corals grow two storeys high with trunks the size of lamp posts and provide the habitat for a variety of deep sea creatures.

Scientists believe there are 4 species of paragorgia coral in New Zealand waters. Around the mid-1980s they used to be found on east cape seamounts. No photos have ever been taken of this species of paragorgia alive in it’s natural environment, in New Zealand waters. From paragorgia corals ripped up during bottom trawling scientists estimate minimum ages for these corals to be 350 years.

Photo courtesy of NIWA
COMMERCIAL PENETRATION OF ANTARCTICA

By Alan Hemmings

COMMERCIAL ACTIVITY

Commercial sealing and whaling followed hard on the heels of – and substantially stimulated – early Antarctic exploration. But it was (obviously) coastal and, apart from the dismal rump of so-called “scientific-whaling”, over by the 1980s. Fishing – initially for Antarctic cod (Notothenia spp) and krill (Euphausia superba) – took off in the 1970s. Intermittent and low level seaborne tourism has been with us since the 1960s and, as New Zealanders tragically recall, tourist overflights from the 1970s.

So, commercial activity in Antarctica is not new. What has changed is the scale, rate of increase, diversity and geographical spread of the activity. If in 1980 commercial activity was the corner dairy, today it is the shopping mall. Antarctica has been well and truly penetrated by commercial interests, and these interests are now reshaping Antarctic policy, and the political imperatives of the Antarctic system, to serve their ends.

If Antarctica is to remain a peaceful place, where states and their peoples cooperate rather than compete; if the Antarctic environment is to be kept secure and a source of wonder; if real decision-making is to remain in the public sphere, and not be appropriated by corporations and merchandised by them – then we need to pay attention to what is happening and argue the alternatives. Since there is nobody ordinarily resident there, resisting vested interests falls entirely to those of us elsewhere who care about the place. Antarctic protection is inevitable an international undertaking, but New Zealanders are better placed than anybody. The global coalition of environmental NGOs (including ECO and major NZ groups) working to protect Antarctica is the Antarctic and Southern Ocean Coalition (ASOC) www.asoc.org. We need your time and financial assistance.

“Antarctica” is the continent, islands and Southern Ocean up to the Antarctic Convergence (a circumpolar feature variously between 60° and 45° south). Politically, this is the area covered by the Antarctic Treaty (south of 60° south) and the Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR) up to the convergence – the substantial elements of what is termed the “Antarctic Treaty System”. This is a huge area, some 10% of the surface of the planet - over 30 million km².

WHAT HAS HAPPENED?

♦ Technology has broken down the historic protection of distance and climatic rigour;
♦ The oceans of the Southern hemisphere (including the Southern Ocean itself) are no longer free of activity – and thus the “moat” between the Antarctic and the rest of the world of commerce has disappeared;
♦ The Cold War has ended – and its norms, which underpinned the Antarctic political arrangement, have disappeared;
♦ Market forces have replaced some traditional governance arrangements, and that has spilled over to Antarctica;
♦ The international legal regime has become more complex
  o The Antarctic Treaty System itself has grown to 4 overlapping treaties
  o Global Conventions have appeared with bearing on Antarctica – the UN Convention of the Law of the Sea, the Convention on Biological Diversity, etc
  o Unilateralism of the very powerful (read US) and subsidiary bi-lateral arrangements have displaced multilateral approaches to world order

Antarctica is not immune to these changes.

THE COMMERCIAL INTERESTS

The present commercial interests are Fishing, Tourism, Bioprospecting – and the general provision of Antarctic services to these and (increasingly) to national Antarctic programmes. Minerals may still be an issue.

FISHING - Supposedly regulated by the ecosystem-focussed (ie it is not supposed to be merely a Regional Fisheries Agreement) Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR). But:

• It failed to prevent overfishing of Antarctic cod;
• The first generation krill fishery (peaking 528,201 tonnes 1981/2) collapsed with Soviet Union, so although regulating this fishery was a prime reason for CCAMLR, the jury is out on its performance. The second-generation krill fishery has now taken off;
• There are well known problems with toothfish (Dissostichus) fisheries –
  o Increasing catches in authorised fishery
  o Initially at least, heavy massively destructive bycatch (seabirds, fish) in the authorised fishery
  o Massive problems with Illegal Unreported
and Unregulated (IUU) fishery – unsustainable
catch of fish and massive seabird bycatch
o Breaches by CCAMLR members
o Various half-hearted response measures
o There is no FAO statistical area in Antarctica
in which there is not now fishing, and fishing
(in the Ross Sea) penetrates above 70 degrees
south. We are now fishing in the most remote
waters on our planet
o In the case of the Ross Sea – Fishing started
in 1996/7 and involved only 1 (NZ) vessel. For
the 2003/04 season, CCAMLR authorised 25
vessels from 12 states to catch 3,760 tonnes
of toothfish.

TOURISM
- Not regulated by any part of the Antarctic Treaty
System - although ASOC is now trying to get Parties to do
exactly this - beyond the generic obligations of the Protocol
on Environmental Protection, which entered into force in
1998.

Tourists now arrive by sea and air, and the numbers are
increasing very steeply. Taking seaborne tourism alone, we
have seen an increase from 834 tourists in 1984, to
7,957 in 1994, to an estimated 26,454 in 2004. This is
already about five times as many people as go to Antarctica
on science programmes, although they go for shorter periods.
Industry projections see tourism numbers reaching 32,500
by the 2009/10 summer. However, if the rate of increase
matches what we’ve actually seen since the early 1990s, the
2009/10 figure could be almost 75,000 tourists (see Figure
1)

But this figure gives you a picture of the minimum level
of tourism. It may be 5% higher when tourists on non-landing
overflights or air supported landings are added, and higher

With this tourism there come a powerful tourism
association, which now participates in the Antarctic Treaty
meetings, and substantial commercial interest (ports, ships,
servicing) which translate into influence on national Antarctic
policies. For almost a decade, until ASOC reopened the case
for regulation, the Antarctic Treaty states effectively
subcontracted tourism management to the tourist industry
association.

The New Zealand and French governments have strongly
supported tourism regulation by the Antarctic states (so this
is something you should applaud the government on), and
another dozen states are now sympathetic. The present
challenge is to ensure that the Antarctic Treaty discussion is
about constraining numbers and growth, agreeing the need
for caps, and actively discouraging some sorts of activities
altogether – and not just a cosmetic job.

BIOPROSPECTING – This is the search for novel genetic/
molecular properties in
natural systems. The
Antarctic is a hot spot,
and both scientists and
national Antarctic
agencies are excited by
the commercial
possibilities. It is
already underway.
Again, it is not covered
by any Antarctic
agreement. It poses not
only issues of
environmental impact
(which its proponents
always say are
negligible, but which
seem to me quite
possible) but:
- Issues affecting
openness and
cooperation under the
Antarctic Treaty;
- Jurisdictional problems between component treaties

- Continued over page
MINING BACK ON AGENDA FOR COROMANDEL COMMUNITIES

Coromandel Watchdog has leapt back into action after a well earned rest following renewed moves to re-open the Coromandel for mining.

Exploration activity in New Zealand has risen dramatically in the last 24 months, with the promise of new and exciting finds on the horizon according to reports at the recent AusIMM, (Australasian Institute of Mining & Metallurgy), branch conference in Nelson. Over the two years between 2002 and 2004 the number of hard rock gold permits issued has risen by 53%.

This news is not going down well on the Coromandel where mining is again an issue seven years after an amendment to the Crown Minerals Act stopped mining on Conservation land north of the Kopu-Hikowai highway and six years after the TCDC, (Thames-Coromandel District Council), reviewed its District Plan. In 1998, after a series of workshops and hearings, the Council decided to make all forms of mining a prohibited activity in both the coastal and conservation zones.

The Minerals Industry Association and the Ministry of Economic Development both filed appeals to the Environment Court seeking to have all forms of mining made a discretionary activity in both the conservation and coastal zones.

In January 2004 the Court required the case to be set down for hearing in May 2004. Without any warning the District Council in April 2004 changed their position from that of 1998, to allow underground mining (as opposed to surface mining) as a discretionary activity in both the coastal and conservation zones.

There are recurring reports of the Russian prospecting in the Cosmonauts Sea, we are obviously continuing to acquire some knowledge of resource potential through science, and we see interesting political decisions. Australia has recently announced that it will seek the rights of a coastal state in relation to the Continental Shelf beyond 200 nautical miles under Article 76 of the UN Convention on the Law of the Sea. This would give Australia significant new resource rights over the shelf. The Australian intention is to include what it calls the Australian Antarctic Territory with its general submission.

All this suggests that whilst the minerals genie is still in the bottle, she is examining her options.

Those of you reading this are already committed to the environment. Many of you are chasing your tails to conserve or secure some place in New Zealand or another part of the world. You cannot do everything, but if you can find time to argue that Antarctica – the greatest wilderness we have left on our planet – should be left as one place unspoilt, please do.

Dr Alan Hemmings is Senior Adviser to the Antarctic and Southern Ocean Coalition (ASOC) and has attended Antarctic Treaty and CCAMLR meetings since 1989. He shuttles between his present home in Canberra and Christchurch, where he is Senior Fellow at the University of Canterbury’s Gateway Antarctica Centre for Antarctic Studies and Research.
No Mining at Happy Valley

Northeast of Westport on the beautiful West Coast of the South Island, state owned enterprise Solid Energy has proposed to open a 256ha open cast coal mine in the upper Waimangaroa River valley, which is also known as Happy Valley.

The Happy Valley area has been recommended for protection in a comprehensive Department of Conservation report, because of its natural beauty. Moreover, the threatened Great Spotted Kiwi and a threatened species of giant land snail (Powelliphanta rossiana patrickensis) both inhabit the valley, a reasonably secure environment for them. Put against this that Solid Energy has an appalling environmental track record; the pollution of the Ngakawau River near the community of Hector is testament to this.

The ‘Save Happy Valley’ campaign began with a national student-based group working alongside several local environmental organisations from the Buller area. Their first action took place over Easter 2004, with a group made up largely of ecology students occupying the proposed mine site for a whole week. The action received widespread public support and media attention, with TV3 and various local and national newspapers covering it. Since then the Save Happy Valley campaign has grown as more people have become involved. Supporters come from as far afield as Northland and Dunedin.

During the recent university study break approximately forty environmentalists travelled to the West Coast and gathered in Hector, a number of them then taking part in a five-day camp at the mine site. While there, they heard kiwi calling at night, and saw the breathtaking beauty of the valley at first hand. Two protestors at the same time held a week long tree-sit and hunger strike in a large tree bordering the road to Solid Energy’s current mine, to draw attention to the hunger and suffering that could result from global climate change. Despite coal trucks constantly rumbling past twenty metres below them, and having to spend one night on the ground because of strong winds, the pair remained in good spirits throughout the week. They received strong support from many people, including members of Tai Poutini tangata whenua.

Campaigners witnessed the effects of coal mining on the Ngakawau River at first hand when they saw it running black after high rainfall early in the week. When they cupped water from the river in their hands, it was so dirty that their fingers were barely visible. They also saw that the road from the Stockton Mine was considerably blackened in the south bound lane as a result of trucks passing through, laden with coal for Reefton. This highlights the contamination that the community is exposed to.

The week concluded with a party in Hector, attended by Save Happy Valley campaigners and members of the local community, including supporters who presently work at the Stockton mine. It was an excellent opportunity for activists to talk informally and easily to the local people about issues facing them. They were able to create and strengthen bonds with the community amongst whom they had been living.

Appeals against Solid Energy’s Resource Consent application are expected to be heard at the Environment Court in early 2005. Save Happy Valley is an ongoing campaign, which anyone may join. For more information about it, visit the website at http://happyvalley.enzyme.org.nz, or e-mail savehappyvalley@enzyme.org.nz.
Conservation expertise, experience, ideas, aspirations and policy will be shared and developed at the 3rd World Conservation Congress scheduled for Bankok 17-25 November 2004. The Congress, in three parts, will begin with meetings of IUCN’s six expert commissions, then move to the World Conservation Forum 18-20 November and conclude with the Members’ Business Assembly, 21-25 November.

The World Conservation Forum will include all parts of IUCN including the member governments, government, agencies, non-governmental organisations and members of the six IUCN expert commissions. Also attending will be others such as IUCN partners, business leaders, interested observers and the public. The Members’ Business Assembly will be restricted to the representatives of the 1035 member organisations.

Themes of the World Conservation Forum include: Ecosystem Management; Health, poverty and conservation; Biodiversity loss and species extinction, and Markets, business and the environment.

IUCN is rare among the international agencies in that it includes both government and non-government members. The gathering of thousands will include representatives of members who come from 143 countries including, 78 states member, 113 government agencies, 77 international non-governmental organisations, 732 national NGOs and 33 affiliate organisations. It will also attract many others attendees, some in sympathy with IUCN’s objectives, others intent on trying to distract, disrupt or waylay the global efforts for conservation. These Congresses, held every four years, are often the development ground for new ideas, practice and approaches and for consensus building for new international agreements and law. The Convention on Biodiversity for instance was born of IUCN’s thinking.

Vital topics will include initiatives to further marine protection, Antarctic conservation issues and problems with increasing commercialisation, the need for more action on climate change and other sources of global change, and a host of ecosystem, species, and other conservation matters.

Moves for a moratorium on bottom trawling on the High Seas, which is being promoted by a consortium of NGOs including ECO in the Deep Sea Conservation Coalition, will be further developed at the Congress, which will follow the UN General Assembly debate on the UN Convention and the Law of the Sea and moves for more conservation measures, particularly on the High Seas. Marine Protected areas will also be the subject of further work by the international community.

Antarctic Conservation is the subject of a further motion of which ECO is a co-sponsor, and we have made space on our delegation for Cassandra Phillips of the UK who will be speaking to the resolution and fostering its passage. Cath Wallace is hoping to attend (but this will depend on her work giving approval). There is one unoccupied space on the delegation. Only those who have applied and gained accreditation can attend. There is no funding to assist attendance by members of the ECO delegation.

Forests, wetlands, particular species and many other ecosystems at risk will be the subject of Recommendations (motions addressed to governments, international agencies etc) and Resolutions (motions addressed to IUCN itself).

On policy issues - including proposals for 78 Resolutions and 36 Recommendations] put forward for consideration by the Members’ Business Assembly, the meeting without observers that follows the open Congress, NGOs are able to sit down and negotiate with each other and government representatives on the text of resolution. Voting is conducted in two “houses”, the government and non-government houses. A majority is needed in both for such resolutions to be passed. Even when governments block recommendations, the passage of a recommendation in the NGO house can send an unequivocal message about world opinion to government members.

Those wishing to see the draft motions can check these out at www.iucn.org - then look for the World Congress section of the site and Resolutions and Recommendations under the Members’ Business Assembly.

During the Members’ Business Assembly a range of matters including changes to the governance of the Union are proposed. These are a mixed brew. Changing IUCN’s Statutes and Rules is a major matter with some governments essentially treating these as the equivalent to a Treaty and having to pass law to give effect to the changes made.

A major part of the Members’ Business Assembly will be discussion of IUCN’s programme of work for the next four years. Of particular significance to New Zealand is the proposal for a very modest IUCN office somewhere in the Pacific (not New Zealand or Australia). Oceania is the only region of the humanly inhabited world with no regional IUCN office so this signals new thinking.

There has been considerable discussion with other Oecania agencies both NGO and multilateral - including the South Pacific Regional Environment Programme, SPREP, which with other agencies and member governments has developed the Regional Conservation Strategy. Matter’s that IUCN may assist Pacific Islands with include a range of biodiversity issues and the implementation of the Action Strategy for the Nature Conservation in...
I wonder how long it will be before some disease hits New Zealand farms, in consequence of all the waterways being polluted? It is well known that there is a problem with waterway pollution, since the present system is not working but nothing seems to be done by those who are in charge.

Planting along the waterways is the answer, which means that native plant nurseries must be established, for which we as the people must take responsibility. Landowners should be looking at the waterways that run through their properties, and planning to fence them off and plant along their margins, so that fertiliser and topsoil will be retained where they need to be, not washed down into the streams and rivers.

If we are to welcome many more people into our country in the next few years, the problem of waterway pollution must be addressed now. It is not only agricultural fertiliser run-off that fouls streams and rivers, but also effluent discharge from sewage systems, and from dairy farms. We make great returns from the dairy and beef industries, trading on our clean green image, yet who would buy our produce if they knew that many farmers allow their animals to drink from the same water that they discharge into? The practice is not healthy, and does not augur well for the public’s health.

If it was clean and green decades ago when we were children, what has changed? Trees have been cut down and flax has gone as wetlands have been drained to make pasture. It would be a good idea to go back to planting flax, as there could well be a demand for it in the future, and it would bring income to the country. Trees too could be used as water protectors, and their benefit would not be only in the short term, but for succeeding generations.

There would be several other benefits from instituting a programme of replanting, apart from the long term aim of keeping our waterways clean. There would be jobs for those who don’t mind getting their hands dirty digging holes to put trees into, there would be eco-tourism opportunities, long-gone eco-systems would slowly restore themselves as birds and insects came back to the trees, and Maori, who rely on their kaimoana as a source of food, would be able to gather them without fear of their being polluted or toxic as a result of run-off from paddocks to which fertiliser has been applied.

Native trees are the best for planting, as they are adapted to life in New Zealand soils. Cabbage trees are especially good at taking up toxins from soil water, and flax and other native plants absorb excess nutrients that otherwise might be washed into waterways. And once we have clean water, there will be further benefits for farmers. Properties really will be clean and green, which will mean improved animal health, lowered veterinary bills, lower maintenance costs, and greater productivity. The flax itself could be a new source of income, as the fibre is strong and pliable. A little known property of flax is that it is a natural vermiculite, and greatly beneficial to cattle that chew on it.

2. Social Equity - IUCN will promote better understanding of the role of social equity in biodiversity conservation.
3. Conservation Incentives and Finance - IUCN will emphasise sharing knowledge of incentives and financing mechanisms for supporting effective biodiversity conservation.
4. International Agreements, Processes and Institutions for Conservation - IUCN will use the knowledge generated in KRAs 1, 2, 3 and 5 to promote and support effective, efficient and equitable environmental governance at regional and global levels, including through intergovernmental fora and corporate social responsibility processes.
5. Ecosystems and Sustainable Livelihoods - IUCN will apply the knowledge generated in KRAs 1, 2, 3 and 4 to promote sustainable and efficient management of ecosystems, integrating social, economic and environmental aims at local, national and transboundary levels.
6. Programme Delivery - IUCN will build and maintain the systems for the Union to deliver an effective and efficient Programme through its Commissions, Secretariat and members.
Mimihwangata Marine Reserve Proposal

By Vince Kerr
Nga Maunga ki te Moana Conservation Trust

"Mimihwangata peninsula, located on the east coast of Northland, north of Whangarei, is one of the most beautiful stretches of the Northland coastline. It is valued for spectacular scenery, wildlife and cultural heritage. Beyond the shoreline, Mimihwangata Marine Park extends 1000 metres offshore. The sea once teemed with life, including tuatua, kina, scallops, crayfish, mussels and numerous species of fish."............."

/ Mimihwangata Marine Reserve Proposal /

After three years of investigation and discussions with the local hapu, a proposal for a Marine Reserve at Mimihwangata has hit the streets.

While the country is preoccupied with the theory of who owns the coast our marine environments continue to decline. At Mimihwangata something very different and positive is going on.

In my view we do not have the right to postpone taking simple steps to address this serious decline of marine life. Marine reserves are no longer an experiment in NZ or internationally. They deliver biodiversity protection and promise much more in terms of emergent network properties. In simple terms an effective network of marine reserves will support all parts of the marine ecosystem and the valuable functions it performs. It can easily be argued that our marine environment is our most valuable natural system and resource. It is suffering under massive strain from exploitation and pollution. It is a simple and sensible idea to set aside a few areas as ‘natural’. It is irresponsible not to do so in today’s world.

In Northland with DoC support, a research team consisting of scientists and students from the Leigh Lab, Dr Roger Grace and myself have undertaken biological surveys and habitat mapping at Mimihwangata on the Whangarei coast over the past three years.

We have found things to be concerned about:

A partial protection, Marine Park where recreational fishing is allowed has been in place at Mimihwangata for 20 years. The MinFish administered Marine Park has not brought about improvements in marine life.

Some vitally important habitats, namely shallow algal forests have suffered serious decline

Some species appear to be in a long term decline trend or are static at very low abundance levels

The Leigh lab team compared fish numbers at Mimihwangata to marine reserves at Poor Knights Islands and Leigh and further a field. In the marine reserves there are now more snapper, up to 10x more and they are larger than at Mimihwangata. Mimihwangata snapper numbers were nohigher inside than outside the Marine Park.

Crayfish numbers are very low in the shallow reef areas at Mimihwangata, with packhorse crayfish disappearing from study sites completely.

We simply do not know the flow on affects of the observed changes to ecosystems and organisms not yet studied. Worse we have no natural refuge areas remaining which we could evaluate changes against. Over time marine reserves become natural refuges and nursery areas.

Perhaps one of the most exciting aspects of the Mimihwangata project is that for some time now we have been working under the guidance of the Kaumatua of the area. Our proposal features the statement of Houpeke Piripi of Te Uri O Hikihiki on Page 1. This meeting of the minds between conservationists and Tangata Whenua/Moana is no accident; we have been committed to making it happen. I believe it was destined to occur because we have so much in common. We feel great things will grow from this partnership. The commitment, leadership and vision that the Kaumatua and Kuia are demonstrating as Kaitiaki of Mimihwangata is something we should all get behind and support.

The Mimihwangata marine reserve proposal is special: it is of a significant size, it will include a spectacular array of connected habitats, it will provide opportunities for the hapu to lead in conservation on our coast, it will support our next efforts to establish a process leading to the creation of a network of marine reserves in Northland. It is your chance to make a difference for the ocean. Imagine visiting Mimihwangata one day and seeing a bit of the Northland coast where the marine life is completely undisturbed!

Your support for this project is needed now

As you are probably aware marine reserves are created in this country through a somewhat complex and lengthy process. You may also be aware that there is substantial support for marine reserves in New Zealand and for an effective network of marine reserves. While this is wonderful it must be demonstrated by submissions of support for each proposal. A strong showing of support for this proposal will give DoC and the government the confidence to continue with marine reserve work. It will also provide justification for the formal application for the marine reserve at Mimihwangata to be lodged with out delay. So it is important for the silent majority who support marine conservation and marine reserves to be submitters.

Your Submission

You can submit your comments for this marine reserve proposal on the questionnaire available from the DoC website. You can also send an email submission or post a letter with comments, your name and address. The submissions can be as simple as “I support the marine reserve proposal” or they can be complex and you can

- Continued over page
FAREWELL TO MARION HENDERSON

“Ngati ECO” as Te Atiawa’s Aila Taylor christened ECO, in September mourned the death and celebrated the life of Marion Henderson, stalwart community worker and ECO Friend. Many will also remember her husband, Bruce Henderson, who for years was ECO’s secretary and then treasurer, who died in the late 1980s.

Grace Mary Henderson, or Marion as we knew her, was totally devoted to community service of many kinds: protection of the Wellington environment including the Town Belt, Red Rocks and the Seal Colony; meals on wheels, Action for the Environment and ECO.

As is so often, one works with and sees people, but only the people of the “here and now” – but that was a lively, strong minded and clear thinking person, somewhat self deprecating. Marion’s funeral was a revelation – one of the best at putting together the whole person, making one see her in the light of her background and passionate commitment. At her funeral, crafted by John Cass and other members of her family, the strong minded but always polite Marion was revealed to have been born in the USA of Irish-Italian extraction. Her mother’s folks came from the Midlands in England. Marion’s family were upper middle class educated folk – her father educated at Cambridge, her mother a Catholic who insisted she have a strict catholic education, her uncles patriots serving their country in World War I, her aunts, Quakers devoted to peace.

In her turn, Marion attended university, travelled and then joined the airforce during World War Two. After serving in Singapore and Kuala Lumpur, Marion came to New Zealand in 1944, travelling and working in a variety of jobs, rural and urban, before winding up in Wellington with Bruce and a house in Hataitai which commanded remarkable views and close attention from Wellington's winds.

Marion served the YWCA, Workers Education Association, Action for the Environment, Meals on Wheels, ECO, Residents Associations and Wellington city as an unflagging watchdog and promoter of human and the environment’s welfare. She was interested in and devoted to both people and the environment and her commitment was of an effective kind that persevered politely and insistently. One of the last times I saw Marion, I was immensely surprised to hear that she had been to wave to the Queen at her last visit. Her patriotic uncles would have appreciated her gesture – which I interpret as one diligent woman who served her community showing her appreciation of another. Thanks to John Cass who looked after Marion with such devotion and who did the research on which this is based. Grace Mary son, 9 June 1912 -12 September 2004. Thanks Marion for all you did, for your loyal devotion to ECO, the other organisations and to Bruce.

Be a Supporter

If you support this proposal I am asking you to complete a submission and send it to DoC, Northland. You can use the questionnaire available on the DoC website or send an email including your name and address by simply clicking on the email link above. If you do this you will have made a significant contribution to this project.

Be a Serious Supporter

Discuss this proposal with five, (or more) people and seek their support in the form of a submission. Achieving an effective network of marine reserves in New Zealand is something we can all contribute to and support now, in the same we are committed to our national Parks on land.

Be an Angelic Supporter

Activate your own networks, family, workmates etc. to support of this marine reserve proposal. Write a letter to the editor of the Northern Advocate or Herald. Write to the Ministers of Conservation, Fisheries and Environment.

Submissions for the Proposal close on October 12. If the response is favourable the project will then move into the formal Application stage.
Dr Daniel Pauly - Reconciling Fisheries with Conservation: the challenge of managing our impacts on aquatic ecosystems.

We have overfished marine stocks and ecosystems worldwide and have removed most of the higher trophic level marine species - it is now urgent that we address overfishing and the damage done by fishing methods, according to Dr Daniel Pauly, the most renowned fisheries scientist on the planet, who undertook a speaking tour of New Zealand hosted by the Department of Conservation in August 2004.

Dr Pauly hails from the Fisheries Centre, University of British Columbia, Vancouver, Canada.

Dr Pauly explained how the problem of overfishing goes beyond the loss of stocks to loss of trophic structure, and a progressive stripping of fish across the globe with spatial mapping of the depletion from the year 1900 to 2000 showing the spreading out of peak fish takes demonstrating that for most of the world fish stocks have already peaked and are in rapid decline.

Dr Pauly detailed his data-rich approach of successive stacked databases that provided the basis for his conclusions.

Noting that 85-90% of catch comes from the 200 nautical mile EEZs around countries, Dr Pauly observed that we humans are removing the upper levels of the trophic levels (3-4.5), we are progressively fishing down stocks, and going deeper as fishing gear becomes able to go deeper.

Marine reserves are one method that he recommends to try to allow marine ecosystems to recover and for fish stocks to re-stock. He observed that 20% of the marine area as no-take reserves is a widely cited conservative target for marine reserves but that circumstances would need to be considered - and in many cases more is warranted. He said a target of around 40 percent was being looked at for the North Sea.

Saying that there is no need to worry if you don’t mind eating plankton soup, he said that the higher level fish are being so badly depleted that only quite small fish are available in many parts of the world. People are already resorting to eating jelly fish - a proposal he had originally advanced as a grim joking prediction - not one he is happy to see has been borne out.

People in rich countries have been able to continue to maintain their fish eating habits while not noticing the decline in both fish stocks and the fish size because of the huge increase in trading of fish, according to Pauly. Particularly reprehensible in his view is the trading of fish through access agreements by which rich nations (especially the EU, Russia and Japan) strip the fish stocks from the EEZs of very poor nations, even those with starving populations such as those in West Africa.

To see more of Dr Pauly’s work, visit www.searoundus.org.

Congratulations on the passage of the Maori Fisheries Bill, Shane: but where are the fish?

Maori who are celebrating the agreement on allocation of the Treaty settlement may be dismayed to find how much fish have been removed during the period since 1992 when the Fisheries Settlement was done. As can be seen from the accompanying graphs, there has been a huge hemorrhage of fish from the ecosystem and into the hands of the fishing companies while Maori argued.

Shane Jones, chairperson of Te Ohu Kaimoana (ToKM), the Treaty of Waitangi Fisheries Commission can be proud to have navigated the shoals of Maori jealousies to have arrived at the successful passage of the Maori Fisheries Bill which passes half of the fisheries quota and other assets owned by the Commission to iwi and retains half for Aotearoa Fisheries, the new large fisheries company, the core of which is Sealords.

Shane Jones has finished a task begun by Sir Tipene O’Reagan of Ngai Tahu whose approach was widely perceived to favour Ngai Tahu at the expense of other groups, including that of the populous northern tribes. Shane Jones is Te Aupouri, from the north, but has always taken a pan-Maori approach. Now that the Bill has passed, he is intending to stand for Parliament - for Labour.

ECO has stayed well clear of the machinations of the allocation of the quota and other assets from the Treaty of Waitangi (Fisheries Settlement) Act 1992 but we have taken a keen interest both in the state of the fish stocks and the advocacy by Te Ohu Kaimoana around those fish stocks.

Regrettably TOKM has not lent its authority to protection of fish stocks. Instead, it has lined up with the rest of the corporates and has pushed for over allocation of catch with the result that there have been steep declines in the stocks of many of the major fisheries. Trawling and dredging have considerable done damage too to the marine invertebrates and benthos (seafloor), while long lining and trawling have drowned marine mammals and albatross and petrel.

Iwi may well now want to ask questions about the Ministry of Fisheries’ inadequate stewardship of the fisheries under the sustained and often vicious pressure of the big commercial interests.

As can be seen from the graphs, the hoki stocks have fallen with the larger western stock declining by over 80 percent between 1992 and 2004; Chatham Rise Hake by over 75 percent from 1992 to 2004 and the orange roughy stocks have fallen dramatically all around New Zealand.

If even a quarter of the money spent on legal fees in the disputes about shares had been devoted to actually maintaining the fish stocks, then all would now have been better off.
Welcome New Executive Members!

DOUG CRAIG

Rapidly heading towards veteran status in the environmental and conservation movement this is Doug’s second time on ECO exec.

He represented the Nelson Environment Centre from 1994 to 1996 when he worked as Co-ordinator for the centre and edited their newsletter. At that time he also worked part-time for Forest and Bird as a marine reserve researcher for a proposed marine reserve at North Nelson. Hopefully the result of 13 years work by Forest and Bird members and others will soon be realised and enjoyed by all who treasure our coastal environment.

Other work for environment and conservation groups includes:

- Environment Access Otago from 1988-992
- Producer/presenter of environmental magazine programme on Access Radio Otago.
- STOP (Save the Otago Peninsula) and Styles Creek restoration project
- ECOnet, a co-ordinating body for top of the South Island environmental groups
- Royal Forest and Bird Society Tasman branch and Nelson committees
- Royal Forest and Bird Society Waitakere branch committee
- Founder and past convenor of Friends of the Whau Inc. – a national Green Ribbon Award winner in 2002 for urban conservation.
- Sometime lecturer at UNITEC on biodiversity planning
- plus international, national and local anti-nuclear/peace and justice activism with a variety of groups from 1981-1996.

If that is not enough he is now trying to get a local Biodiversity Strategy and Action Plan set up for west Auckland. The growth of urban development into areas such as the Waitakere Ranges can’t and shouldn’t go unnoticed.

In his spare time he is completing a planning doctorate at the University of Auckland.

ROSEMARY SEGEDIN

Jo MacKay who was part of the ECO Executive Committee for some time suggested that I should get involved as well. I have been interested in ECO for a while - went to the ECO Conference last year in Auckland and enjoyed it! Also, I belong to Clean Water Whangamata which is ECO Member organisation.

I am interested in water issues; native bird conservation; energy efficiency; forests; keen on recycling; organics; into the community empowerment and passionate about keeping Coromandel mining free! Supporting Tangata Whenua.

I have degrees in Mathematical modelling - have done lots of teaching, election work, bird conservation, event management and work with community.

JO MCVEAGH

I'm 22, I'm from a little place called the Pohangina Valley, which is near Palmerston North.

I was the Environmental Officer at MUSA (the students association) for a year and a half, during which time I ran MEG (the Massey Environmental Group), set up student community organic vegetable gardens (which has since collapsed), ran an Environmental Festival, wrote articles and did interviews for student media... and a whole lot more.

I left MUSA mid last year, but kept organising MEG, and also organised a car-pool-convoy, and then later a bus to go from Palmy to Wellington for the two GE Free marches last year.

This year I have been heavily involved with the Save Happy Valley / Waimangaroa Campaign, and coordinated the occupation of the site over Easter, and have since spoken at several public meetings, and been working on preparations for the next occupation!

I’ve also been organising MEG, which involves coordinating activities, writing for Chaff (student newspaper), sending e-mail updates to members, and liaising with other community groups.

In my “spare” time i play indoor netball, indoor soccer, and outdoor womens soccer, do yoga and weekly interviews on student radio, and love seeing my friends bands play. Oh, and I’m a full time Massey student studying Ecology in my (fingers crossed) final year!

JILL MATE

Originally from Australia, I have lived permanently in NZ since 1986. First I lived ‘up the hill’ at Denniston on the West Coast, now below the clouds near Westport.

I am a long time member of Buller Conservation Group and now its Secretary. Also in past have been actively involved with Alliance Party and local Green Dollar group in admin and activist roles. I am Secretary and active member of Buller Tramping Club.

My main conservation interests are the many and varied issues concerning the West Coast including: local government, RMA applications, recycling, waste disposal, sewage, water supplies and DoC matters.

Other interests include: organic gardening & cycle touring.
ENVIRONMENT & CONSERVATION
ORGANISATIONS OF NEW ZEALAND
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New Zealand led the world against driftnets...
...now it’s time to do the same against high seas bottom trawling