

EDS News March 2021

Big win against Rio Tinto in Southland

Resource Management Reforms

EDS's 50th anniversary year will be busier than ever

Staff changes

Landscape project completed

EDS Conference, Christchurch, August 2021

Climate Commission, Forestry and Farming

Crown Pastoral Land Reform Bill and tenure review

Climate Change and Business Conference, Auckland, October 2021

Big win against Rio Tinto in Southland



EDS has secured an agreement that the dangerous ouvea premix stored at the old paper mill on the banks of the Mataura River will be returned to whence it came: the Tiwai Aluminium Smelter site. The premix produces toxic ammonia gas when wet. You may think that was the logical outcome and so did we. But it took 6 months of wrangling via 12 Judicial Settlement Conferences together with coincidental changes of the Chairman and CEO of Rio Tinto to get there. Costs of the removal will be shared jointly between the Government and New Zealand Aluminium Smelters Ltd. While we are sorry that we didn't get to argue the two important pieces of law in our case (namely that NZAS was environmentally responsible under the RMA for the material; and the councils had powers to direct the removal of the material back to Tiwai and wouldn't), we are pleased that a pragmatic outcome was achieved. The people of Mataura will be able to rest easier the next time the river floods. The proceedings cost EDS just over \$100,000 and whilst we have recovered \$60,000 of that from the parties and a small ELA grant, donations to cover the balance would be a big help and can be made [here](#).

Resource Management Reforms

Government has released a Cabinet paper that sets out the timelines for the eagerly anticipated resource management reforms. As expected, Cabinet has largely taken on board the recommendations of the Randerson Panel which are in turn strongly aligned with EDS's own suggested way forward. There are 3 primary bills in gestation. The key one – the Natural and Built Environments Act will be going through 2 select committee processes and is planned to be law by the end of 2022. Those who say that's too slow have no idea of the complexity of this exercise: that timeline will be incredibly challenging. EDS is continuing to work with officials and Ministers to make sure that the new environmental provisions are robust – and that the whole package works as well as possible.

EDS is 50!

This is EDS's 50th anniversary year. The organisation was set up in 1971 by recent law graduate David Williams (now Sir David Williams QC) to bring together the disciplines of science and the law to advocate for the environment. We still do that but the kaupapa has changed a little with more emphasis these days on policy development. EDS can claim to be this country's leading environmental think tank. We'll have a program of activities to mark the anniversary announced shortly. Meantime the pace of activity certainly isn't slowing down: here's a summary of just some of our key objectives for 2021:

- Get best possible resource management reforms outcome
- Stop the inexorable spread of pine plantations and review the National Environmental Standards for Plantation Forestry
- Stimulate more native forest restoration at scale with improved incentives
- Bring agriculture into the emissions trading scheme promptly
- Complete the Oceans Reform project with tangible options
- Stop bottom trawling and dredging
- Lead thinking on conservation laws update
- Engage in the Freshwater Implementation Group to roll out reforms on schedule
- Assist with implementation of the NZ Biodiversity Strategy

- Partner with business to run the Climate Change and Business Conference 2021 showcasing real solutions
 - Push hard towards 100% renewables electricity generation
 - Integrate te ao Māori into all our work
 - Litigate to protect landscapes, biodiversity, freshwater and oceans
 - Get ouvea premix moved out of Mātaura before the end of April
 - Work up better long-term solutions for the High Country
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Staff Changes



Tracey Turner



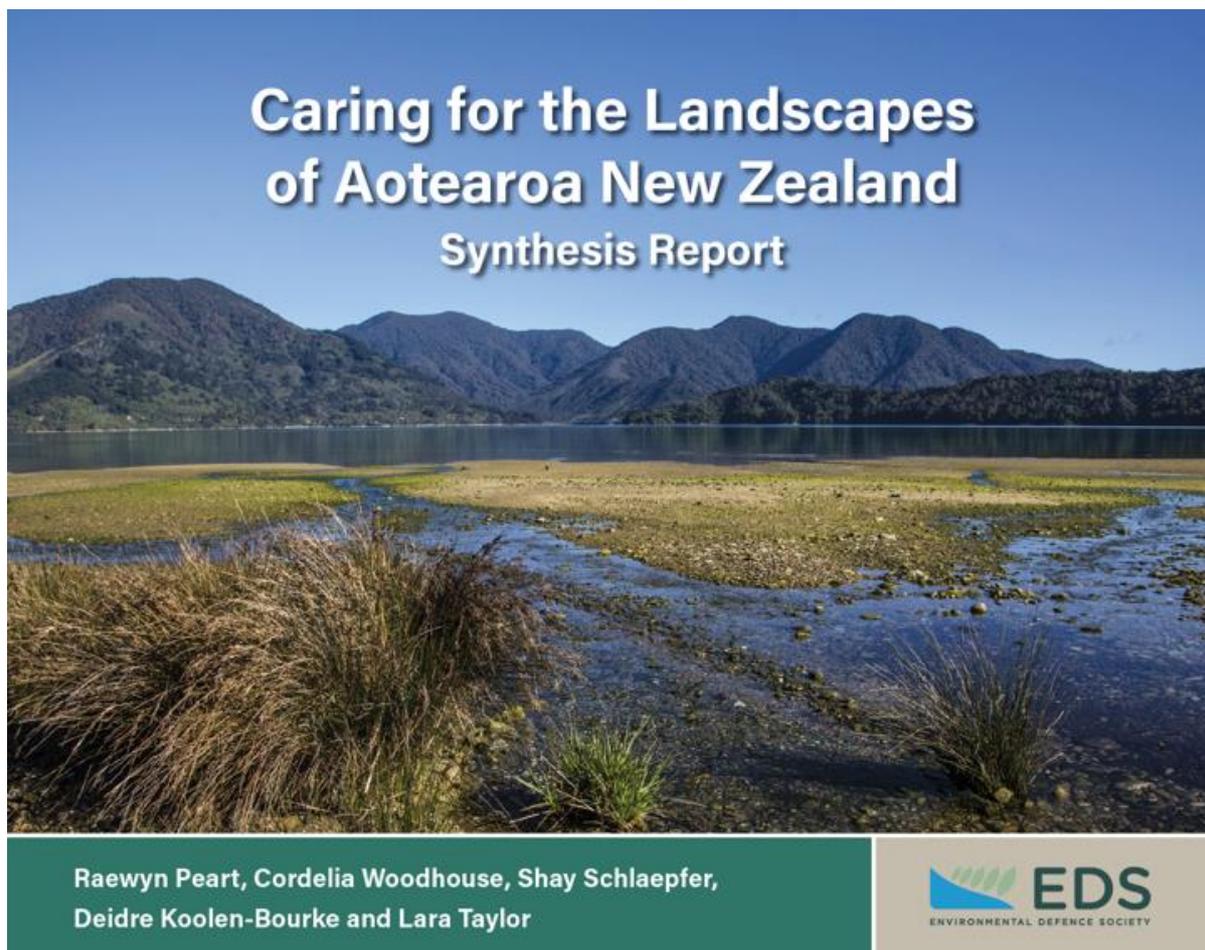
Dr Sasha Maher



Shay Schlaepfer

We have lost 2 staff and gained 2.5. Our longstanding Manager **Fiona Driver** has moved on to further her career and we wish her well and thank her for her sterling efforts over the past 15 years. **Olivia Grainger** who organised the programme for the 2020 Climate Change and Business Conference has also left and we thank Olivia for taking that event to a new level. Joining us is **Dr Sasha Maher** who is our Programme and Communications Director, managing both the EDS Annual Conference and the Climate one. She will specialise in climate change issues and also coordinate our communications strategy. **Tracey Turner** has also joined EDS as a Researcher specialising in oceans and resource management. She is working with **Dr Greg Severinsen** on our major Oceans Reform project, due for completion at year end. In addition, **Shay Schlaepfer** who was doing contract work for us last year (including the research for the Smelter proceedings) is joining us as a part-time legal and policy researcher. Fuller profiles are available on the website. We are now a team of nine, determined to avoid getting into double figures if possible!

Calls for big changes in landscape management



The major research project on landscape management in Aotearoa New Zealand has come to an end with 2 further reports being released. The landscape project, funded by DOC, LINZ and others, asked whether the current tools for managing our precious landscapes are adequate; and suggested some new approaches drawn from our litigation experience as well as overseas models adapted to our needs. The outputs consist of 5 case studies, all of which are available on the EDS website. The first four were Waitākere Ranges; Hauraki Gulf; Mackenzie Country; and tourism. The final case study ***Restoring Te Pātaka o Rākaihautū Banks Peninsula*** was launched in Christchurch on 19th February at an early evening function hosted by Anderson Lloyd. The other output from the project is the synthesis report that brings all that work together in the most comprehensive look at landscape management in this country arguably ever. ***Caring for the Landscapes of Aotearoa New Zealand: Synthesis Report*** was launched by Minister Hon David Parker at a function in Wellington hosted by Bell Gully on 23rd February. Minister Parker indicated that the findings would be fully considered in the resource management reform process. Copies of all of these reports can be ordered from the [EDS website](#).

EDS Conference, Christchurch, 4-6 August 2021

The logo for the EDS Conference 2021 is a green rectangular box with white text. The text reads "EDS Conference 2021" in a large, bold, sans-serif font, with "4-6 August • Town Hall • Christchurch" in a smaller, regular, sans-serif font below it.

EDS Conference 2021
4-6 August • Town Hall • Christchurch

This year's EDS Conference will be a timely opportunity to assess the direction of travel of the Labour Government's extensive environmental reform agenda. We are expecting big changes across all domains and will be profiling and evaluating progress at this first EDS conference in 2 years (last year's event was cancelled because of C19). Dr Sasha Maher is leading the programme development and given we are at an early stage, suggestions of issues and informed speakers are welcome, as are offers of sponsorship: sasha@eds.org.nz

Climate Commission feedback

The EDS research team is doing a deep dive into the Climate Commission's report and we hope to publish our submission online prior to the new closing date of 28th March. Our initial view is that the recommendations are largely on track and the government has been generally welcoming of them. EDS has concerns over 2 key issues at this stage: first, the continuing reliance on expanding exotic pine forests instead of transitioning more quickly to permanent native forests (which store more carbon and have complementary biodiversity benefits); and secondly the way agriculture is being treated without adequate urgency. We'll be digging into the extensive appendices to better understand the thinking on those 2 issues and meantime would welcome any expert feedback to help with this work to sasha@eds.org.nz.

Crown Pastoral Land Reform Bill



This omnibus bill amends the Crown Pastoral Land Act 1998 and the Land Act 1948 to remove tenure review and improve Crown management of pastoral leasehold land. It had its genesis under the stewardship of Hon Eugenie Sage and responsibility for the bill is now in the hands of Minister Damien O'Connor. Whether tenure review should be done away with or improved is a challenging question that we're working through right now. Submissions on the bill closed on 22nd February. An EDS team was hosted in the High Country by the High Country Accord to gain insights into the challenges faced by farmers there. If tenure review is to go, there should be new tools to enable the Crown to buy back leases where the ecological and landscape values warrant that action.

Climate Change and Business Conference, Auckland, 13-14th October 2021

Climate Change + Business Conference 2021
13-14 October • Aotea Centre • Auckland

This year's event is being organised in partnership with the Sustainable Business Council and the Climate Leaders' Forum. We have made this move because it's clear that Aotearoa New Zealand is now in an active implementation phase: we've moved out of simply thinking about what needs to be done and businesses will be key deployers of the mitigation strategy. The Climate Commission's draft carbon budgets have been released and once finalised the Government will be preparing its

response which must be completed by the end of 2021. So this conference will be especially timely, a chance to assess progress and an opportunity for climate leaders to show the way. Please contact [Sasha](#) if you wish to discuss the conference.
