



*Lake Wanaka at sunset. By Raewyn Peart.*

## **Environmental Defence Society Latest News: April 2019**



### **Mackenzie Country Declarations Successful**

EDS welcomes the recent Environment Court decision affirming declarations sought by Mackenzie District Council and supported by EDS. The declarations sought related to the legality of pastoral intensification at Simons Pass Station. The decision turned on the interpretation of the word 'granted' in the operative rules, and whether resource consent that had been granted by a regional council but appealed to the Environment Court could be considered granted for the purpose of the Rule. The Court held that they could not.

As the irrigation consents held by Simons Pass were subject to an Environment Court appeal at the relevant date, they were not granted and must be considered as a discretionary activity rather than controlled.

Discretionary consents must be publicly notified and the consent authority can exercise full discretion as to whether it grants the consent. Following Plan Change 13, which strengthened landscape protection in the Mackenzie Basin after EDS intervention, stricter controls were put in place. Under these provisions, the likelihood of irrigation consents at Simons Pass being granted is significantly reduced.

EDS applied for Environmental Legal Assistance for this proceeding but was turned down by the Ministry for the Environment. Donations to help fund the case would be gratefully received. Rob Enright and Madeleine Wright appeared for EDS.

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### **Crown Pastoral Land Submission**

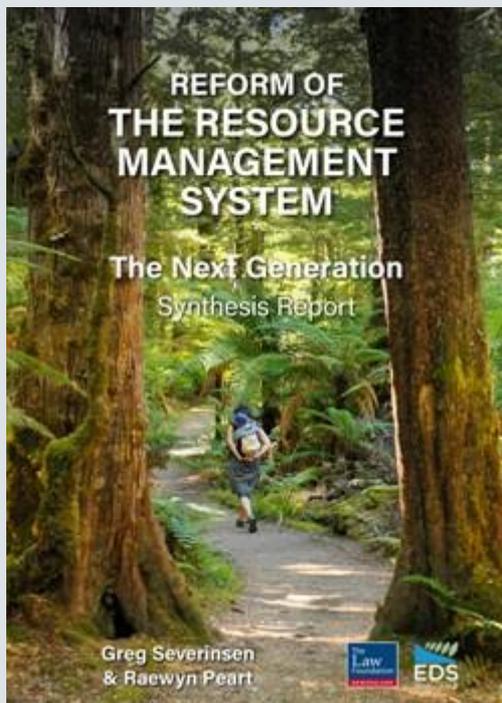
EDS and Forest & Bird are preparing a joint submission on LINZ's Discussion Document *Enduring Stewardship of Crown Pastoral Land*. With the end of tenure review, the Crown is moving into the role of long term landlord for Crown pastoral lease land. This land, historically used for pastoral farming, must be managed to protect indigenous biodiversity, public access and landscape values. The Societies want these values prioritised while also providing for non-pastoral and other land use where compatible.

This will require amendments to the consenting framework to ensure there are clear environmental bottom lines, that the process is aligned with the RMA and that decisions incorporate the relevant technical advice as a mandatory consideration. Enhanced public consultation and the possibility of oversight by the Environment Court are also discussed.

The submission also assesses the alternative mechanisms available to secure ecological, landscape and recreational values. This toolbox could include outright acquisition of Crown pastoral lease land using the Natural Heritage Fund, covenants, joint management agreements and public access easements. The concept of the Mackenzie Drylands Heritage Area is given strong support.

Submissions are due tomorrow, 12 April 2019.

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### **Resource Management Reform Workshops**

This week EDS ran a series of workshops as part of its resource management system reform project, in Auckland, Wellington and Dunedin. The project is taking a first-principles look at the whole system – which is much larger than the RMA – and by the end of the year will recommend a model for change and a pathway to reform. This year's work builds on the project's phase 1 report published last year, which analysed the system by theme and produced different options for change. Refer to [www.eds.org.nz/our-work/rm-reform-project/](http://www.eds.org.nz/our-work/rm-reform-project/) for more information.

This week's workshops, which were focused on the criteria we should adopt to select a preferred model, saw a lot of thinking outside the box and great ideas being generated.

Another round of workshops will be held in the middle of the year, on the detailed design choices that will come from applying the criteria.

Many thanks to the project funders and partners (the New Zealand Law Foundation, Borrin Foundation, Property Council, EMA (Northern) and Infrastructure NZ) and those who kindly hosted the workshops (EMA, Chapman Tripp, and the University of Otago Centre for Sustainability), as well as all who attended and have provided feedback. If you have any feedback, please direct it to [RMProject@eds.org.nz](mailto:RMProject@eds.org.nz).

## Resource Management Seminar in Auckland

On the evening of 9 May, EDS will be holding an event in Auckland to discuss its resource management system reform project, mentioned above. In February the synthesis report from Phase 1 of the project was launched by Hon David Parker, Minister for the Environment, in Wellington.

The May Auckland event will cover the key messages of that report, and link it to the work now being undertaken in Phase 2 of the project, which is focused on selecting and developing a single preferred model. It will involve a presentation by the authors, and a series of provocative questions to be discussed by a panel. Invitations will be sent out in due course.

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## Through new eyes: rethinking landscape in Aotearoa

This year's annual conference will be examining landscape management in New Zealand.

Managing New Zealand's landscapes into the future will present new challenges given adverse biodiversity trends, the billion trees initiative, tourism pressures, climate change and big policy-driven land use changes in prospect. We need new approaches and tools.

*Through New Eyes* will critically assess the existing framework for land and seascape protection. We will delve deeply into new thinking. We will draw on local exemplars and fresh international models. We will explore a 'third way' – a new, innovative approach to better protect highly valued, private land. And we'll assess the future of our conservation estate.

Register for the Conference or view the programme [here](#) .

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## Landscape management needs a makeover

EDS has just started a major project reviewing the way we manage our outstanding landscapes in New Zealand. We are examining the use of existing tools and asking whether they are being properly utilised as well as exploring whether there are new methods that could be deployed to achieve better and fairer outcomes. The project's emphasis is on private land. The project is being jointly funded by DOC and LINZ and includes a number of case studies.



### **Forestry needs a wake-up call**

The impact of expanding plantation forestry on our environment needs better regulatory attention than currently on offer in the National Environmental Standard – Plantation Forestry (NES-PF). Our contention is that forestry needs much tighter supervision and the current practice of large-scale clear-felling at harvest time needs to stop. Huge sediment and slash slugs will cause more damage to ecosystems and downstream properties unless the sector moves to less intrusive harvesting methods.

EDS and Forest and Bird recently completed an analysis and review of the NES-PF which concluded that light-touch regulation is not appropriate for a high-risk sector. We will be contributing to the Government's own review process which is just getting underway. Our review is available [here](#).



## Farming the sea: EDS takes a closer look at aquaculture

Aquaculture is a substantial and growing industry in New Zealand. It produces healthy and highly sought-after food products as well as health supplements. It provides well-paid jobs, supports whanau, hapū and small communities, and generates important export income for the country. But like wild fisheries, the industry is dependent on ongoing access to the marine commons. It also has impacts on the landscape and ecological values of the marine environment that need to be well managed.

Eight different legislative regimes have applied to aquaculture since the late 1960s, the most recent reform being in 2011. The frequency of change indicates a legislative system which has struggled to meet the needs of the public, iwi and industry. More recently, broader issues such as warming seas have called into question the ongoing suitability of some marine farming sites.

Ove the past year, EDS has been undertaking an investigation into desirable future management settings for aquaculture in New Zealand. This both builds on, and feeds into, our work on resource management system reform and marine spatial planning. The report examines the historical development of the industry, current management challenges, aquaculture management approaches in other countries and prospects for reform. A draft report is being circulated for peer review with the final report due for production by the end of April 2019.



### Office Manager

EDS is looking for an Office Manager to join the team. The role is part-time, around 2 days a week and would be based in the EDS office at Victoria Park Market in Auckland. Days/hours are flexible.

General attributes/skills required for the role:

- Self-motivated
- Self-managing
- Detail minded & number literate
- Positive team approach in small office
- Competent in Microsoft office programmes (Word, Excel)
- Knowledge of MYOB or other accounts system a bonus
- Able to work outside standard work hours as required

Anyone interested can contact us for a more detailed description of the role. [Email Fiona](#).

### Donations

Have you considered supporting EDS with a donation or leaving a bequest in your will? There are many ways you can support our work. Visit the Donations page on our website for further information on one-off donations, regular monthly donations, payroll giving, bequests and membership. Help us protect the environment, our special landscapes and the places that are important to us all. **Support EDS**.