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Lockdown arrangements

The EDS Office will be closed during Auckland's Level 4 lockdown. Staff will continue to work remotely from their homes. We do not envisage any disruption to pending project deadlines and await advice on council and court hearings. The best way to contact EDS staff is via their respective emails. Meantime please stay safe and patient.

Conservation Reform book launched

Conserving Nature: Conservation System Reform Issues Paper was launched by Minister Hon Kiri Allan at the EDS Conference in Ōtautahi Christchurch earlier this month. This publication sets out in stark relief the problems with the present conservation management system and its outdated legal

framework. It was warmly welcomed by Minister Allan who noted that it was the first time anyone had outlined in one place all of the issues that needed addressing in any conservation reform process. Limited hard copies of the book are available from the EDS website along with free PDF downloads. The second phase of EDS's conservation reform project will run through to the end of 2022 when EDS will make firm recommendations for change.

New urban slums in Auckland

There is an urgent need to have a fresh look at the present policy settings, both nationally and locally, for urban intensification in Auckland and elsewhere. The Urban Development Act and the National Policy Statement on Urban Development are crude instruments that don't adequately prioritise the creation of liveable new housing areas. A review is needed to deliver better quality outcomes with green spaces, recreational opportunities and the protection of trees. In its efforts to stamp out NIMBYism Government has gone too far and we are seeing what are arguably brand new slums being created in some areas and that's not good enough. This is also a challenge that needs addressing in the Natural and Built Environments Bill.

Overseer needs new owners right now

The release of an independent scientific review of Overseer has found that it's not fit for purpose as a regulatory instrument for freshwater management. This is not unexpected but will still cause considerable consternation amongst regional councils, some of which have relied upon it in their freshwater plans. The government is investing in a fix which raised the question of ownership. Given that the fertiliser industry is a shareholder in Overseer, surely it's time to bring the thing fully into public ownership. You can't have sector that sells fertiliser having a stake in the instrument that regulates it: it's a clear conflict of interest. And why should the government invest millions in finding a fix for Overseer only to line the pockets of private sector investors?

Light rail has had its day

Back in the 1990s some EDS staff set up Auckland LRT Limited and attempted to persuade successive governments to invest in a light rail system up Queen Street. In spite of a lot of work we did investigating light rail systems overseas, the effort failed. Now light rail is being considered again. But Auckland has grown and looking at light rail as part of solution to the city's transport woes is misplaced: its days are well and truly over. What is needed is a fully integrated metro rail network with a combination of at-grade and underground services. That should include converting the North Shore busway to rail, a harbour tunnel for both cars and rail (leaving a lane on the bridge for cycling), a busway future proofed for rail along the North-western motorway, and express rail to the airport. The current Minister of Transport is following his predecessor's mistake in not thinking far enough ahead and planning with ambition and foresight.

Natural and Built Environments Bill at select committee

EDS has filed a detailed submission on the exposure draft of the Natural and Built Environments Bill. While the drafters are to be commended on a good start, there remains a lot to fix up before the front end of the legislation is fit for purpose. In particular, its purpose needs to be amended, its approach to environmental limits needs to be shored up (to prevent the return of the “overall broad judgment” approach that plagued the RMA for so long), and there needs to be a clearer hierarchy between environment and development. Supporting measures, such as institutional arrangements, will also be crucial. The comprehensive EDS submission on the exposure draft can be found [here](#). The Environment Select Committee is conducting hearings now, with the full version of the Bill planned to be formally introduced into the House in early 2022. EDS’s submission is slated for 2 September, either in person or by Zoom.

Fast track opt out by EDS and others

EDS and other ENGOs have written to Minister David Parker to let him know that we do not have capacity to routinely review fast-track consents as envisaged in the Covid-19 Response (Fast Track Consenting) Act 2020. The groups have found the combination of the very tight statutory timelines, the volume of material, the numbers of applications and the EPAs administrative arrangements too challenging to work with. The groups asked Minister Parker to ensure that the termination clause in the Act (which is 8 July 2022) is not extended. Proper provision for essential public infrastructure should be made in the new Natural and Built Environments Act which is due to be passed next year.

Mackenzie Plan Appeal filed while Waitaki swings the lead

The last (hopefully) in a long line of appeals concerning land management in the Mackenzie Country was filed recently by EDS. Plan change 18 seeks to protect ecological values in the district and was largely on the right track. There are however some residual problems with definitions that need fixing in order to close loopholes in the rules framework. They will likely go to mediation in the first instance. While the Mackenzie District Council has acted in a principled and responsible way and has very nearly got its planning system fit for purpose, the same cannot be said for Waitaki District Council (which administers part of the Mackenzie Basin). That council is taking far too long to bring its planning framework into line with the requirements of the regional council. At present the Waitaki Plan is arguably unlawful and is certainly in dire need of review. To support the Mackenzie appeal, EDS welcomes donations which can be made [here](#).

Transforming Aotearoa: The Government’s Environmental Reform Agenda

Nearly 400 attendees at EDS’s annual conference (the first for 2 years) heard many speakers calling for truly transformational change in environmental management. There was a wide degree of consensus apparent including support for te ao Māori being woven into reforms. Minister Hon Kiri Allan encouraged participants to “be brave” when discussing those matters. Remarkably, on 2 specific contentious issues, politicians from ACT, National and the Greens agreed in principle on the

need for a Dissolved Inorganic Nitrogen (DIN) attribute for freshwater ecological health and on the need to phase out bottom trawling in our oceans realm. Full recordings of the conference will be available [here](#) next week while a transcript of the Parliamentary Commissioner for the Environment's reflections on the event is [here](#).

And some welcome oceans announcements

EDS has welcomed the release of 7 cabinet papers by the Minister of Oceans and Fisheries, Hon David Parker, focused on oceans and fisheries management. These set out some overarching principles to be applied by the government which has taken early steps to both speed-up cameras on boats and ensure better management of discards. EDS got a mention too: one paper noted "Civil society and industry organisations are also considering oceans issues, for example, the Environmental Defence Society (EDS) is conducting an oceans research project ... called – *Reforming Oceans Management: How to achieve better environmental, social and economic outcomes in our marine environment*.... This civil society and industry work may inform the Government's longer-term future work." Phase 1 of that project will be completed early next year and the intention in phase 2 is to come up with firm recommendations for reform by the end of 2023. An interim working paper is being released by EDS for comment next week.

Climate Change and Business Conference: Now to Net Zero

The second big conference in 2021 is coming up in mid-October. This year the *Climate Change and Business Conference: Now to Net Zero* is being run in partnership with the Sustainable Business Council and the Climate Leaders' Forum. Given the findings of the recent IPCC Report there will be a sharp focus on how business can speed up the transition to net zero and address the new emphasis on early reductions in methane emissions. The conference program and sponsorship details can be found [here](#). If Covid-19 runs interference with the October date, the conference will be rescheduled, not cancelled.