

RECOVERY FOR PEOPLE AND PLANET

BRIEFING TO THE INCOMING GOVERNMENT



Forest & Bird

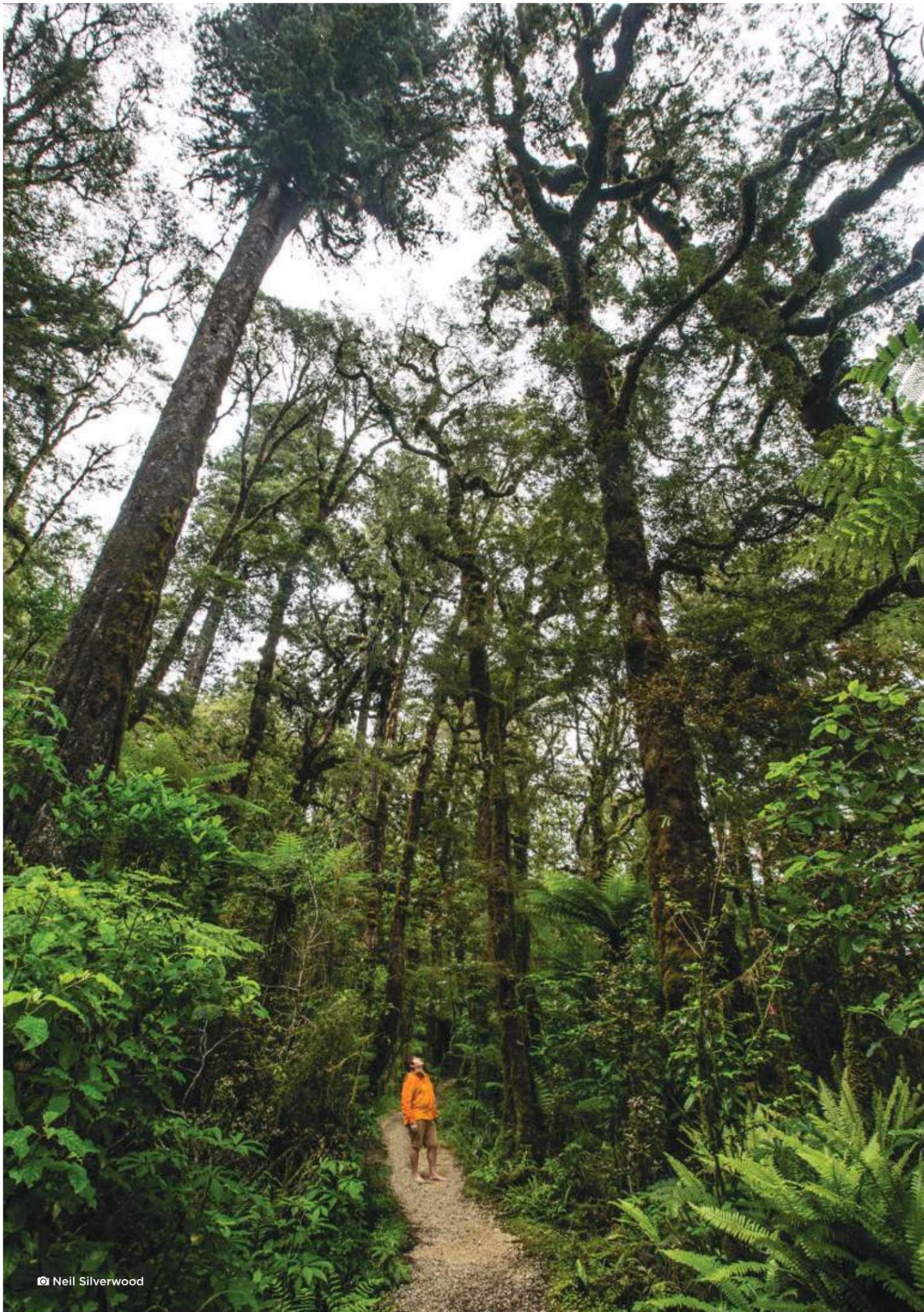
TE REO O TE TAIAO | *Giving Nature a Voice*

CONTENTS

Introduction	5
About Forest & Bird	7
Our strategic priorities	7
Summary of recommendations by portfolio	8
The challenges we face	19
Unique and in trouble	20
Rising emissions	20
Declining freshwater	21
Depleted oceans	22
A lack of economic resilience	22
Achieving a just transition	23
Making government work for nature	25
<i>Te Mana o te Taiao</i>	25
National Policy Statement on Indigenous Biodiversity	26
Resource management law	27
Department of Conservation	29
Ministry for the Environment	30
Ministry for Primary Industries	31
Ministry of Business, Innovation and Employment	32
Land Information New Zealand	32
Local and regional government	33
The Official Information Act	34
An economy that works for nature	37
Transforming primary industries	38
A national tourism strategy	38
One Billion Trees	39
Plantation forestry	40

Tackling climate change	43
Targets	43
Nature-first climate response	44
Transitioning from fossil fuels	45
Agriculture's contribution	46
Protecting nature on land	49
Public conservation lands	49
Stewardship land	50
Conservation land and mining	52
Landscape scale protection	52
Invasive species	54
Kauri dieback	55
Protecting our freshwater	57
Wetland restoration	57
Resource management system protection	58
Sustainable freshwater ecosystems	59
Modern approach to river management	60
Protecting nature at sea	63
Fisheries Act reform	64
Zero bycatch	65
International efforts to reduce bycatch	65
Marine Protected Areas	66
Cameras on boats	66
Marine mammal protection	67

Cover image: © Oscar Thomas. Back cover image: © Neil Silverwood



© Neil Silverwood

INTRODUCTION

This Government has been elected at a crucial moment in history, as Aotearoa faces the unprecedented challenges of climate change and a major pandemic on top of a natural environment already in crisis.

These challenges come with significant opportunities for New Zealand. The Government can use Covid-19 recovery funding to deliver nature-friendly infrastructure that cuts New Zealand's greenhouse gas emissions and transforms fishing, farming, and forestry into a genuinely sustainable primary sector. At the same time, funding improvements to institutions will create long-lasting benefits for environmental management.

Protecting nature is crucial and should no longer be 'balanced' against economic considerations. But if done right, keeping nature safe can create jobs, improve economic resilience, and help make our country carbon neutral by 2040. It will also lead to vibrant natural landscapes, healthy freshwater, and thriving oceans. New regulations will drive innovation that, in turn, creates work at a time when New Zealanders are looking for jobs.

This briefing outlines many of the key actions and decisions nature needs over the next three years. Forest & Bird looks forward to working with the Government during the term to help deliver these recommendations.

Kevin Hague

A handwritten signature in black ink, appearing to read "K. Hague".

Kevin Hague
Forest & Bird, Chief Executive





© Kirk Serpes

ABOUT FOREST & BIRD

Forest & Bird is New Zealand's environmental defender and leading independent conservation organisation. We are a registered charity, with our funding coming primarily from members and supporters; we receive government grants only for specific practical projects.

Our nearly 50 volunteer branches throughout New Zealand work on the ground to restore nature through activities such as running pest control programmes, native plant nurseries, field trips, and public talks. With hundreds of projects operating at a variety of geographic scales, our portfolio of conservation projects is the largest of any single NGO in New Zealand.

Through our Kiwi Conservation Club | Hakuturi Toa (KCC), we engage children and their families, inspiring them to enjoy, understand, and love the natural environment and to care for it. We have more than 5000 children in KCC, and many ex-KCC members have gone on to establish science and conservation careers.

Forest & Bird Youth is a national network of 14-25 year olds who are acting for nature as youth for youth. They are actively organising practical projects, lobbying MPs and Ministers, and running digital campaigns. In the recent general election, they assessed the policies of the political parties. During the short time it has been in operation, Forest & Bird Youth has already attracted 500 members and supporters, and it is growing.

Forest & Bird campaigns at national and local level, advocating for pro-nature policy development and law reform, and representing nature in the Environment Court, at Environmental Protection Authority boards of inquiry, and in council planning processes. Nearly a century after establishment, we are still working just as hard for the protection and restoration of our wildlife and wild places on land, in freshwater, and at sea.

OUR STRATEGIC PRIORITIES

In 2019, Forest & Bird adopted a new Strategic Plan with a purpose of protecting and restoring nature in a climate crisis. We have adopted goals in five domains:

- **Climate safety** - Ensuring our country does everything we can to keep the climate safe for all life on earth. Mitigating the impact of climate change will be at the heart of everything we do.
- **Economy that supports nature** - Encouraging communities to appreciate nature for its intrinsic and life-giving values. Recognising our long-term economy is dependent on a healthy environment.
- **Vibrant landscapes** - Advocating for stable healthy ecosystems full of native animals and plants.
- **Energised water, rivers, and wetlands** - Ensuring our rivers and streams run clean, are healthy, and are teeming with life.
- **Oceans alive** - protecting and restoring marine life and ecosystems.

SUMMARY OF RECOMMENDATIONS BY PORTFOLIO

This table provides a ready reference to identify recommendations that are relevant to each portfolio and where they occur within the briefing.

PRIME MINISTER

Require that the Department of Prime Minister and Cabinet ensure that all relevant government agencies are engaged in implementing *Te Mana o te Taiao – Aotearoa New Zealand Biodiversity Strategy 2020* (see page 25).

Commit New Zealand internationally to a fair share of emission reductions consistent with stabilising the climate at no more than 1.5°C of warming (see page 44).

ALL MINISTERS

Review those aspects of their portfolios that relate to the protection and promotion of biodiversity or that pose risks to biodiversity and ensure that they are aligned to *Te Mana o te Taiao* (see page 26).

AGRICULTURE

Ensure that MPI is working to deliver *Te Mana o te Taiao* (see page 31).

Develop a programme supporting farmers to convert to regenerative agriculture systems to reverse biodiversity loss, improve soil carbon retention and water management, and reduce nitrous oxide emissions (see page 47).

Fund MPI's soil mapping project to inform land management and help identify wetlands to a scale that matches or improves data, as required under the new *National Policy Statement for Freshwater Management 2020* (NPS-FM) (see page 58).

BIOSECURITY

Reform the biosecurity system to ensure that it becomes more effective at addressing biosecurity threats to nature (see page 31).

Ensure that MPI is working to deliver *Te Mana o te Taiao* (see page 31).

Put forward a supplementary Budget bid by the end of 2020 to fund the Kauri Dieback Pest Management Plan (see page 55).

Ensure that funds are made available to mana whenua to help govern and deliver on the Kauri Dieback Pest Management Plan (see page 55).

CLIMATE CHANGE

Amend the Climate Change Response Act to acknowledge the role of nature in New Zealand's climate response, including taking into account ocean acidification (see page 45).

Ensure that New Zealand's Adaptation Plan under the Climate Change Response Act prioritises nature-friendly policies for flood and drought adaptation (see page 45).

Introduce a strong transition plan for communities to reduce regional and national demand for fossil fuel extraction (see page 46).

Introduce agriculture into the ETS, or directly cap ruminant animal numbers (see page 47).

Introduce a strategy to prevent further development within floodplains and manage retreat from existing encroachment on river channels and floodplains (see page 60).

CONSERVATION

Ensure that a robust implementation plan for *Te Mana o Te Taiao* is put before Cabinet in the first quarter of 2021 (see page 26).

Prepare a Budget bid for 2021 to deliver work programmes that flow from *Te Mana o te Taiao* (see page 26).

Fund complementary measures to support local government implementation of the *National Policy Statement on Indigenous Biodiversity 2020* (NPS-IB) in Budget 2021 (see page 27).

Ensure that the Department of Conservation upholds the purposes of the Conservation Act, National Parks Act, and conservation management strategies and policies in all delegated decision-making on public conservation land (see page 30).

Make changes to whitebait fishing regulations to immediately implement the following three fishery management measures: mandatory license to catch whitebait fish, data collection as a part of the license requirements, and a catch limit for commercial and recreational fishing (see page 30).

Ensure that the Tourism Task Force review places nature protection at the core of a renewed tourism sector, respects communities and landscapes, and prioritises value over volume (see page 39).

Put forward a Budget bid for 2021 to increase Vote Conservation to 1% of Crown revenue by 2023 (see page 50).

Continue to expand support for iwi- and hapu-led conservation efforts in their rohe and on their land, including through recognition of the harm caused by the Crown by introducing pest species (see page 50).

Increase funding to the Nature Heritage Fund and Ngā Whenua Rahui after a scoping of actual needs (see page 50).

Work with the Minister of Energy and Resources to amend the Crown Minerals Act to ban mining on all public conservation land (see page 52).

Ensure that public land carbon stocks are protected and enhanced through effective pest control on all public land within three years (see page 45).

Ensure that baseline funding for predator control on public conservation land increases by 100,000 hectares per annum, while at the same time ensuring a contingency fund for a large-scale and effective beech mast response (see page 53).

Provide clear messaging to the public, decision makers, and officials that stewardship land is conservation land and will be managed in accordance with its values, as prescribed under the Conservation Act (see page 52).

Ensure that tahr are reduced to, or below, the limits prescribed in the Tahr Plan (see page 54).

Adopt a goal of managing all browsing mammals below ecological carrying capacities such that the whole suite of vulnerable native species can thrive (see page 54).

Ensure that an update of the deer policy is completed to implement a plan to manage all species of deer below ecological carrying capacity (see page 54).

Put forward a Budget bid for 2021 to increase pest control on conservation land and land controlled or administered by Land Information New Zealand (see page 54).

Put forward a supplementary Budget bid by the end of 2020 to fund the Kauri Dieback Pest Management Plan (see page 55).

Ensure that funds are made available to mana whenua to help govern and deliver on the Kauri Dieback Pest Management Plan (see page 55).

Develop a national wetland restoration plan that restores damaged or destroyed natural wetlands, with the goal of doubling the area of New Zealand's wetlands and having purposeful connectivity between them, and act on the recommendations of the Parliamentary Commissioner for the Environment's report into estuarine environments (see page 58).

Actively seek agreement from APEC members that foraging zones of albatrosses have 100% observation (cameras and/or observers) (see page 66).

Introduce a new MPA Bill that includes improved processes for decisions and that covers New Zealand's EEZ (see page 66).

Work with iwi to progress the Kermadec Ocean Sanctuary (see page 66).

Implement the marine protected areas proposed in option 1 of the South East Marine Protected Areas programme (see page 66).

Update the Marine Mammal Protection Act to deliver better protection for marine mammals (see page 67).

ECONOMIC DEVELOPMENT

Fund upgrades of stormwater and sewage infrastructure to reduce pollution (see page 34).

Require councils that have been allocated Covid-19 recovery funds or climate change resilience funding for flood protection works to ensure that existing river habitat and floodplain functions are maintained or improved as a result of any work undertaken (i.e. ensuring that flood protection work is not further channelising rivers or further reducing their connection to a floodplain) (see page 61).

ENERGY AND RESOURCES

Ensure that MBIE is giving effect to *Te Mana o te Taiao* (see page 32).

Amend the Crown Minerals Act to prohibit new coal mines in New Zealand (see page 46).

Introduce a plan to phase out existing coal mining, and oil and gas drilling, while addressing the needs of affected communities and those dependent on mining (see page 46).

Amend the Crown Minerals Act to ban mining on public conservation land, including stewardship land (see page 52).

ENVIRONMENT

Ensure that the resource management system protects environmental limits and operates within a hierarchy that favours natural ecosystems, habitats, and landscapes (see page 28).

Give effect to the Treaty of Waitangi, subject to natural heritage protection and environmental bottom lines (see page 28).

Require spatial planning to occur within a hierarchy that places environmental limits and biodiversity protection at the top (see page 29).

Ensure that the replacement for the Resource Management Act requires that the impacts of activities on climate change, ocean acidification, and water levels be addressed through national direction (see page 29).

Ensure that MfE has the resources and support to lead a necessary step change in New Zealand's environmental performance (see page 30).

Improve oversight of regional and local government to ensure that it is adequately protecting natural values in line with legal obligations (see page 30).

Prepare a National Policy Statement on climate change and ocean acidification (see page 45).

Include climate change mitigation and adaptation in the National Policy Statement on Urban Development (see page 45).

Create strong incentives for landowners to re-establish permanent native forest, particularly on marginal and erosion-prone land, and encourage the restoration and planting of ecological corridors (see page 40).

Complete the review of the National Environmental Standards for Plantation Forestry and update them to ensure better protection of our landscapes from wilding conifers and inappropriate afforestation, improve outcomes for our indigenous biodiversity and ecosystems (including wetlands and significant natural areas), and reduce sediment loads to waterways, estuaries, and the coastal environment (see page 40).

Adopt the NPS-IB in full (see page 27).

Fund MfE to drive implementation of the NPS-IB and ensure compliance with it (see page 27).

Fund complementary measures to support local government implementation of the NPS-IB in Budget 2021 (see page 27).

Fund and empower MfE to increase oversight of local government protection of biodiversity (see page 34).

Develop a national wetland restoration plan that restores damaged or destroyed natural wetlands, with the goal of doubling the area of New Zealand's wetlands and having purposeful connectivity between them, and act on the recommendations of the Parliamentary Commissioner for the Environment's report into estuarine environments (see page 58).

Include stronger protection of wetlands in the reform of the Resource Management Act (see page 58).

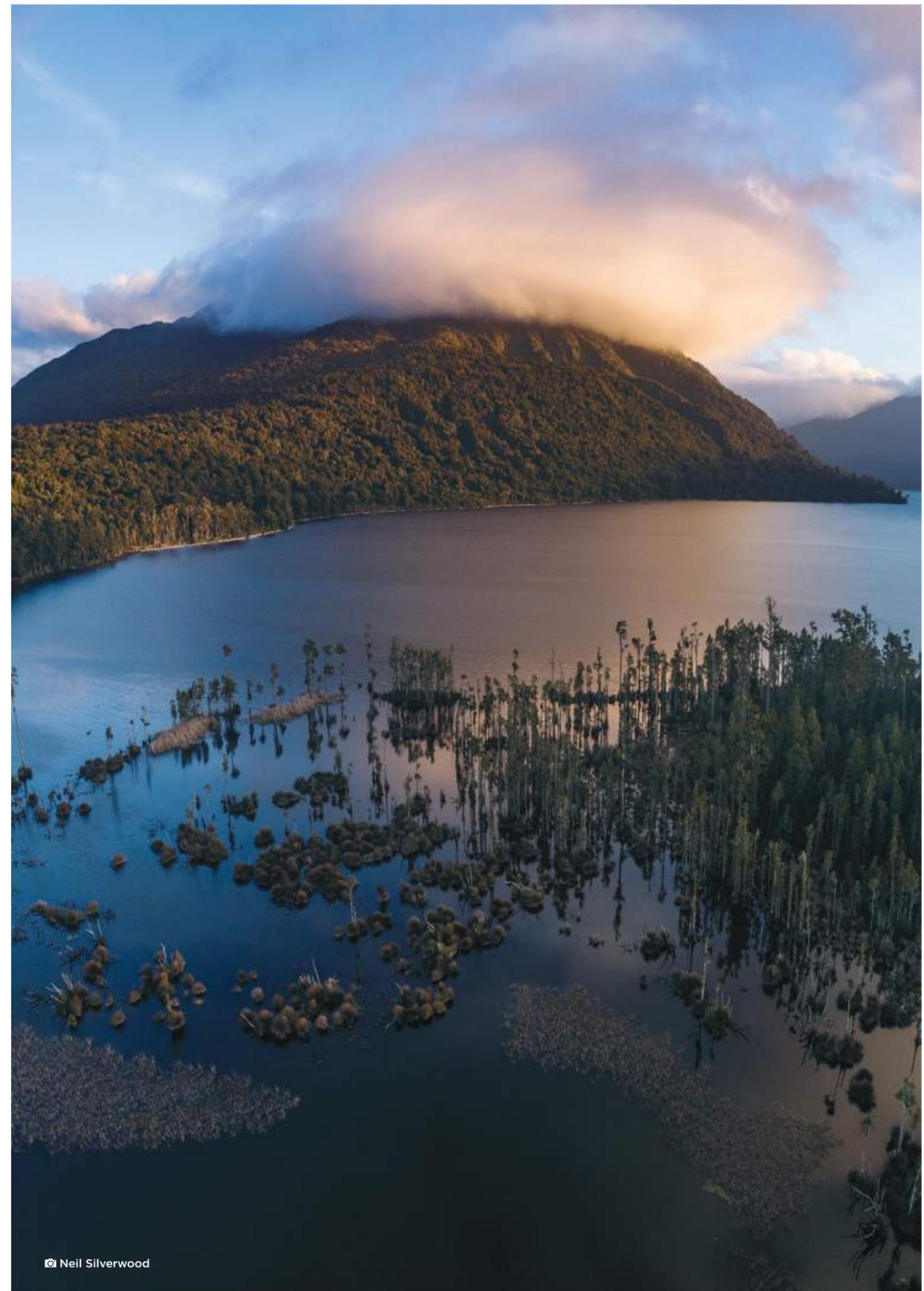
Strengthen the National Policy Statement and standards on freshwater quality through the inclusion of a clear Dissolved Inorganic Nitrogen limit of 1.0 mg/l and a Dissolved Reactive Phosphorus limit of 0.018 mg/l, and amend those attributes that only require 'action plans' so that they have clear bottom lines (see page 59).

Address iwi rights and interests in freshwater and progress the drafted and forgotten National Environment Standard on water quantity, minimum flow setting, and allocation (see page 59).

Increase oversight of local and regional councils, including taking legal action to compel compliance with statutory obligations and encouraging implementation of the NPS-FM (as soon as possible, rather than deferring action until the 2024 deadline) (see page 59).

Introduce a strategy to prevent further development within floodplains and manage retreat from existing encroachment on river channels and floodplains (see page 60).

In resource management law reform, include amendments to allow rivers to move within their floodplains and amend the NPS-FM to include standards for the protection of physical habitat from flood protection and river engineering works (see page 60).



© Neil Silverwood

ENVIRONMENT (ASSOCIATE, FOR BIODIVERSITY)

Ensure that letters of expectation for public sector chief executives include reference to implementing *Te Mana o te Taiao Aotearoa* (see page 25).

Require that all government policy proposals be assessed against the objectives of *Te Mana o te Taiao* in a similar manner to climate change assessments (see page 25).

Ensure that a robust implementation plan for *Te Mana o Te Taiao* is put before Cabinet in the first quarter of 2021 (see page 26).

Improve oversight of regional and local government to ensure that it is adequately protecting natural values in line with legal obligations (see page 30).

Prepare a Budget bid for 2021 to deliver work programmes that flow from *Te Mana o te Taiao* (see page 26).

Adopt the NPS-IB in full (see page 27).

Fund MfE to drive implementation of the NPS-IB and ensure compliance with it (see page 27).

Fund complementary measures to support local government implementation of the NPS-IB in Budget 2021 (see page 27).

Fund and empower MfE to increase oversight of local government protection of biodiversity (see page 34).

FINANCE

Ensure that the Treasury includes natural values when assessing the value of Crown-owned companies and State-owned enterprises (see page 26).

Ensure that the Living Standards Framework includes the intrinsic value for nature and that the development of the Budget Policy Statement by the Treasury involves active engagement with NGOs (see page 26).

Divest from all Crown investments in fossil fuels as part of developing an ethical investment framework for all government-controlled investments (see page 46).

Introduce agriculture into the emissions trading scheme or directly cap ruminant animal numbers (see page 47).

FORESTS

Ensure that MPI is working to deliver *Te Mana o te Taiao* (see page 31).

Create strong incentives for landowners to re-establish permanent native forest, particularly on marginal and erosion-prone land, and encourage the restoration and planting of ecological corridors (see page 40).

FOREIGN AFFAIRS AND TRADE

Actively seek agreement from APEC members that foraging zones of albatrosses have 100% observation (cameras and/or observers) (see page 66).

JUSTICE

Initiate a comprehensive, independent review of the Official Information Act 1982 (see page 34).

LANDS

Support changes at select committee to strengthen the Crown Pastoral Land Reform Bill (see page 33).

Make a Budget bid for 2021 for resources for LINZ to ensure that it can better manage all land under its control and undertake the work expected of it as a result of the Crown Pastoral Land Reform Bill (see page 33).

Support pastoral lessees to reduce Himalayan tahr levels to a level consistent with the Himalayan Tahr Control Plan (see page 33).

Ensure that public land carbon stocks are protected and enhanced through effective pest control on all public land within three years (see page 45).

Put forward a Budget bid for 2021 to increase pest control on conservation land and land controlled or administered by Land Information New Zealand (see page 54).

LOCAL GOVERNMENT

Fund upgrades of stormwater and sewage infrastructure to reduce pollution (see page 34).

Encourage councils to implement and enforce the wetland clearance prohibitions in the NPS-FM and fund compliance, monitoring, and enforcement, as well as restoration projects (see page 58).

Prioritise and encourage projects that use natural hydrology features (i.e. wetlands) to meet water demand requirements (both current and future) as a form of 'built reservoir' rather than large, expensive, and obtrusive concrete structures that alter and destroy natural water courses (see page 58).

Require councils that have been allocated Covid-19 recovery funds or climate change resilience funding for flood protection works to ensure that existing river habitat and floodplain functions are maintained or improved as a result of any work undertaken (i.e. ensuring that flood protection work is not further channelising rivers or further reducing their connection to a floodplain) (see page 61).

OCEANS AND FISHERIES

Ensure that MPI is working to deliver *Te Mana o te Taiao* (see page 31).

Reform the Fisheries Act to enable ecosystem-based fisheries management, facilitate the phase-out of destructive fishing methods, and introduce a proper precautionary principle (see page 65).

Introduce a package of complementary measures to assist the fishing industry to transition to more sustainable fishing methods (see page 65).

Actively seek agreement from APEC members that foraging zones of albatrosses have 100% observation (cameras and/or observers) (see page 66).

Ensure that all New Zealand vessels are using ACAP best practice (see page 66).

Roll out cameras on the entire inshore fleet and on targeted deepwater vessels during the term (see page 67).

Require all data from cameras on boats to be available for compliance, including logbook verification (see page 67).

REGIONAL ECONOMIC DEVELOPMENT

Fund upgrades of stormwater and sewage infrastructure to reduce pollution (see page 34).

Encourage councils to implement and enforce the wetland clearance prohibitions in the NPS-FM and fund compliance, monitoring, and enforcement, as well as restoration projects (see page 58).

Prioritise and encourage projects that use natural hydrology features (i.e. wetlands) to meet water demand requirements (both current and future) as a form of 'built reservoir' rather than large expensive, obtrusive, and destructive structures made of concrete that alter and destroy natural water courses. (see page 58)

Require councils that have been allocated Covid-19 recovery funds or climate change resilience funding for flood protection works to ensure that existing river habitat and floodplain functions are maintained or improved as a result of any work undertaken (i.e. ensuring that flood protection work is not further channelising rivers or further reducing their connection to a floodplain) (see page 61).

RESEARCH, SCIENCE AND INNOVATION

Fund research to plug gaps in knowledge relating to freshwater ecosystems (see page 60).

Invest in the implementation of tools and techniques to measure the impact of flood protection works and restoration activities on physical habitat and natural character in rivers, such as the Natural Character Index (NCI)/Habitat Quality Index (HQI) developed by Professors Russell Death and Ian Fuller at Massey University (see page 61).

STATE-OWNED ENTERPRISES

Encourage Pāmu to take the lead in trialling regenerative and other low-impact forms of agriculture (see page 47).

Ensure that all State-owned enterprises are meeting their obligations to control and eradicate pests (see page 54).

STATE SERVICES

Implement a plan to transition the Crown's vehicle fleet to electric vehicles wherever technologically feasible within five years and operate all stationary Crown assets on 100% renewable energy sources within 10 years (see page 46).

Require decision-making on all government-funded or -supported projects to expressly consider projected greenhouse gas emissions and prioritise those that have a low or positive impact (see page 46).

TOURISM

Ensure that MBIE is giving effect to *Te Mana o te Taiao* (see page 32).

Ensure that the Tourism Task Force review places nature protection at the core of a renewed tourism sector, respects communities and landscapes, and prioritises value over volume (see page 39).



© Rob Suisted

THE CHALLENGES WE FACE

- Our unique way of life, identity, and the values and traditions that make us who we are, are at risk of being altered or lost forever. Some of the things we care about most – our ability to direct our own future, a secure life for our grandchildren, and our deep connections to the natural beauty of these islands – are all threatened by climate change. ●

Our Atmosphere and Climate, Ministry for the Environment/Statistics New Zealand.

The general election has delivered a strong mandate to this Government to deal with the challenges facing New Zealand. These include major public health, social, and economic threats from the global spread of Covid-19. But they also encompass an environment in crisis, with native species under threat, degraded freshwater, depleted oceans, and the accelerating impacts of climate change.

More New Zealanders than ever before are worried about the environment, with 2019 polling showing more than three times as many voters intending to take the environment into account compared with the 2017 election.

Covid-19 has further increased public understanding of our reliance on the natural environment. New research shows a large majority of New Zealanders believe climate change should be part of our economic recovery plan. The primary sector organisations and opposition parties that pushed back against freshwater restoration and climate action this election failed to gain traction, even in core constituencies. Labour has a clear endorsement to deliver on its election commitment that:

Labour will protect, preserve and restore our natural heritage and biodiversity, and promote the recovery of threatened species (Election manifesto 2020).

Forest & Bird has drawn up a practical three-year plan for this parliamentary term, based on the policies that Labour and Greens have brought to the Government, and the recently agreed biodiversity strategy, *Te Mana o te Taiao – Aotearoa New Zealand Biodiversity Strategy 2020*.

You now have the mandate to set New Zealand on the path to restoring the remarkable diversity of life on these islands and surrounding seas.

UNIQUE AND IN TROUBLE

New Zealand's natural world is unique; the majority of our species are found nowhere else in the world. But our natural world is also in crisis. Endemic species threatened or at risk of extinction include 74% of our native birds, 75% of frogs, 80% of bats, and 84% of reptiles. These species range from iconic 2020 winner of Te Manu Rongonui o Te Tau Bird of the Year, the kākāpō, to little-known insects such as the robust grasshopper.

The risk to these species is not just historic, nor solely from impacts from pests. It is also because we continue to destroy native habitat on land. Of the 13 native habitat types in New Zealand, 12 are in decline. Of habitats defined as rare, two-thirds are threatened with collapse. We have 71 described naturally uncommon ecosystems, 45 of which are currently threatened.

Much of this recent destruction is occurring on private land. Less than 20% of the total area of our mapped endangered or vulnerable ecosystems are on adequately protected or public conservation land. The 10% of wetlands we have remaining continue to be destroyed because of insufficient or poorly enforced regulations. Important forest and shrubland remnants are being felled or sprayed. Kina barrens – areas where kina has stripped the coast of kelp – are increasing because of over-fishing of snapper and crayfish.

Because of the remarkable conservation efforts of many New Zealanders, it's easy to fall into the trap of thinking nature is doing OK, when we are actually heading towards the extinction of much of the natural world that New Zealanders almost universally hold dear.

RISING EMISSIONS

Current international commitments place the world on track to at least 3°C of warming; twice the warming the world is aspiring to. Yet because a range of countries, including New Zealand, are not meeting their current commitments, we risk pushing temperatures even higher still – something that is likely to tip more species over the edge into extinction.

New Zealand's nature-based economy is vulnerable to the impacts of climate change. Changes to rainfall will impact on tourism and agriculture, and changes to ocean ecosystems threaten fishing. Many of the impacts on people will also affect nature similarly. Drought impacts the ability of farmers to provide food and water to stock, but it also means kiwi can struggle to find enough food in the dry ground. Fire imperils buildings, planted forests, and native vegetation. The first homes to be lost to sea-level rise will also be where native wildlife is increasingly squeezed between human infrastructure and rising seas.

The Ministry for the Environment and Statistics New Zealand, in their 2016 report *State of the Marine Environment*, identified climate change as one of the biggest threats our oceans face. Ocean acidification threatens shellfish, coral, and other calcifying species. Warming seas are driving some species into cooler and deeper waters and disrupting food webs. Animals have to work harder and travel further to forage. Little is yet known about the likely impacts of climate change on our oceans

and coasts. This will be important: oceans sustain life, determine weather, and absorb large amounts of carbon dioxide.

DECLINING FRESHWATER

At least 95% of New Zealand's lowland rivers exceed water quality guidelines, two-thirds of monitored lowland lakes are in poor ecological health, 90% of wetlands have been drained, and 76% of freshwater fish species are threatened or at risk of extinction.

Although urban and industrial pollution play a part in this decline, the biggest ongoing factor is the growth of the dairy industry. The number of dairy cows has risen to 6.5 million in the last two decades, leading to a rapid increase in nutrients and pathogens entering waterways and groundwater. Increased irrigation has been a catalyst in both delivering and concentrating these pollutants in many areas. Because New Zealand's dairy herd translates into the equivalent of a population of 84 million people, without wastewater treatment, it should be no surprise that rates of waterborne disease here are twice that of the UK and three times that of Canada.

In the past 20 years, fertiliser use has increased 800%, adding to the nutrient load on freshwater and making climate change worse through offshore phosphate mining, transport, and the production of synthetic nitrogen from fossil fuels.

Rivers and groundwater are running dry as a result of our excessive use of water for irrigation: Otago rivers are over-allocated. They run dry and fish are stranded most summers. Hawke's Bay has groundwater levels and land owner bores that are dropping steadily every year. Canterbury's spring-fed streams are drying up more regularly, and some are not returning at all. Irrigation is the largest single user of water in the country, with 58% of water allocated for consumption used for irrigation. The area of irrigated agricultural land in New Zealand almost doubled between 2002 and 2017.

All this results in our native fish being threatened with death by a thousand cuts:

- **Blocked** – Migrating long fin eels are killed by flood pumps and hydro dam turbines, and freshwater fish are blocked from accessing habitat because of roads, bridges, and pipes.
- **Homeless** – Excessive use of water is drying up the spring-fed streams, lakes, and wetlands fish would normally call home.
- **Predated** – Native freshwater fish are being predated to the point of local extinction both on land (rats, stoats, cats) and in water (trout, carp, perch).
- **Poisoned** – High nutrient concentrations and a lack of riparian planting can leave fish clinging to survival.
- **Over-fished** – Species such as koura, migratory galaxiids (whitebait), and the long fin tuna (eel) are experiencing pressure from fishing/harvesting.
- **Silted and smothered** – Sediment and silt from forestry, agriculture, and urban development runoff leaves fish without refuge, easily predated, and with less access to food.

DEPLETED OCEANS

New Zealand's marine Exclusive Economic Zone (EEZ) is the fifth largest in the world, but management and understanding of the coastal waters and oceans lags that of land and lacks a sufficiently precautionary approach.

New Zealand is known as the seabird capital of the world, but 91% of our seabirds and shorebirds are threatened with extinction, along with 28% of our marine mammal species and five out of six of our penguins.

Under current management practices, this is unlikely to improve. Seabird bycatch rates per trawl or per hook have not reduced significantly in more than 10 years. New Zealand's inshore, deepwater, and highly migratory fisheries all show evidence of significant misreporting of bycatch. Inshore and highly migratory fisheries are up to nine times more likely to report bycatch if fisheries observers are on board the vessel.

Many of the fish we love to eat are not as sustainable as has been promoted. The system of fishing down to maximum sustainable yield, while delivering a supply of fish in perpetuity, means that fish biomass has been permanently reduced to between a quarter and half of the marine environment's original biomass, with little or no consideration of what that means for ecosystem processes or the foraging efforts of protected species. Some key fisheries are even below the level at which we can take fish out of the sea in perpetuity.

Destructive and indiscriminate fishing methods such as bottom trawling, dredging, and set-netting are allowed with very limited assessment of the wider environmental effects beyond direct impacts on catches. The ecological impacts of destroying seabed habitats is largely ignored in fisheries management. In some cases, the impact is obvious, such as the spread of kina barrens where crayfish and snapper harvesting has led to an explosion of kina that denude whole sections of coast of its kelp forest. Bottom trawling and kina barrens are iconic examples of the failure to manage ecosystems properly.

The current fisheries management system encourages waste, with large volumes of non-quota, damaged, or lower-quality fish being illegally dumped at sea by fishers. A critical barrier to improving management is the lack of transparency of what happens at sea.

A LACK OF ECONOMIC RESILIENCE

Covid-19 has been a stark reminder of our vulnerability in the world. A crisis driven by underlying environmental stresses has delivered a massive economic shock to the global economy. This is not the only economic shock we can expect from environmental pressures in coming years.

Climate change impacts are already being felt and, with New Zealand's nature-based primary industries and tourism sector so sensitive to environmental changes, will have a substantial economic impact in years to come. Our systems are beginning to address this issue; assessing risk to the financial system from climate change has already become mainstream. But building New Zealand's climate resilience through the response to Covid-19 must be a core part of the Government's programme.

One threat to our resilience in the face of climate change is the speed at which our environmental degradation has already occurred. Because human settlement in New Zealand was late on the world stage, our losses have been among the quickest and most significant of anywhere in the world. Successful solutions to such fast changes – such as erosion and sedimentation on the East Coast of the North Island from the loss of native forest cover – must involve swift action.

Our environmental performance is increasingly a matter for trade negotiations too. During 2019–20, New Zealand became very close to having a major reputational crisis when the lack of sufficient safeguards for Māui dolphin risked a US trade ban on New Zealand fish exports. In its domestic briefings on the New Zealand–UK trade negotiations, the UK highlighted areas where it considers New Zealand environmental performance lags UK performance.

The Government is right to aim to lift economic performance by moving up the value chain and prioritising value over volume. But reputation is critical to this strategy. New Zealand's clean green brand improves the economic value of goods and services throughout the economy – poor environmental performers risk dragging everyone else down.

ACHIEVING A JUST TRANSITION

Forest & Bird welcomes Labour's policy to work with local councils, unions, industry, and iwi and Māori organisations to ensure a just transition and to expand the Just Transitions Unit to regions and communities beyond Taranaki.

Solving our environmental crisis requires a just transition to a more resilient, ecologically sustainable economy. People need support to ensure that the costs and opportunities of change are fairly spread and don't unfairly burden those who can least afford it.

At a time of economic recession, nature-based work is able to be delivered with much faster turn-around times than infrastructure spending. This means it provides jobs and recirculates funds back into the economy sooner. Forest & Bird took this approach in advice provided to the Government in relation to New Zealand's immediate post-Covid response, recommending conservation and environmental work that would redeploy people from the tourism sector and in regions and sectors likely to face an economic hit.

Forest & Bird encourages the Government to continue to work with NGOs in developing a just transitions approach.



© Neil Silverwood

MAKING GOVERNMENT WORK FOR NATURE

TE MANA O TE TAIAO

Te Mana o te Taiao - Aotearoa New Zealand Biodiversity Strategy 2020 is a sound document. But it will need effective implementation, oversight, and funding to convert the aspirational goals of *Te Mana o te Taiao* into legislative reform and practical action. The strategy has an outcome of ensuring that all ecosystems and species are protected, restored, resilient, and connected from mountain tops to ocean depths. Achieving this outcome will require significant resources and commitment, but it will be key to delivering Labour's pledge to protect, preserve, and restore our natural heritage and biodiversity, and promote the recovery of threatened species.

The chief executives of Department of Conservation, Environmental Protection Agency, Ministry for the Environment, Ministry for Primary Industries, Land Information New Zealand (including the Overseas Investment Office), and Ministry of Business, Innovation and Employment will all need to commit to implementing the strategy. The State Services Commission and the Department of Prime Minister and Cabinet will need to ensure that this happens.

Ministers will need to look to the current preparation of bids for Budget 2021 to ensure that the Strategy's work programmes are funded.

In association with this work, the Government should breathe more life into the Living Standards Framework. When developing the Budget Policy Statement, the Treasury should actively engage with NGOs and other stakeholders that represent the values within the Living Standards Framework. This will ensure that the Treasury properly incorporates the values relating to natural capital in its policy work.

It is important that the intrinsic value of nature is captured within the Framework so that decisions are made on the basis of what nature needs rather than the more limited approach of the ecosystem services provided to humans by nature.

RECOMMENDATIONS

Prime Minister: *Require that the Department of Prime Minister and Cabinet ensure that all relevant government agencies are engaged in implementing Te Mana o te Taiao.*

Associate Minister for the Environment (Biodiversity): *Ensure that letters of expectation for public sector chief executives include reference to implementing Te Mana o te Taiao.*

Associate Minister for the Environment (Biodiversity): *Require that all government policy proposals be assessed against the objectives of Te Mana o te Taiao in a similar manner to climate change assessments.*

Minister of Conservation and Associate Minister for the Environment

(Biodiversity): Ensure that a robust implementation plan for Te Mana o te Taiao is put before Cabinet in the first quarter of 2021.

Minister of Conservation and Associate Minister for the Environment

(Biodiversity): Prepare a Budget bid for 2021 to deliver work programmes that flow from Te Mana o te Taiao.

All Ministers: Review those aspects of their portfolios that relate to the protection and promotion of biodiversity or that pose risks to biodiversity and ensure that they are aligned to Te Mana o te Taiao.

Minister of Finance: Ensure that the Treasury includes natural values when assessing the value of Crown-owned companies and State-owned enterprises.

Minister of Finance: Ensure that the Living Standards Framework includes the intrinsic value for nature and the development of the Budget Policy Statement by the Treasury involves active engagement with NGOs.

NATIONAL POLICY STATEMENT ON INDIGENOUS BIODIVERSITY

Many groups worked with Government to develop a National Policy Statement on Indigenous Biodiversity (NPS-IB), including Forest & Bird, Federated Farmers, the Environmental Defence Society, iwi leaders, the Forest Owners Association, and a representative from the infrastructure/extractive industries.

The concept of Hutia te Rito underpins the draft NPS-IB. It recognises the important role that people and communities have in ensuring our indigenous biodiversity is healthy and thriving, not only for te hauora o te tangata (the health of people) but also te hauora o te koiora (the health of indigenous biodiversity), te hauora o te taonga (the health of species and ecosystems that are taonga), and te hauora o te taiao (the health of the wider environment).

Some regions have pushed to be exempt from parts of the NPS or have sought reduced protection. Although some sparsely populated areas may need central government support to enable them to meet their commitments, the proposed regulations should not be weakened, nor should areas be treated differently. The importance of the national strategy is that it provides for consistency throughout the country.

Complementary measures such as mapping, fencing, and pest control should be funded, and a Budget bid for 2021 will need immediate development if it is not already in preparation. In particular, local government will need to be funded to effectively implement the NPS-IB. More information on this is in the Ministry for the Environment and local government sections of this briefing.

Provided that it is adopted in full, the NPS-IB will provide effective direction to regional and local government on how to ensure that biodiversity is protected in planning processes.

RECOMMENDATIONS:

Ministers for the Environment and Associate Environment (Biodiversity):

Adopt the NPS-IB in full.

Ministers for the Environment and Associate Environment (Biodiversity):

Fund MfE to drive implementation of the NPS-IB and ensure compliance with it

Ministers for the Environment and Associate Environment (Biodiversity),

and the Minister of Conservation: Fund complementary measures to support local government implementation of the NPS-IB in Budget 2021.

RESOURCE MANAGEMENT LAW

Resource management law reform will be a major undertaking for the Government this term, in line with Labour's policy to 'repeal the Resource Management Act 1991 and replace it with a Natural and Built Environments Act and a Strategic Planning Act'.

Care will need to be taken in separating resource management law into two pieces of legislation. A split between environmental management and land use planning for development may exacerbate some efficiency and delay issues, because of the need to comply with two separate statutes. It also risks sidelining environmental considerations. These risks could be alleviated by:

- acknowledging that the urban environment is part of 'the environment' and does not exist in a vacuum – for example, the stormwater discharges from an urban development will have impacts on waterways downstream (groundwater, wetlands, estuaries, and the coastal environment)
- requiring district/regional plans to thoroughly consider environmental effects and provide clear direction and limits.

The new legislation must embed a mandatory hierarchy where the natural environment sits at the top. Current wording leads to a balancing approach between environmental, social, cultural, and economic considerations, which is a primary factor in the failure of the resource management system to protect and maintain nature.

In the current system, quantifiable economic benefits often win out over harder-to-quantify adverse environmental effects. A 'sustainable management' focus is no longer appropriate. New Zealand needs long-term maintenance and enhancement of its environment, with development occurring only where it is consistent with those purposes.

The new legislation's hierarchy should be:

- a) Environment – favouring ecosystems and habitats of indigenous species, and natural landscapes and features
- b) Then society – including the Treaty, as well as the broad goals of society for healthy functioning communities, such as parks and reserves, urban planning, and schools
- c) Then finally, economy – this is the area of private and/or commercial gain.

Forest & Bird supports building the polluter pays principle into the new legislation. Polluters should bear the costs of that damage and any measure required to remedy it. This principle can play a significant role in environmental management, acting as a deterrent by creating direct accountability for harm.

Forest & Bird also supports the idea of spatial planning, which could see an improvement in environmental outcomes, certainty, and efficiency. A shift to an outcomes approach will be difficult without the type of strategic long-term planning that a spatial plan could require. Spatial planning must be done with the 'environment first' hierarchy, otherwise it is likely to lead worse environmental outcomes.

Forest & Bird strongly supports the inclusion of climate change mitigation and adaptation in the resource management system, as an essential part of New Zealand meeting its climate targets and transitioning to a low-carbon future. The emissions trading scheme price signal can only take New Zealand so far. Some polluting activities do not easily respond to prices (such as travel to work), while others involve such large investments that the investor may be able to influence the Government's willingness to set an effective price. In these situations, direct regulation with judicial oversight is more likely to be effective.

Legislation must ensure that slow changes, such as climate impacts, can be taken into account and that long-term investment is not slowed by short-term thinking. An example of this is the current length of time that water use consents can be granted for. Thirty-five-year consents create a sense of permanence that is likely to be unable to be sustained as water yields in catchments change because of climate change.

The new legislation also needs to ensure that our responses to both climate mitigation and adaptation do not harm nature. Instead, the resource management system should ensure that action taken to reduce emissions and build resilience improves our biodiversity and reverses the damage that has been done.

Forest & Bird support greater Māori/iwi involvement in the resource management system. We note that there is more Māori/iwi participation in some areas of the country than in others. Where participation is lagging, support and guidance should be provided to increase this.

Forest & Bird's view is that all resource use must occur within environmental limits – whether it is for the development of essential infrastructure, climate change adaptation, or for the purpose of giving effect to the Treaty principles. Accordingly, Forest & Bird supports the new resource management law giving effect to the Treaty of Waitangi, subject to natural heritage protection and environmental bottom lines.

RECOMMENDATIONS

Minister for the Environment: *Ensure that the resource management system protects environmental limits and operates within a hierarchy that favours natural ecosystems, habitats, and landscapes.*

Minister for the Environment: *Give effect to the Treaty of Waitangi, subject to natural heritage protection and environmental bottom lines.*

Minister for the Environment: *Require spatial planning to occur within a hierarchy that places environmental limits and biodiversity protection at the top.*

Minister for the Environment: *Ensure that the replacement for the Resource Management Act requires that the impacts of activities on climate change, ocean acidification, and water levels be addressed through national direction.*

DEPARTMENT OF CONSERVATION

Forest & Bird strongly supports the statutory role of Department of Conservation. However, we have sometimes observed a disregard for those statutory obligations in its decision-making that can result in litigation over departmental decisions.

The rapid growth of tourism before Covid-19 led to pressure on the Department to provide more visitor facilities and allow expanded commercial activities. Failure of successive governments to strongly defend the Department's statutory role led to this commercial pressure threatening the Conservation Act's principle that recreation should be 'fostered' and tourism only 'allowed' where it is consistent with conservation. The Department is, in some cases, now acting as a quasi-development agency, such as for the Provincial Growth Fund's Oparara redevelopment.

In addition, some draft national park management plans now resemble tourism development plans, contrary to their conservation management statutory framework. Environmental NGOs have been forced to seek a redraft of two of these plans and challenge the New Zealand Conservation Authority in the High Court after it approved a national park management plan that was inconsistent with the area's conservation management strategy.

Similar issues have arisen concerning wild animal control, concession applications, and multi-agency approaches to tourism development on public conservation land – the protection and preservation of nature has taken second place to use and development. One consequence of this has been the explosion in Himalayan tahr numbers and range.

During the consultation on whitebait management, thousands of people asked for greater protection for indigenous freshwater fish. Despite this, the Department has failed its responsibility under section 6 of the Conservation Act to 'preserve so far as is practicable' the six species that make up the whitebait catch.

The reprieve in the volume of visitors as a result of Covid-19 should be used to ensure that the Government resets its thinking and helps the Department deliver on its statutory role and mandate. Having stronger internal checks and balances in place will enable more responsible future decisions on proposals for commercial activity on conservation land.

The need to mitigate climate impacts on biodiversity must also be taken into account during upcoming reviews of national park management plans, the Conservation General Policy, the General Policy for National Parks, and conservation management strategies.

To achieve better decision-making, the Department clearly needs a higher level of funding – especially since greater visitor pressure has led to conservation resources being funnelled into front country tourism facilities. A number of recommendations within this briefing have budget implications; over time, the Department’s budget should be increased to 1% of Crown revenues.

RECOMMENDATIONS

Minister of Conservation: *Ensure that the Department of Conservation upholds the purposes of the Conservation Act, National Parks Act, and conservation management strategies and policies in all delegated decision-making on public conservation land.*

Minister of Conservation: *Make changes to whitebait fishing regulations to immediately implement the following three fishery management measures: mandatory license to catch whitebait fish, data collection as a part of the license requirements, and a catch limit for commercial and recreational fishing.*

MINISTRY FOR THE ENVIRONMENT

The Ministry for the Environment needs to take on a larger role defending nature, with a sizeable programme of RMA reform, oceans reform, freshwater reform, climate change policy, and implementation of *Te Mana o te Taiao*.

Ministers should ensure that the Ministry has the resources, support, and capability to provide the interagency leadership needed to lift New Zealand’s environmental performance. Given the major role of local and regional government in delivering the resource management system, this leadership role will need to include stronger oversight of local and regional government.

A critical task for MfE will be to ensure implementation of the National Policy Statements on Indigenous Biodiversity and Freshwater Management. MfE will need to be funded to have capacity to engage with all local and regional councils to ensure that National Policy Statements are translated into plans and that those plans are complied with.

Forest & Bird has highlighted deficiencies with the performance of local and regional government, and a significant boost to the Ministry’s oversight unit could go some way to addressing this problem. The unit was established to address flaws in regional and district compliance, monitoring, and enforcement. But, in practice, the unit is limited to providing assistance to regional councils when they are unable or unwilling to investigate or file suit against a suspected violation. It needs to be able to more systemically review the performance of local and regional government compliance.

RECOMMENDATIONS

Minister for the Environment: *Ensure that MfE has the resources and support to lead a necessary step change in New Zealand’s environmental performance.*

Ministers for the Environment and Associate Environment (Biodiversity): *Improve oversight of regional and local government to ensure that it is adequately protecting natural values in line with legal obligations.*

MINISTRY FOR PRIMARY INDUSTRIES

The Ministry for Primary Industries (MPI) has a critical role in delivering Labour’s conservation policies through its regulatory oversight of fisheries, its policy roles for agriculture and forestry, and its role as the lead agency for biosecurity.

MPI has made significant progress during the past four years in dealing with issues identified as a result of the Heron Inquiry into fisheries. The split between fisheries management and compliance was an important improvement. MPI’s commitment to rolling out the three arms of digital monitoring (GPRS, electronic logbooks, and cameras) is appreciated because these are the foundations of a modern fisheries management system.

Progress towards ecosystem-based fisheries management needs to accelerate this term. MPI needs to be provided with the necessary legislative framework, funding, and access to the necessary research and technical capability to deliver ecosystem-based fisheries management.

Forest & Bird would welcome a more positive approach from MPI towards marine protected areas and greater advocacy for improved coastal water quality and management through resource management processes. MPI should be a clear voice for reducing land-based pollution of coastal waters and an advocate for the protection of coastal habitats such as mangroves because of their value for abundant, healthy fisheries.

Forest & Bird has been frustrated at government failure to fund the Kauri Dieback National Pest Management Plan and associated programme. This briefing has a separate section on kauri dieback.

The review of the Biosecurity Act is an opportunity for the Government to redirect MPI to become a more effective biosecurity agency or to establish a stand-alone biosecurity agency. The country’s central biosecurity agency needs a strong mandate to address threats to nature as well as to primary industries.

The Biosecurity Act review needs to consider whether all the tools available in the Act are being used well. The boundaries between central government and regional council responsibilities are unclear. Consideration needs to be given to how to provide mana whenua with the capability to lead protection from invasive species in their rohe.

RECOMMENDATIONS

Minister of Biosecurity: *Reform the biosecurity system to ensure that it becomes more effective at addressing biosecurity threats to nature.*

Ministers of Biosecurity, Agriculture, Forestry, and Fisheries: *Ensure that MPI is working to deliver Te Mana o te Taiao.*

MINISTRY OF BUSINESS, INNOVATION AND EMPLOYMENT

The Ministry of Business, Innovation and Employment (MBIE) is an agency that Forest & Bird has generally had very low confidence in. Past conduct towards NGOs, its approach to handling OIA requests, and its failure to properly consider biodiversity and climate risks has meant that it has fallen well below the standard the public should expect of a public agency.

MBIE's approach appears to be changing, and in recent months Forest & Bird has encountered improved engagement and what appears to be a fresh start from the Energy and Resources team. Forest & Bird will be looking to see continual improvement in relationships and performance this term.

To deliver on *Te Mana o te Taiao*, all MBIE decision-making about natural and energy resources must have protecting nature and climate change as central tenets. New renewable energy infrastructure must avoid impacting natural areas.

In the Covid recovery phase, MBIE is taking a lead role in reimagining tourism, through the establishment of a tourism task force supported by a sector-wide advisory group. The tourism system needs to give more to communities and the natural environment than it takes. Strong governance of the tourism sector will be needed to ensure that tourism addresses its climate footprint and that, where the sector interacts with the Department of Conservation, nature conservation is prioritised.

RECOMMENDATIONS:

Minister of Energy and Resources and Minister of Tourism: Ensure that MBIE is giving effect to *Te Mana o te Taiao*.

LAND INFORMATION NEW ZEALAND

Land Information New Zealand (LINZ) is the country's second-largest land manager. This land includes 1.2 million hectares of Crown pastoral lease land, which includes threatened dryland ecosystems. LINZ also controls areas such as lakes and riverbeds that, by their nature, tend to contain significant natural values.

Given the perilous state of biodiversity in Aotearoa New Zealand, LINZ must ensure the protection of land with important conservation values it manages – such as areas on the Stockton Plateau. Becoming a responsible land manager is part of LINZ implementing *Tūāpapa Getting the System Right*, a strategic priority in *Te Mana o te Taiao*. This is key to delivering Labour's policy to protect, preserve, and restore our natural heritage and biodiversity, and promote the recovery of threatened species.

The Crown Pastoral Land Reform Bill brings about a long-overdue end to tenure review, a process that has seen the privatisation of some of New Zealand's rarest and most threatened ecosystems. Forest & Bird supports the intention of the Bill to bring more transparency and accountability to LINZ processes, but the Bill needs

strengthening. The outcomes, as written in the Bill, are likely to perpetuate the loss of significant biodiversity, landscape, and cultural values.

LINZ will need to be supported with resources, capacity building, and a culture change to translate the Bill's intentions into effective on-the-ground environmental management. LINZ also needs more resources to control plant and animal pests on land under LINZ's control, including ensuring that pastoral lessees are undertaking the pest control needed to deliver on regional pest management plans and the Himalayan Tahr Control Plan.

RECOMMENDATIONS

Minister of Lands: Support changes at select committee to strengthen the Crown Pastoral Land Reform Bill.

Minister of Lands: Make a Budget bid for 2021 for resources for LINZ to ensure that it can better manage all land under its control and undertake the work expected of it as a result of the Crown Pastoral Land Reform Bill.

Minister of Lands: Support pastoral lessees to reduce Himalayan tahr levels to a level consistent with the Himalayan Tahr Control Plan.

LOCAL AND REGIONAL GOVERNMENT

A high proportion of New Zealand's recent ongoing loss of wetlands, shrublands, and forest has been allowed – or simply overlooked – by local government. Native biodiversity on private land is at high risk, and, because of the transformation of land for farming or urban development, is often within rare and localised habitats. Forest & Bird recently produced a report highlighting blind spots and inconsistencies in council responses to unauthorised vegetation clearance that showed major problems.

Central government has a critical role in providing leadership, guidance, and oversight of the performance of local and regional government. But, without better guidance, local government will continue to fail to protect New Zealand's natural environment. Central government may set strong rules, but, if compliance, monitoring, and enforcement are weak at the local level, those rules will be undermined.

The Government can help with this by improving the systems within which councils operate. System links should be established between compliance monitoring, state of the environment monitoring, and monitoring progress towards outcomes. Councils need regional compliance hubs and a strengthened penalty regime. The Government could, for example, prohibit insurance for fines and infringement fees under the Natural and Built Environments Act.

In addition to all this, the Government should assist councils with historic under-investment in local authority stormwater and sewage systems, which are creating coastal and freshwater pollution and risking human health. Covid-19 stimulus funds should be used to address this under-investment.

RECOMMENDATIONS

Ministers for the Environment and Associate Environment (Biodiversity):

Fund and empower MfE to increase oversight of local government protection of biodiversity.

Ministers of Economic Development, Local Government, and Regional Economic Development: *Fund upgrades of stormwater and sewage infrastructure to reduce pollution.*

THE OFFICIAL INFORMATION ACT

For nearly 40 years, the Official Information Act has been an effective tool for open and accountable government. However, serious problems with its design and operation are preventing the Act from working as designed.

In 2019, the Ministry of Justice sought public submissions on whether issues with the OIA could be fixed through improvements in agencies' practices or whether a review of the law was needed. The submissions highlighted a broad range of issues with the Act, and a review is required.

The review needs to be undertaken independently at arm's-length from agencies with obligations under the Act, to ensure that all people – from journalists, to charities, to government – can have confidence in the review.

RECOMMENDATION

Minister of Justice: *Initiate a comprehensive, independent review of the Official Information Act 1982.*



© Rob Suisted

AN ECONOMY THAT WORKS FOR NATURE

This Government has a once in-a-lifetime chance to recover from the impacts of Covid-19 by building an economy that cares for both people and planet. Previous economic growth has been based on destroying our natural world to extract resources and using our land and water as a dumping ground for pollution and waste. This status quo risks our future, further entrenching us in systems and activities that damage the environment.

During the next three years, the Government needs to start shifting investment towards genuinely sustainable economic activity. Getting this right can be a win-win, such as when regenerative farming helps reverse biodiversity loss.

Last year, some members of the farming community expressed concern about freshwater regulations. These regulations are necessary, and we expect them to continue to be strengthened. But, for a just transition, there must be a clear plan with incentives and milestones. Industry needs support with research, development, and innovation; assistance for those in the middle; and regulations to shift those who lag behind.

State-owned enterprises are in a position to lead industry, with good resourcing and the flexibility to reinvest dividends back into their enterprises. This could reduce risks to the wider industry by enabling individual businesses to avoid shouldering risk.

Pāmu, with land throughout New Zealand, should be the engine to drive innovation in the agricultural sector. It has the scale and diversity to test new farming models and drive the change from volume into value, with climate resilience and environmental outcomes at the core of its decision-making. This would mean reducing the requirement for a dividend to allow Pāmu to invest significantly in trialling and transforming its operations.

A past example of this is New Zealand's plantation forest sector, which was built on many years of public investment in forestry – including substantial experimental plantings at a time of economic crisis and unemployment just under 100 years ago.

OBJECTIVES FOR THE GOVERNMENT

- All economic activities protect and restore the environment.
- The Government assists individuals, firms, and communities to transition from damaging activities.
- Public and private finance drives positive environmental change.
- Key economic levers drive changes that support environmental goals.

TRANSFORMING PRIMARY INDUSTRIES

Recent *State of the Environment* reports from Statistics New Zealand and the Ministry for the Environment have highlighted the serious recent decline in our natural environment from the impact of the primary sector, which includes farming, fishing, forestry, and mining.

The Covid-19 crisis has encouraged many New Zealanders to rethink their priorities. The new plan for the primary sector, *Fit for a Better World Roadmap – Accelerating our Economic Potential*, jointly announced in July by the Government and the Primary Sector Council, is a good step forward. The challenge we face now is how to put this plan into meaningful action with the urgency it requires.

Forest & Bird strongly welcomes the plan for committing the Primary Sector Council to ‘Meeting the greatest challenge humanity faces: rapidly moving to a low-carbon emissions society, restoring the health of our water, reversing the decline in biodiversity and at the same time, feeding our people.’

But Forest & Bird is concerned about some of the details in the plan. For example, water storage is not a viable long-term solution in the face of climate change. Other places that have ‘greened’ dry regions, such as the western United States, have found themselves in a significant water crisis. New Zealand should instead let regional climate and soils guide our farming choices.

Ultimately, Forest & Bird shares the Primary Sector Council’s vision that the future should be grounded in *te taiao*, a deep relationship of respect and reciprocity with the natural world. This will ensure that the wellbeing of future generations is provided for rather than destroyed by the farming, forestry, and fishing industries.

A NATIONAL TOURISM STRATEGY

Forest & Bird supports a domestic and international tourism sector that prioritises nature protection, returns more to communities and the environment than it takes, and adapts easily to future shocks.

The Parliamentary Commissioner for the Environment’s 2019 report *Pristine, popular... imperilled?* highlighted the adverse effect of rapid tourism growth on Aotearoa’s natural environment, its people, and its ailing infrastructure. The report emphasised the unsustainable growth of tourism and the sector’s diminishing social license. The devastation Covid-19 caused to tourism provides an opportunity to reset the sector in a way that genuinely puts nature at the centre.

As part of the Covid-19 recovery, MBIE established a Tourism Task Force comprising skilled sector experts with the assistance of a Tourism Advisory group comprising of a range of sector stakeholders and NGOs including Forest & Bird. Further work to reimagine tourism is currently being undertaken through a multi-sector approach led by a range of agencies, including MBIE, Waka Kotahi, DOC, and territorial authorities on national, regional, and district wide scales. There is a risk that this work is not well coordinated with the taskforce’s work.

Conservation legislation prioritises nature protection and preservation, fosters recreation, and *allows* tourism. The multi-agency approach risks balancing use and protection that would not be consistent with the law. Current examples of concern to Forest & Bird include the proposed Oparara re-development in Kahurangi National Park, Arthur’s Pass development proposals, and the Milford Opportunities Project, part of which is in Fiordland National Park.

Post-Covid tourism should be underpinned by *Te Mana o Te Taiao*. Any multi-sector group tasked with re-imagining tourism management should be bound by terms of reference that are underpinned by the purpose and principles of the conservation legislation for proposals that relate to conservation land.

RECOMMENDATION

Ministers of Tourism and Conservation: *Ensure that the Tourism Task Force review places nature protection at the core of a renewed tourism sector, respects communities and landscapes, and prioritises value over volume.*

ONE BILLION TREES

Labour’s commitment to a goal of planting one billion trees by 2028 could significantly improve New Zealand’s environmental performance by reducing erosion, improving water quality, sequestering carbon dioxide, and providing alternative building materials to emissions-intense steel and concrete. But these benefits will depend on how the goal is achieved.

The programme should focus on the right tree at the right place for the right purpose, backed by the right regulations. Landowners need incentives to re-establish native forest, shrublands, and grasslands on degraded, marginal, and erosion-prone lands. This would deliver significant benefits to downstream farms, towns, and infrastructure by reducing risks from the extreme rainfall events. Restoring and replanting ecological corridors will also increase resilience in the face of climate change.

Labour has a policy to empower local councils to decide which land can be used for plantation and carbon forests through the resource consent process. This process should ensure that councils minimise environmental risks by discouraging planting of exotic species in areas with conservation values and preventing the establishment of species that pose a weed risk. Regulations should maximise environmental benefits by not acting as a barrier to restoration of indigenous vegetation as carbon forests.

PLANTATION FORESTRY

The National Environmental Standards for Plantation Forestry (NES-PF) were published in August 2017 and came into force in May 2018. Because serious shortcomings were identified in the standards, a review began in 2019, but this has yet to be completed. The review needs to:

- improve setbacks from significant natural areas, wetlands, the coastal environment, and other water bodies
- prevent inappropriate use of the wilding conifer calculator – although intended to help support decision-making, it has become a blunt ‘yes/no’ instrument
- stop failures in the erosion susceptibility classification to ensure that future forestry does not compromise our hillslope stability and cause downstream landslide and sedimentation problems
- improve the fish spawning indicator so that it meets the requirements of the new NPS-FM
- protect significant natural areas, such as native tussock lands and shrublands, from overplanting with forestry (this is especially relevant in the eastern dry country – for example, Canterbury, Marlborough, and Wairarapa)
- manage reforestation better to ensure improved setbacks.

Although provisions exist within the NES-PF for councils to have more stringent rules, these are often difficult to achieve if the NES-PF sees the standards as being acceptable. The NES-PF should be part of the package of regulatory reform that helps deliver on *Te Mana o te Taiao* and Labour’s policy to protect and restore nature.

RECOMMENDATIONS

Ministers of Forests and Environment: Create strong incentives for landowners to re-establish permanent native forest, particularly on marginal and erosion-prone land, and encourage the restoration and planting of ecological corridors.

Minister for the Environment: Complete the review of the NES-PF and update them to ensure better protection of our landscapes from wilding conifers and inappropriate afforestation, improve outcomes for our indigenous biodiversity and ecosystems (including wetlands and significant natural areas), and reduce sediment loads to waterways, estuaries, and the coastal environment.



© Rob Suisted

TACKLING CLIMATE CHANGE

The Prime Minister has declared that climate change is New Zealand's nuclear-free moment. Our country is uniquely positioned to have nature protection play a significant role in achieving carbon neutrality and in mitigating the impact of climate change. But we must be careful – a poorly designed climate response will create risks for nature.

Forest & Bird welcomes Labour's goal of bringing forward New Zealand's 100% renewable energy target to 2030, but we are concerned at the focus on pumped hydro. There is significant hype about the proposed Onslow pumped storage despite the enormous cost of the project and the substantial environmental damage the project would cause.

The Government should consider whether changes to the structure of the electricity market combined with distributed generation and storage may resolve the dry year issue that the Government is concerned about.

OBJECTIVES FOR THE GOVERNMENT

- New Zealand is a leader in the effective global response to the climate crisis.
- New Zealand has effective, nature-friendly policies that employ people to reduce the impact of climate change and make our country carbon neutral by 2040.
- The impacts of climate change are considered in all government work, and contribution to climate change and related risks are minimised.

TARGETS

New Zealand's Zero Carbon Act targets, although a step in the right direction, are not consistent with stabilising the climate at no more than 1.5°C of warming. As it considers New Zealand's carbon budget, National Determined Contribution, and responds to the Climate Change Commission, the Government should consider the ethical question of what our contribution to reductions should be.

New Zealand's GDP, emissions, and level of development are all above the global average. As a country, we have disproportionately benefited from being able to pollute the atmosphere relative to our size. We have also disproportionately more capacity to do something about it.

When considering the pathway to those emissions reductions, the Government should also consider that global removals will need to exceed emissions of CO₂ after 2050. Therefore, New Zealand cannot afford to use up all of its capacity for removals before 2050. Removals should account for no more than 30% of emissions neutrality by 2040. After 2040, any increase in removals will be needed to shift New Zealand into negative emissions in line with UNFCCC projections of what is needed.

Additionally, any policy response to the Climate Commission's proposed carbon budget needs to be precautionary because the current global estimates of what is required are mid-range scenarios.

Forest & Bird submitted on the Zero Carbon Bill, seeking improvements to the targets outlined in the Bill. The approach in our submission will guide Forest & Bird's assessment of New Zealand Nationally Determined Contribution to the global effort, as well as the pathway chosen to reduce emissions.

RECOMMENDATION

Prime Minister: Commit New Zealand internationally to a fair share of emission reductions consistent with stabilising the climate at no more than 1.5°C of warming.

NATURE-FIRST CLIMATE RESPONSE

New Zealand's nature-based economy (food, fibre, and tourism) relies on nature for protection from extreme weather-related events. Yet natural capital is in decline, ecological services are diminishing or under pressure, and there are serious threats to the intrinsic value of nature. Climate change and ocean acidification will increase these pressures.

New Zealand can create a virtuous circle to help deal with these challenges: nature will help us become more resilient, but only if we help nature itself become more resilient.

One of the precursor agencies to the Department of Conservation, the Forest Service, protected large swathes of native forest for soil and water conservation purposes. Successive governments recognised that forests buffer the water flows that come from storm events and reduce sedimentation and erosion. This forest was called 'protection forest' because it protected downstream farms, towns, and infrastructure.

Other examples of ecosystems that help us include dunes protecting land from storm surges, lakes and wetlands buffering extreme flows, mangroves buffering the coast from storm surges and reducing local acidification, tussock grasslands capturing water and preventing erosion, and natural catchments providing clean and reliable water.

Nature also plays a role in carbon dioxide removal. New Zealand's native forests, shrublands, and tussock lands already provide substantial carbon stock. With our nature-based economy, future management of land and sea provides opportunities for significant carbon dioxide removal. This could include:

- avoiding future destruction of native vegetation
- removing browsing pests from existing native habitats
- restoring retired grazing land into natural ecosystems
- improving coastal fisheries management to restore kelp forests.

Conversely, a poorly designed response to climate change will create risks for nature.

New resilient grasses or shrubs for fodder could become serious weeds. Greater wilding tree spread through inappropriately located forestry could destroy more natural habitats. Inappropriately located renewable energy infrastructure could lead to habitat destruction and degradation – including rare and localised geothermal ecosystems – because of excessive extraction. Expanding irrigation could damage the habitats where water is applied and cause downstream water pollution and loss of mauri.

Forest & Bird previously suggested amendments to the Zero Carbon Bill that would address these challenges.

RECOMMENDATIONS

Minister of Climate Change: Amend the Climate Change Response Act to acknowledge the role of nature in New Zealand's climate response, including taking into account ocean acidification.

Minister of Climate Change: Ensure that New Zealand's Adaptation Plan under the Climate Change Response Act prioritises nature-friendly policies for flood and drought adaptation.

Minister for the Environment: Prepare a National Policy Statement on climate change and ocean acidification.

Minister for the Environment: Include climate change mitigation and adaptation in the National Policy Statement on Urban Development.

Ministers of Conservation and Lands: Ensure that public land carbon stocks are protected and enhanced through effective pest control on all public land within three years.

TRANSITIONING FROM FOSSIL FUELS

To successfully keep the world to no more than 1.5°C of warming, New Zealand should lead the transition from fossil fuels. Some Labour policies for this transition will need the Government to use its size to deliver the critical mass needed. These policies include those to promote the uptake of electric and other low-emission vehicles and to increase electrification of industrial and process heat.

Forest & Bird welcomes Labour's intention to develop an ethical investment framework for all government-controlled investments, so New Zealanders know that all the public's shared investments are in things we can stand proudly behind.

Ending offshore oil and gas exploration has sent a useful signal for future planning, but government leadership in this transition should now extend into phasing out coal mining in New Zealand. This is the most environmentally and climate polluting of all energy sources in Aotearoa, and no new or expanded coal mines should be permitted in New Zealand if the country is to address climate change in a meaningful way.

RECOMMENDATIONS

Minister of Energy and Resources: Amend the Crown Minerals Act to prohibit new coal mines in New Zealand.

Minister of Energy and Resources: Introduce a plan to phase out existing coal mining, and oil and gas drilling, while addressing the needs of affected communities and those dependent on mining.

Minister of Climate Change: Introduce a strong transition plan for communities to reduce regional and national demand for fossil fuel extraction.

Minister of Finance: Divest from all Crown investments in fossil fuels as part of developing an ethical investment framework for all government-controlled investments.

Minister of State Services: Implement a plan to transition the Crown's vehicle fleet to electric vehicles wherever technologically feasible within five years and operate all stationary Crown assets on 100% renewable energy sources within 10 years.

Minister of State Services: Require decision-making on all government-funded or -supported projects to expressly consider projected greenhouse gas emissions and prioritise those that have a low or positive impact.

AGRICULTURE'S CONTRIBUTION

Forest & Bird welcomes Labour's policy to increase New Zealand's investment in world-leading research that helps us reduce greenhouse gas emissions from agriculture. We also applaud the recent investment in a sustainable farming fund and the alternative vision provided to industry in the recent *Fit for a Better World* report by MPI.

Climate change is a significant issue for farming – both as one of the main New Zealand emitters and as an industry likely to be hit hard by climate change impacts. But our agricultural sector can de-intensify, transition to carbon neutral methods of production, and make a positive contribution to New Zealand's climate change resilience.

Significant change can be achieved with existing knowledge. Forest & Bird is already seeing progress, as with the reductions in emissions and nitrogen leaching achieved at the Lincoln University Dairy Farm, which reduced the size of its herd while increasing its per cow production and overall profitability.

The Government should accelerate bringing agriculture into the emissions trading scheme. Currently, the incentives in the emissions trading scheme are unbalanced – land managers can get credits for removals but are then insulated from the cost of emissions. Pricing emissions will also deliver significant co-benefits by moving New Zealand towards more-resilient lower-input agricultural systems and encouraging farmers to retire marginal erodible hill country.

Agriculture's reliance on fossil-fuel-derived nitrate fertilisers, imported phosphate, and feeds will become increasingly problematic as New Zealand addresses its emissions profile, as will the perception that more water storage schemes are needed to make the industry 'climate resilient'. Solutions that work for climate change also tend to contribute to lifting water quality and vice versa. Farmers who are converting to regenerative agriculture systems to reverse biodiversity loss, improve soil carbon retention and water management, and reduce nitrous oxide emissions need more support and encouragement.

The Government needs to invest in a just transition to address these issues and work within the environment's natural limits – farming appropriate crops and animals in appropriate places. Investing in Pāmu to deliver new forms of agriculture will be critical to the Government's ability to deliver a transition to more sustainable agriculture.

RECOMMENDATIONS

Minister of Agriculture: Develop a programme supporting farmers to convert to regenerative agriculture systems to reverse biodiversity loss, improve soil carbon retention and water management, and reduce nitrous oxide emissions.

Ministers of Climate Change and Finance: Introduce agriculture into the emissions trading scheme or directly cap ruminant animal numbers.

Minister of State-Owned Enterprises: Encourage Pāmu to take the lead in trialling regenerative and other low-impact forms of agriculture.



© Jake Osborne

PROTECTING NATURE ON LAND

New Zealand has a wonderful network of protected areas on land. Labour has a policy to protect, preserve, and restore our natural heritage and biodiversity, and promote the recovery of threatened species. During the next three years, priority needs to be given to broadening the range of plant and animal pests being effectively controlled on public conservation land, increasing the protection of poorly protected conservation stewardship and LINZ-managed land, and protecting vulnerable habitats on private land.

OBJECTIVES FOR THE GOVERNMENT

- All public conservation land is secure and well managed.
- Remaining indigenous species, ecosystems, and landscapes are protected, restored, and resilient to climate change.
- The amount of public protected land increases to protect poorly represented ecosystems and improve climate change resilience.
- Plant and animal pests no longer threaten the resilience of species and ecosystems.

PUBLIC CONSERVATION LANDS

The Government must ensure that the Department of Conservation has sufficient long-term resources and mandate to protect biodiversity throughout all of New Zealand.

At current levels of funding, only 719 of the 4000 species in trouble are likely to benefit from some form of management in at least one site. Of these, only 161 species get sufficient attention at all the sites where they occur to protect them in the long term. Labour's policy to protect, preserve, and restore our natural heritage and biodiversity, and promote the recovery of threatened species, will be achieved only through ongoing increases in funding until all species in trouble are getting the help they need.

Vote Conservation for 20/21 is about \$618 million. Increasing Vote Conservation to 1% of Crown revenue by 2023 would increase this to about \$1.04 billion by 2023, a little more than doubling the funding directly available for biodiversity protection.

Government-iwi partnerships, such as that being developed to protect the Raukumara and Northland's forests, should be supported with significant funding and technical support, including through settlement of claims where it is acknowledged that the Crown's introduction of pest species has led to damage to the ngahere and other taonga of Māori.

The Nature Heritage Fund and Ngā Whenua Rahui both provide good opportunities to improve our climate resilience and to get high conservation gains for dollars spent. For example, protecting indigenous forest is cheaper and easier than planting

new forest. Both funds need to be properly resourced to assist the purchase and protection of land, including threatened ecosystems and land with strong cultural significance.

RECOMMENDATIONS

Minister of Conservation: Put forward a Budget bid for 2021 to increase Vote Conservation to 1% of Crown revenue by 2023.

Minister of Conservation: Continue to expand support for iwi- and hapu-led conservation efforts in their rohe and on their land, including through recognition of the harm caused by the Crown by introducing pest species.

Minister of Conservation: Increase funding to the Nature Heritage Fund and Ngā Whenua Rahui after a scoping of actual needs.

STEWARDSHIP LAND

In 1987, the passing of the Conservation Act put the Department of Conservation in place and set out its functions for protecting all public conservation land. One of the categories of land held by the Department is stewardship land.

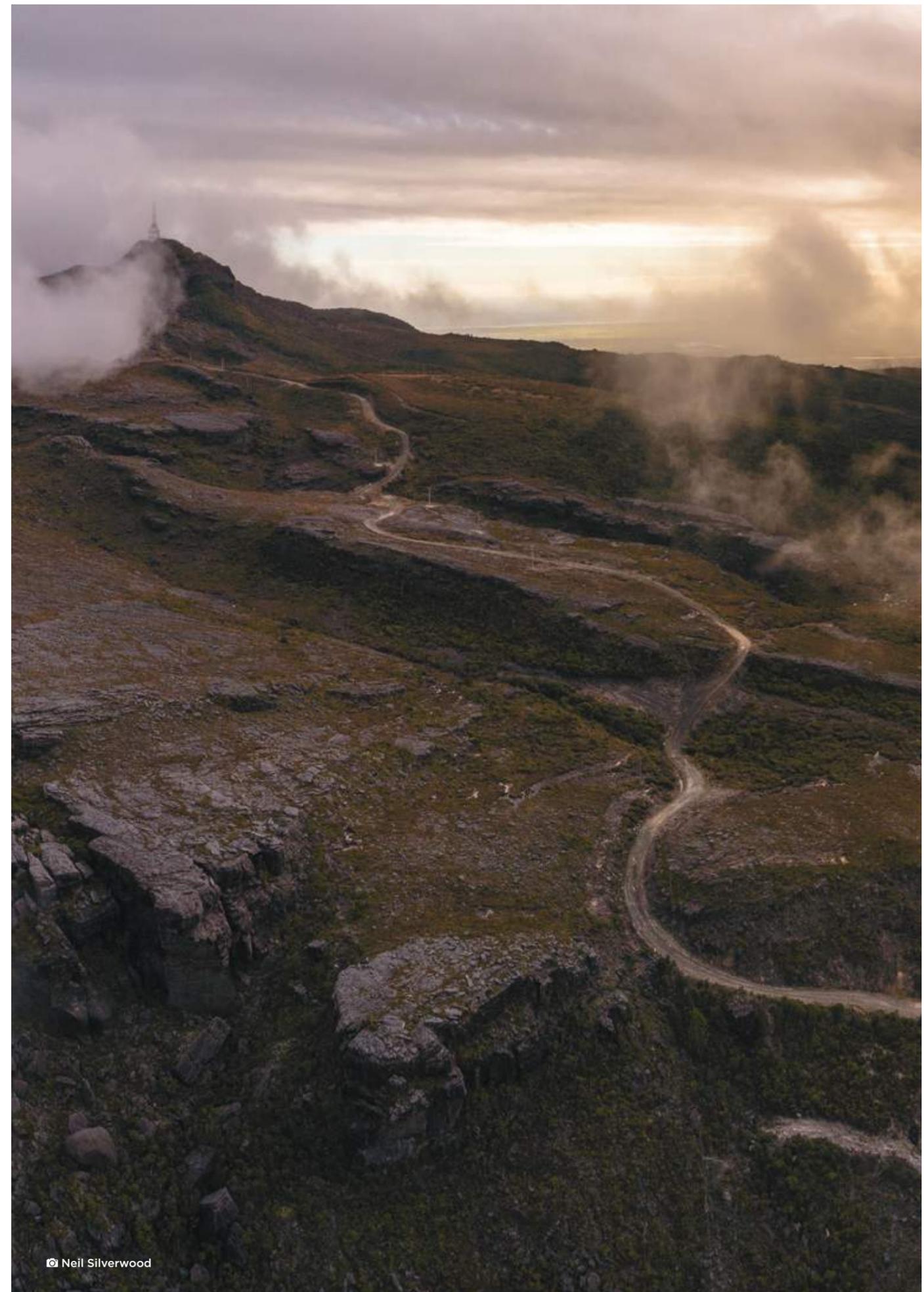
The intention was to confirm the values of these parcels and provide for an added layer of protection through reclassification – for example, as a reserve or national park. Land assessed as not having conservation values at the time was assigned to other government agencies or privatised.

It was anticipated that a small amount of stewardship land would be disposed of as having ‘no or very low’ natural or historic value. But, by and large, stewardship land possessed high or exceptional conservation values.

Reclassification into the appropriate parks and reserves status has proceeded slowly because of resourcing, political will, and the need for appropriate consultation with iwi/hapu and stakeholders. The Mōkihinui addition to Kahurangi National Park took eight years from proposal to gazettal. The work of requires in-depth assessments of the natural, cultural, recreational, and historical values of the site, then recommendations made and consulted on.

More than 3000 parcels of land comprising about 30% of public conservation land – 2.5 million hectares – is still classified as stewardship. Until reclassification takes place, these lands must be managed in a way that protects their natural and historic values.

Stewardship land is often inappropriately targeted by industry, because of the misconception that it has lower conservation values than other land. Mining was approved on the Denniston Plateau, an area of stewardship land on the West Coast that has biodiversity in the top 3% of DOC-managed land nationwide. The failed proposal to dam the Mōkihinui River by Meridian Energy was in part driven by the stewardship land status of the site at the time and the belief that the land could be easily exchanged.



© Neil Silverwood

This perception of lower value is clearly not true – stewardship land includes the dramatic mountain scenery and habitats of rare and endangered species in much of the Southern Alps, and rare and important ecosystems in New Zealand’s lowlands and hill country. It includes places such as the Coromandel Peninsula, home to critically endangered species such as the Archey’s Frog. Significant amounts of money have been spend adding land to the stewardship category to protect important habitats and critical species, such as the Labour Government’s 2008 purchase of St James Station.

Minister of Conservation: *Provide clear messaging to the public, decision makers, and officials that stewardship land is conservation land and will be managed in accordance with its values, as prescribed under the Conservation Act.*

CONSERVATION LAND AND MINING

In November 2017, the Speech from the Throne announced a policy of ‘no new mines on public conservation land’. Unfortunately, this did not progress in the last term and needs to be a priority.

Mining has an unfair advantage compared to other activities on conservation land, with a permissive regime under the Crown Minerals Act. This advantage was originally given to mining because it is impossible to protect the values of an area while mining it. Even with remediation, landscapes such as sandstone pavements are destroyed, forests felled, and a legacy of polluted streams are left behind. The protections of the Conservation Act, National Parks Act, and Reserves Act are not compatible with mining.

There are already avenues for addressing mining on stewardship land that is of genuinely no or low conservation value, such as land disposal or swaps. To ensure the long-term protection of all the species, ecosystems, and landscapes within our public conservation lands., Forest & Bird supports the simple and effective response of adding all public conservation land to Schedule 4 of the Crown Minerals Act.

Minister of Conservation: *Work with the Minister of Energy and Resources to amend the Crown Minerals Act to ban mining on all public conservation land.*

Minister of Energy and Resources: *Amend the Crown Minerals Act to ban mining on public conservation land, including stewardship land.*

LANDSCAPE SCALE PROTECTION

Our more than 8,000,000 hectares of public conservation lands are under threat from introduced predators, including rats, mustelids, possums, mice, hedgehogs, and feral cats. These pests are one of the biggest threats to the survival of many of our native birds, bats, frogs, lizards, and invertebrates.

During periods of beech masting events (high seeding of beech trees), rat and mice numbers can explode, leading to a corresponding increase in mustelids. We have frequent reports of species becoming locally extinct as a result of insufficient or no action during these times – for example, mōhua at Mt Stokes, Marlborough Sounds.

During the last beech mast event in 2019, just under 850,000 hectares of public conservation land was treated with aerial 1080, 10% of the total estate. Despite this very laudable action, areas in desperate need had to be declined because of the limits of capacity and funding.

Years without beech masting events have typically seen much less aerial 1080 response, despite rat and mustelid numbers tracking at rates that actively suppress native animal populations, sometimes putting them on the slow downward trajectory towards extinction. In the current year, about 240,000 hectares of aerial 1080 has occurred, with more scheduled. Yet that amounts to only about 3% of our public conservation land.

Areas without beech forests have ongoing and continued issues with high predator numbers and are in need of regular aerial 1080 to help save local populations and reduce pressure on the forests. A regular and increasing baseline of aerial 1080 will be required.

We need effective landscape-scale predator control if we are to stop the race to extinction by some of our most precious wildlife, such as mōhua or kōkako. Some species, such as our long-tailed bats and kiwi, are reliant on intensive predator control to survive.

Although efforts such as the predator eradication programme being run by ZIP in the Perth catchment are showing promising results, they are still early stages and cover only 12,000 hectares. Until such technologies are proven, we need an ongoing and regular investment in aerial 1080 operations.

The science is clear and, apart from a vocal minority that continue to oppose 1080, the public are largely supportive of protecting and restoring our precious species – using technologies based on proven science. Parties that ran on policy tickets opposing 1080 have gained very little traction, such as the New Zealand Outdoors Party, Advance NZ, and the New Conservatives.

Continued development of other technologies is obviously supported, but a strong commitment to the widescale and appropriate use of 1080 is the only recipe we currently have that will truly avert disaster.

RECOMMENDATION

Minister of Conservation: *Ensure that baseline funding for predator control on public conservation land increases by 100,000 hectares per annum, while at the same time ensuring a contingency fund for a large-scale and effective beech mast response.*

INVASIVE SPECIES

One area where the Government can secure a step change in the state of our environment through time-limited funding is in targeting invasive species. Managing browsing mammals below ecological carrying capacities would allow a full suite of native species to thrive.

The Department of Conservation's *Annual Report* for 2019 notes ongoing work on browsing animal control, but with current deer control amounting to only 300,000 hectares and goat control at just over one million hectares (on a cycle of up to seven years), the response is inadequate to address the threats. Pigs are not included in the figures, so it is difficult to know how much pig control occurs.

In this term, Forest & Bird would like to see greater commitment to controlling a variety of alien invasive pests, including:

- reducing tahr to the limits prescribed in the Tahr Plan
- implementing a programme to eradicate wallabies over a 10-year period
- increasing control of deer, goats, and pigs on public conservation land
- improving border biosecurity
- including ferrets, weasels, hedgehogs, and feral cats in the Predator Free 2050 target
- eradicating wilding conifers.

Forest & Bird has significant doubts about the benefits of the Game Animal Council as a public body. Decisions on pest control in relation to public conservation land are governed by the National Parks Act and the Conservation Act, and benefit from public oversight by the New Zealand Conservation Authority and Conservation Boards. There are appropriate civil society and hunting stakeholders that the Government can consult with on hunting issues.

With Covid-19, all New Zealanders have gained an enhanced understanding of the role of New Zealand's borders to keep out unwanted disease. Now is the time to boost border biosecurity.

RECOMMENDATIONS

Minister of Conservation: Ensure that tahr are reduced to, or below, the limits prescribed in the Tahr Plan.

Minister of Conservation: Adopt a goal of managing all browsing mammals below ecological carrying capacities such that the whole suite of vulnerable native species can thrive.

Minister of Conservation: Ensure that an update of the deer policy is completed to implement a plan to manage all species of deer below ecological carrying capacity.

Ministers of Conservation and Lands: Put forward a Budget bid for 2021 to increase pest control on conservation land and land controlled and administered by Land Information New Zealand.

Minister of State-Owned Enterprises: Ensure that all State-owned enterprises are meeting their obligations to control and eradicate pests.

KAURI DIEBACK

Forest & Bird welcomes Labour's commitment to sustained funding for a kauri dieback National Pest Management Plan to provide a nationally coordinated, long-term approach to the management of kauri dieback disease, which is threatening kauri with extinction. Forest & Bird has been extremely frustrated at the lack of progress with delivering the Kauri Dieback Pest Management Plan.

Forest & Bird supports funding the programme and its transfer to the Department of Conservation, which has a greater inherent operational capability and where there is presently higher stakeholder confidence.

Iwi should be offered a stronger role in both governing and delivering the Kauri Dieback Pest Management Plan. Kauri are a significant taonga, and iwi have taken the lead in West Auckland and Northland. It is critical that the funding is prioritised towards operations, including those delivered through the community on the ground in affected regions.

RECOMMENDATIONS

Ministers of Biosecurity and Conservation: Put forward a supplementary Budget bid by the end of 2020 to fund the Kauri Dieback Pest Management Plan.

Ministers of Biosecurity and Conservation: Ensure that funds are made available to mana whenua to help govern and deliver on the Kauri Dieback Pest Management Plan.



© Rob Suisted

PROTECTING OUR FRESHWATER

During the next three years, the Government should adopt the principle that 'kei te ora te wai, kei te ora te whenua, kei te ora te tangata' – if the water is healthy, the land and people will be healthy. This requires prioritising the health of our streams and rivers in all decisions.

Labour already has a policy to continue to improve the health of New Zealand's freshwater and coastal areas. But for freshwater ecosystems to reach a healthy state within a generation, we must first halt the current damage and restore what has been destroyed. Forest & Bird's recommendations are aimed at achieving these goals.

OBJECTIVES FOR THE GOVERNMENT

- Climate change informs decision-making so that freshwater systems are protected and preserved.
- The integrity of freshwater is preserved and restored through maintaining and improving water quality, quantity, and habitats so that stable and abundant populations of native freshwater species can be established.
- Freshwater management decisions are underpinned by Te Mana o Te Wai, as included in the NPS-FM, and the entire course of the waterway is regarded as one in management decisions, ki uta ki tai, from mountains to sea.

WETLAND RESTORATION

New Zealand has six Ramsar wetlands, with two more soon to be recognised under this international convention. Thousands more wetlands are scattered throughout the country and are an integral part of the landscape-scale habitats that make up Aotearoa for local and international birds.

Wetlands play a vital role ecologically by providing habitat for threatened plants, fish, and birds. They can also help protect our communities against the effects of climate change: improving water quality, storing carbon, preventing floods, recharging groundwater, and releasing water when surface levels drop. Wetlands hold significance spiritually and culturally in te ao Māori as well as providing mahinga kai.

While NPS-FM begins to correct the historical dearth of national direction on wetland protection, there is much more still needed to correct the damage that has occurred. New Zealand needs to protect and restore its remaining wetlands by swiftly enforcing the new NPS-FM regulations and strengthening regulations to prohibit any further loss of wetlands.

RECOMMENDATIONS

Minister for the Environment and Minister of Conservation: Develop a national wetland restoration plan that restores damaged or destroyed natural wetlands, with the goal of doubling the area of New Zealand's wetlands and having purposeful connectivity between them, and act on the recommendations of the Parliamentary Commissioner for the Environment's report into estuarine environments.

Minister for the Environment: Include stronger protection of wetlands in the reform of the Resource Management Act.

Minister of Agriculture: Fund MPI's soil mapping project to inform land management and help identify wetlands at a scale that matches or improves data, as required under the new NPS-FM.

Ministers of Local Government and Regional Economic Development: Encourage councils to implement and enforce the wetland clearance prohibitions in the NPS-FM and fund compliance, monitoring, and enforcement, as well as restoration projects.

Ministers of Local Government and Regional Economic Development: Prioritise and encourage projects that use natural hydrology features (i.e. wetlands) to meet water demand requirements (both current and future) as a form of 'built reservoir' rather than large, expensive, and obtrusive concrete structures that alter and destroy natural water courses.

RESOURCE MANAGEMENT SYSTEM PROTECTION

New Zealand's freshwater is in a poor and, in many places, critical state (Ministry for the Environment, *Our Freshwater 2020*). The Government has made a start in protecting and restoring freshwater, and Labour has some laudable goals, including the broad aim of restoring freshwater within a generation.

Forest & Bird supports Labour's intention to extend the National Policy Statement for Freshwater Management to cover estuaries in similar detail to freshwater itself, as recommended by the Parliamentary Commissioner for the Environment.

But overall, despite changes to regulation, freshwater environments continue to be threatened through poor land use practices such as intensive winter grazing, urban development, vegetation clearance, mining, and irrigation.

This is because the NPS-FM lacks the bottom lines recommended by the Ministry for the Environment's advising Science Technical Advisory Group. This group recommended bottom lines for nitrogen and phosphorus that need to be adopted. Other science recommendations made by the group that were not implemented, or only implemented in part (such as including attributes with a requirement only for 'action plans' rather than bottom lines), should be incorporated at the next revision of the regulation.

RECOMMENDATIONS

Minister for the Environment: Strengthen the National Policy Statement and standards on freshwater quality through the inclusion of a clear Dissolved Inorganic Nitrogen limit of 1.0 mg/l and a Dissolved Reactive Phosphorus limit of 0.018 mg/l, and amend those attributes that only require 'action plans' so that they have clear bottom lines.

Minister for the Environment: Address iwi rights and interests in freshwater and progress the drafted and forgotten National Environment Standard on water quantity, minimum flow setting, and allocation.

Minister for the Environment: Increase oversight of local and regional councils, including taking legal action to compel compliance with statutory obligations and encouraging implementation of the NPS-FM (as soon as possible, rather than deferring action until the 2024 deadline).

SUSTAINABLE FRESHWATER ECOSYSTEMS

New Zealand's indigenous freshwater fish already face myriad and complex threats. Climate change will have far-reaching consequences on the health of their ecosystems. But these impacts are particularly unknown, because the majority of our freshwater natives spend a portion of their life cycles at sea and the interdependencies among ecosystems are already poorly understood.

This will have economic as well as environment consequences, as some marine food webs are also connected to, or dependent on, the abundance of native freshwater fish.

The compounding effects of climate and other environmental problems could include unforeseen situations – for example, oceanic toxic algae such as *Karenia brevis*, also known as 'red tide', which decimated fish, birds, and sea mammals during the last three years in Florida, where rising sea temperatures mixed with high levels of pollution.

With so many New Zealand species on the brink, fish population collapse could happen suddenly and unexpectedly. A cascade from species to species is a commonly understood phenomena in ecology and one that would likely hurt New Zealand culturally and economically.

Research needs to be funded to improve understanding of the potential impacts of climate change on:

- native freshwater fish population stability
- freshwater ecosystems
- flora and fauna habitat
- freshwater ecosystems
- how adaptation measures may affect freshwater ecosystems
- localised freshwater quality, quantity, and habitat.

RECOMMENDATION

Minister of Research, Science and Innovation: Fund research to plug gaps in knowledge relating to freshwater ecosystems.

MODERN APPROACH TO RIVER MANAGEMENT

Many of New Zealand's rivers have been modified significantly through channelisation, the creation of stopbanks, gravel extraction, and the reinforcement of riverbanks to protect communities from floods and erosion. As a result, the physical habitat in many rivers is cut off, blocked, and significantly degraded, and the connection to natural floodplains (or even to historic channels, such as the now-dry south branch of the Rangitata River) has been lost.

This is a problem for the majority of native freshwater fish, which migrate as part of their lifecycle. A report contracted by Waikato Regional Council revealed that flood pumps were killing all migrating female longfin eels in the vicinity of the turbines, and that fish kill incidences had been recorded downstream of major reservoirs.

With the frequency of extreme climatic events increasing, there is a perception that further modification to river systems will be required, and the Government has already allocated significant funds to this sort of activity in the name of 'climate resilience'.

Habitats and floodplain connections will continue to be lost as a result of these funding allocations, and the capacity of our rivers to handle large flows will be limited by channelisation and bank reinforcement activities, meaning that, when flood protection infrastructure does fail (such as has occurred recently in Northland, Whangau, Edgumbe, the West Coast, and on the Rangitata River), it's more likely to be catastrophic.

Authorities overseas, and in some parts of New Zealand (such as staff at Greater Wellington Regional Council and researchers at Massey University), are increasingly looking to provide 'room for the river' to move within its natural floodplain, meaning that flood-carrying capacity is increased, flood protection work costs are reduced, the impact of floods on communities and land is significantly reduced, and physical habitat for species living in rivers is protected and restored. In some areas, allowing rivers access to their floodplains might even increase the areas of river contributing to groundwater recharge.

RECOMMENDATIONS

Minister for the Environment: In resource management law reform, include amendments to allow rivers to move within their floodplains, and amend the NPS-FM to include standards for the protection of physical habitat from flood protection and river engineering works.

Minister of Climate Change and Minister for the Environment: Introduce a strategy to prevent further development within floodplains and manage retreat from existing encroachment on river channels and floodplains.

Ministers of Economic Development, Local Government, and Regional Economic Development: Require councils that have been allocated Covid-19 recovery funds or climate change resilience funding for flood protection works to ensure that existing river habitat and floodplain functions are maintained or improved as a result of any work undertaken (i.e. ensuring that flood protection work is not further channelising rivers or further reducing their connection to a floodplain).

Minister of Research, Science and Innovation: Invest in the implementation of tools and techniques to measure the impact of flood protection works and restoration activities on physical habitat and natural character in rivers, such as the Natural Character Index (NCI)/Habitat Quality Index (HQI) developed by Professors Russell Death and Ian Fuller at Massey University.



PROTECTING NATURE AT SEA

Forest & Bird welcomes the creation of a new ministerial portfolio of Oceans and Fisheries. New Zealand's system of oceans management is overdue for significant reform, and this new portfolio should drive that reform. In the medium term, reform should result in a less fragmented and more coherent system of oceans management. Given the highly biodiverse and wild nature of the marine environment, reform of marine management should focus on safeguarding natural values.

The approach the Government took towards RMA reform of splitting it into immediate and more medium-term reform should also be used for marine reform, so that immediate steps can be taken while more systemic reforms are under development.

Labour's manifesto has a range of policy pledges to improve the management of the oceans, including:

- continuing to improve the sustainability of our fisheries sector where a range of environmental, recreational, tangata whenua, and commercial interests can be upheld through an abundant fishery
- modernise fishing practices and move towards an ecosystem-based management approach
- update marine protection law.

These goals will require policy and legislative reform in a sector that has a legacy of failed reform efforts. An amendment to introduce a more precautionary approach to the Fisheries Act was attempted by then Fisheries Minister Jim Anderton in the early 2000s, and a Marine Reserves Bill has been in Parliament, stalled, since 2002. The Kermadec Ocean Sanctuary legislation is stalled, and the Fisheries Change programme needs to be brought forward again. Unblocking barriers to reform will be a key task for the Government.

OBJECTIVES FOR THE GOVERNMENT

- Aotearoa leads the world in ecosystem-based management of fisheries and aquaculture.
- 30% of our Exclusive Economic Zone and Territorial Sea is protected within a meaningful representative network of no-take areas by 2030.
- Bycatch of endangered, threatened, or protected species is reduced to near zero levels by 2030.
- The Territorial Sea, Exclusive Economic Zone, and Extended Continental Shelf is protected from impacts of non-fishing threats.

FISHERIES ACT REFORM

New Zealand's fisheries management system is not fit for purpose and long overdue for reform. The need for reform ranges from concerns highlighted by recreational fishing advocates LegaSea about the impact of the quota management system on ACE fishers and the pressure it puts them under to cut corners, which is bad for sustainability. Indirect impacts of fishing are largely ignored, and ecosystem-based fisheries management is not able to be properly implemented under the Act.

Forest & Bird recommends a two-staged approach, with some immediate reforms to deliver a more appropriate precautionary principle, facilitate the shift to ecosystem-based fisheries management, and modernise fishing methods. To support this, Forest & Bird recommends a further roll-out of cameras on boats, while also undertaking a longer-term review of the oceans management system.

Improvements that should be made to the Fisheries Act through an amendment introduced in the first year are:

- amendments arising from the current Fisheries Change programme
- a new precautionary principle
- a new purpose of ecosystem-based fisheries management along with consequential amendments where these are required
- a zero bycatch goal.

Along with Fisheries Act changes, there are three other elements to a properly functioning ecosystem-based management: decision-making process, agency culture, and the underpinning science. Decision-making processes need to take greater account of ecosystem impacts of fish stock levels, allowable catches, and fishing methods. For example, Forest & Bird was dissatisfied with the approach to recent decisions about an expansion of orange roughy catches that poorly considered the impact of bottom trawling.

There is a paucity of research to base ecosystem decisions on, particularly in relation to the impact of lowering the biomass of fish on the foraging of dependent species such as predatory fish and birds. A useful test of whether the approach to setting total allowable catches is ecosystem-based management would be whether decisions relating to snapper and crayfish measurably reverse the spread of kina barrens.

At the same time, a more comprehensive system of industry support is needed to enable the fishing industry to transition fairly to a more sustainable model. Many smaller inshore fishers lack the capital reserves needed to transition to more sustainable methods, yet this is where much of the change is needed.

The current penalty regime is based on a low probability of detection, with a deterrent effect of high penalties in the event that offences are detected. Forest & Bird would support a shift towards graduated penalties, provided that it applied only to vessels where there is a high probability of detecting offences, either through the adoption of cameras or the placement of human observers.

RECOMMENDATIONS

Minister of Oceans and Fisheries: Reform the Fisheries Act to enable ecosystem-based fisheries management, facilitate the phase-out of destructive fishing methods, and introduce a proper precautionary principle.

Minister of Oceans and Fisheries: Introduce a package of complementary measures to assist the fishing industry to transition to more sustainable fishing methods.

ZERO BYCATCH

Forest & Bird is providing a separate briefing to the Minister of Oceans and Fisheries, the Associate Minister for the Environment (Biodiversity), and the Minister of Conservation on the pathway to achieving zero bycatch. The underlying principle is that the fishing industry should only catch food.

INTERNATIONAL EFFORTS TO REDUCE BYCATCH

Forest & Bird welcomes Labour's policy to continue to fulfil our international obligations in the fishing sector. New Zealand's active engagement is needed to reduce bycatch of corals and seabirds, to adopt international best practice domestically, and encourage international best practice overseas. The plight of the Antipodean albatross – with perhaps less than 20 years left until extinction – is a symbol of the urgency with which this work needs to happen.

New Zealand will be hosting APEC in November 2021 and, as part of that, intends to deliver a non-paper (informal paper) on protecting seabirds, using the endangered Antipodean albatross as a case study. There is opportunity for New Zealand to showcase and show leadership on how we are progressing on transparency on sustainable fisheries and kaitiakitanga, and how that can benefit New Zealand. The outcome of this paper should be agreement to achieve 100% observer coverage in albatross foraging zones.

New Zealand will need to set an example that can be taken to APEC by accelerating the roll-out of cameras on boats and ensuring that observer coverage is high enough. New Zealand will also need to sort out domestic policy and programmes. This includes increasing observer coverage and/or cameras on boats, implementing the bottom long-line regulations that meet ACAP best practice, and ensuring that the Seabird National Plan of Action is effective by enforcing mitigation standards.

Forest & Bird, working through its Birdlife partnership, is an active participant in international efforts to deliver sustainable fishing practices throughout the Pacific. In the past, Forest & Bird has hosted diplomats from countries that are parties to the Agreement for the Conservation of Albatrosses and Petrels with Her Excellency the Governor General, and we would be happy to work with the Government to further diplomatic efforts to protect seabirds.

RECOMMENDATIONS

Ministers of Conservation, Oceans and Fisheries, and Foreign Affairs and Trade: *Actively seek agreement from APEC members that foraging zones of albatrosses have 100% observation (cameras and/or observers).*

Minister of Oceans and Fisheries: *Ensure that all New Zealand vessels are using ACAP best practice.*

MARINE PROTECTED AREAS

New Zealand currently has 44 marine reserves covering just less than 10% of its marine area inside the 12 nautical mile territorial limit. Almost all of this protected area lies within just two of New Zealand's 14 marine bioregions: the ecologically important marine areas of the offshore Kermadec Islands and Subantarctic Islands. In contrast, a mere 3.5% occurs around New Zealand's mainland coasts, so that most New Zealand marine bioregions remain significantly under-represented in marine reserves.

We currently have eight marine mammal sanctuaries. Five sanctuaries around mainland New Zealand have been established primarily to help protect Hector's and Māui dolphins, while the Auckland Islands sanctuary mainly aims to protect tohorā/southern right whales and rāpoka/New Zealand sea lions. The remaining two sanctuaries have been established near Kaikōura for the protection of whales and a kekeno/New Zealand fur seal breeding colony, respectively.

Implementation of new marine reserves has largely stalled with the Kermadec Ocean Sanctuary legislation still before Parliament, a marine reserves bill before Parliament since 2002, and no decision yet on the South East Marine Protected Areas programme. Processes for creating marine protected areas have been poor. Turning this around will need to be a significant priority for the Government.

RECOMMENDATIONS

Minister of Conservation: *Introduce a new MPA Bill that includes improved processes for decisions and that covers New Zealand's EEZ.*

Minister of Conservation: *Work with iwi to progress the Kermadec Ocean Sanctuary.*

Minister of Conservation: *Implement the marine protected areas proposed in option 1 of the South East Marine Protected Areas programme.*

CAMERAS ON BOATS

Forest & Bird is a strong advocate for cameras on boats. Data reported to MPI and from overseas consistently shows that fishers are significantly more likely to accurately report bycatch where there is observation, whether by people or cameras. Given that there is no penalty for accidentally catching protected species, but there is a substantial penalty for failing to report, this indicates a significant issue with

the culture of the fishing sector and that misreporting of catches is likely to be even greater where there are financial penalties (such as discarding fish where there is no ACE or quota).

Forest & Bird is a member of the Black Petrel Working Group and the MPI Implementation Advisory Group on the implementation of digital monitoring. We welcome Labour's policy commitment to continue the roll-out of cameras on boats and urge the Government to progress this at pace. Forest & Bird also supports time-limited financial support to help fishers with the capital cost of putting cameras on boats as well as support to help small-scale inshore fishers who may wish to exit the industry rather than participate in a more modernised fishery.

Bottom lines for rolling out cameras on boats should be Crown ownership of the data, use of the data to verify logbooks, and use of data for compliance.

RECOMMENDATIONS

Minister of Oceans and Fisheries: *Roll out cameras on the entire inshore fleet and on targeted deepwater vessels during the term.*

Minister of Oceans and Fisheries: *Require all data from cameras on boats to be available for compliance, including logbook verification.*

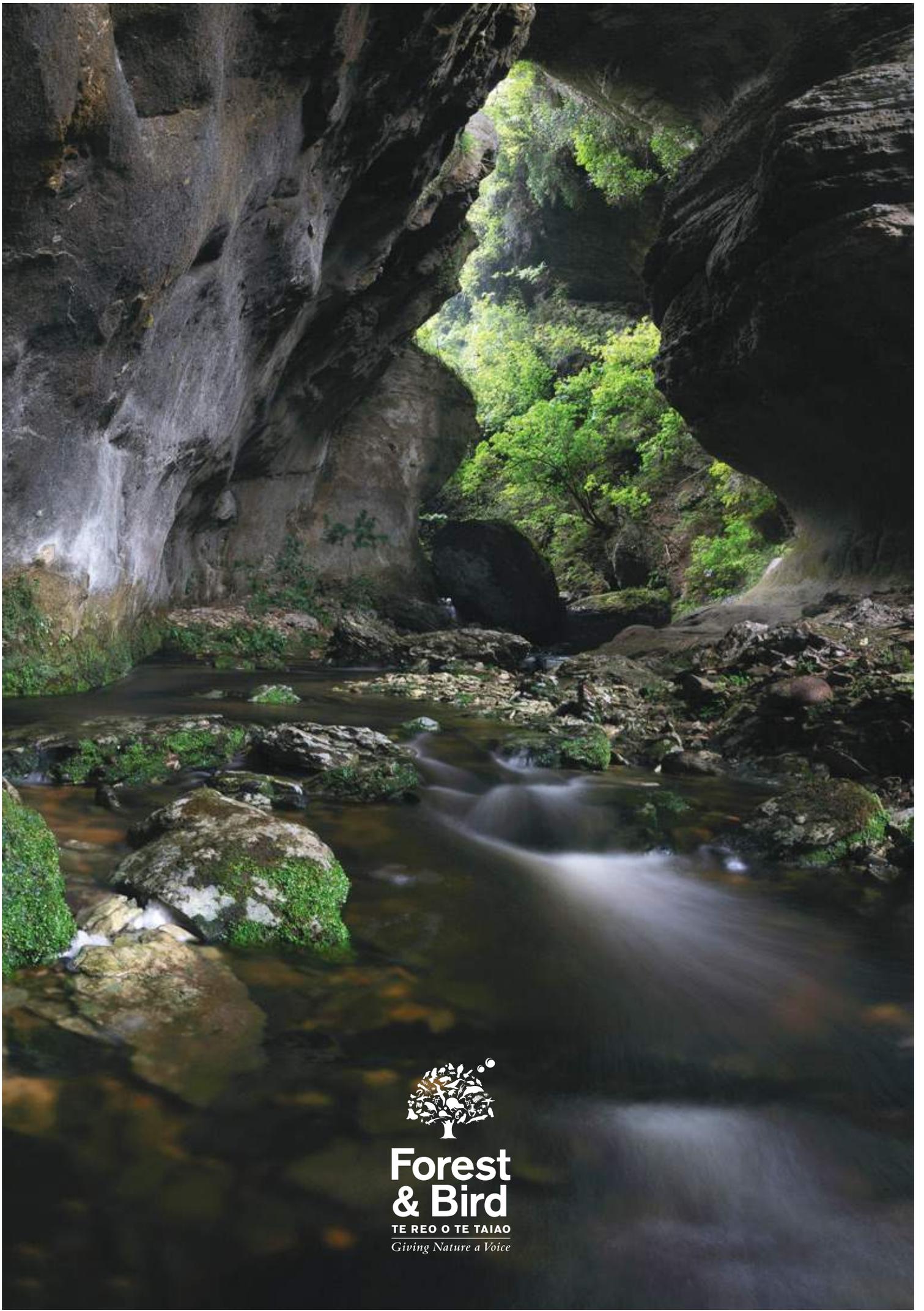
MARINE MAMMAL PROTECTION

Forest & Bird welcomes Labour's commitment to implement the Hector's and Māui Dolphin Threat Management Plan. Retreat from this plan would have significant trade implications with a reduction in access to US markets for New Zealand fish if New Zealand was unable to demonstrate that domestic measures are the equivalent of US measures.

The current Marine Mammal Protection Act is flawed and needs amendment. Information about this is provided in a separate briefing to the Ministers of Conservation, Oceans and Fisheries, and Associate Environment (Biodiversity).

RECOMMENDATIONS

Minister of Conservation: *Update the Marine Mammal Protection Act to deliver better protection for marine mammals.*



**Forest
& Bird**

TE REO O TE TAIAO

Giving Nature a Voice