



## **Sectoral Integration of Biodiversity in New Zealand**

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## **Introduction**

New Zealand reported<sup>1</sup> the extent to which biodiversity is included and SEAs undertaken at various levels in the New Zealand context.

### **Central Government: The Resource Management Act 1991**

The Resource Management Act 1991 (RMA) is the principle statute for the management of resources in New Zealand. The Act promotes the sustainable management of natural and physical resources.

The Act defines sustainable management as managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social wellbeing, economic wellbeing and cultural wellbeing, health, and safety. At the same time, the Act:

- (a) Sustains the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations
- (b) Safeguards the life-supporting capacity of air, water, soil and ecosystems
- (c) Avoids, remedies or mitigates any adverse effects of activities on the environment

The RMA can be viewed at [www.legislation.govt.nz/act/public/i 991/0069/latest/DLM230265.html](http://www.legislation.govt.nz/act/public/i 991/0069/latest/DLM230265.html).

The National Policy Statements (NPSs), which are RMA policy tools, provide national policy guidance for matters that are considered to be of environmental importance, such as the coastal environment. The Government is currently investigating an NPS for biodiversity.

Several other pieces of legislation also influence biodiversity management and protection. They include:

- Conservation Act 1987
- Biosecurity Act 1993
- Fisheries Act
- HSNO Act 1996
- Reserves Act 1977
- Forests Act 1949

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<sup>1</sup> New Zealand (2010). Fourth National Report, Department of Conservation, Reporting period: May 2005 – March 2009, 10 March 2010, 129 pp.

- Wildlife Act 1953

The Quality Planning website [www.gp.org.nz/plari-topics/indigenous-biodiversitv.php](http://www.gp.org.nz/plari-topics/indigenous-biodiversitv.php) provides guidance for local government planners when deciding whether or not to allow resource use at a local level.

### **Local Government**

Regional and local councils provide information about their expectations and plans for regional or local biodiversity in their regional plans. See, for example, the Greater Wellington website ([www.gw.govt.nz/section21/OTcfrn](http://www.gw.govt.nz/section21/OTcfrn)) and Environment Waikato website ([www.ew.govt.nz/Policy-and-plans/Regional-PolicyStatement/Operative-Waikato-Regional-Policy-Statement-October-2000/RPS-3111/](http://www.ew.govt.nz/Policy-and-plans/Regional-PolicyStatement/Operative-Waikato-Regional-Policy-Statement-October-2000/RPS-3111/)).

### **Industry**

New Zealand's largest dairy company, Fonterra, has an agreement with its suppliers (the Clean Stream Accord) that aims to reduce the impact of dairy farming on New Zealand's ecosystems. Details of the 2003 Accord can be found at [www.mfe.govt.nz/issues/land!rural!dairying-accord-may03pdf](http://www.mfe.govt.nz/issues/land!rural!dairying-accord-may03pdf).

### **Agriculture**

Extent to which biodiversity has been integrated into sectoral and cross-sectoral strategies and plans: The Resource Management Act (RMA) is the statutory framework for environmental and resource management in New Zealand. It sets out how New Zealanders manage their environment, including air, water, soil, biodiversity, the coastal environment, noise, subdivision and land-use planning in general. Under the RMA, councils have to create district plans (and regional councils may create regional plans) that explain how that council will manage the environment. Councils are responsible for considering the sustainable management and use of biodiversity, as part of their broader environmental considerations. The development of district and regional plans are subject to full public consultation processes. Sector and community group initiated plans and individual property plans also incorporate environmental/biodiversity considerations, such as soil, and management for both water and nutrients.

Processes by which biodiversity has been integrated into these sectoral and cross-sectoral plans: Administration of the RMA is devolved to local or regional government, at which level the plans, policies and other measures of the RMA principles are applied. An example of this is the suite of programmes that Taranaki Regional Council has for biodiversity, and the way in which these are incorporated into the Council's sustainable land management and riparian programmes and efforts ([www.trc.govt.nz/environment/biodiversity.htm#coirncil](http://www.trc.govt.nz/environment/biodiversity.htm#coirncil)). Sector, industry and community farm planning initiatives are supported by a number of government- and privately-sourced funds to encourage the protection of biodiversity on private land. An example of an industry effort that includes biodiversity considerations is the Zque accreditation scheme within the merino wool industry. In New Zealand, memo farming occupies large areas of mountainous country. Zque requires accredited growers to meet the standards outlined in the Zque manual and uses an independent (third party) audit process to ensure that these are complied with ([www.zciue.co.nz/](http://www.zciue.co.nz/)). Similarly, the New Zealand Winegrowers

have developed the Sustainable Winegrowing NZ (SWNZ) scheme, which includes biodiversity considerations; for further information, go to [www.nzwine.com/swnz](http://www.nzwine.com/swnz).

Whether and how the ecosystems approach has been adopted or used in mainstreaming biodiversity into sectoral and cross-sectoral strategies, plans and programmes: The Ecosystems Approach is primarily given expression in New Zealand through the nationally applied RMA. The Act expressly takes into account the safeguarding of ecosystems, protection of significant vegetation and habitats, and the cultural traditions of Maori. The RMA applies to all lands and the territorial waters (out to 12 nautical miles) of New Zealand.

### **Education**

Processes by which biodiversity has been integrated into these sectoral and cross-sectoral plans: Research has been undertaken to identify the nature and extent of New Zealand's biodiversity education resources.

Whether and how the ecosystems approach has been adopted or used in mainstreaming biodiversity into sectoral and cross-sectoral strategies, plans and programmes: Planning will be undertaken by the Department of Conservation in 2009 to develop an effective approach to biodiversity and conservation education within the context of New Zealand's new school curriculum. This is due to be implemented in 2010.

### **Rural development**

Extent to which biodiversity has been integrated into sectoral and cross-sectoral strategies and plans: Please refer to the response under the 'Agriculture Sector'.

Processes by which biodiversity has been integrated into these sectoral and cross-sectoral plans: Please refer to the response under the 'Agriculture Sector'.

Whether and how the ecosystems approach has been adopted or used in mainstreaming biodiversity into sectoral and cross-sectoral strategies, plans and programmes: Please refer to the response under the 'Agriculture Sector'.

### **Forestry**

Extent to which biodiversity has been integrated into sectoral and cross-sectoral strategies and plans: Biodiversity and broader environmental considerations are an integral part of forestry planning, both for commercial private-planted forests as well as for indigenous forests subject to the Forests Act 1949. The integration of environmental values into commercial planted forests has been further boosted by the recently updated New Zealand Forest Owners Association environmental standards and development of third party forest certification<sup>75</sup>. As at September 2008, approximately 970,000 hectares of New Zealand production forests were under Forest Stewardship Council certification.

Processes by which biodiversity has been integrated into these sectoral and cross-sectoral plans: New Zealand has a natural resource policy framework that includes statutes with ecosystem or

environmental management provisions applying to natural resource management generally and to forests more specifically. It also supports associated government, non-government and sector initiatives. The Resource Management Act 1991, Conservation Act 1987 and Indigenous Forest Provisions of the Forests Act 1949 are key statutes that govern the conservation and sustainable use of forests in New Zealand.

Whether and how the ecosystems approach has been adopted or used in mainstreaming biodiversity into sectoral and cross-sectoral strategies, plans and programmes: In line with the response in this section under the 'Agriculture Sector', the RMA principles are aligned with the ecosystem approach.

## **Fisheries**

Extent to which biodiversity has been integrated into sectoral and cross-sectoral strategies and plans: New Zealand is increasingly focusing on the management of fisheries impacts across the marine environment. New Zealand manages its fisheries through a range of legislation that applies to commercial, customary and recreational fishers. The purpose of the Fisheries Act 1996, the principal piece of legislation, is to provide for utilisation of fisheries resources, while ensuring sustainability. In the context of the Act, ensuring sustainability means 'maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations' and 'avoiding, remedying or mitigating any adverse effects of fishing on the aquatic environment'; while utilisation means 'conserving, using, enhancing, and developing fisheries resources to enable people to provide for their social, economic, and cultural wellbeing'. New Zealand also introduced the Quota Management System (QMS) in 1986, which controls the total commercial catch for virtually all the main fish stocks found within New Zealand's EEZ. The QMS was considered the best way to prevent overfishing, which had become critical in some inshore fisheries. The introduction of the QMS is viewed as a significant achievement, and a number of other states have moved to follow New Zealand's (and Iceland's) lead in introducing such a management system. As well as setting total allowable catches for the majority of commercial fisheries stocks, New Zealand also uses other management tools, such as daily bag limits for recreational fishers, and regulations that are implemented to mitigate the effect of fishing on the marine environment.

Processes by which biodiversity has been integrated into these sectoral and cross-sectoral plans: The development of standards will set limits in areas such as biomass targets and harvest rates, seabird by-catch (when seabirds are accidentally caught during fishing) and disturbance of the seabed. Fishers will be managed within these limits. It should also be noted that standards for consultation and research are being set. These standards will enhance transparency around how fisheries management decisions are made. The standards, detailed below, should also make it easier for tangata whenua and stakeholders to take part in the process of managing New Zealand's fisheries:

- Marine Protected Area (MPA) policy/protection standard—The MPA Policy has been designed to develop and implement a strategy for establishing a network of areas that protect marine biodiversity. This includes marine reserves, world heritage sites, and other coastal and marine management tools such as mātaihai and taiapure areas, marine area closures, seasonal closures, and area closures to certain fishing methods.

- Fisheries Plans—The Ministry of Fisheries is implementing objective-based fisheries management through Fisheries Plans, a major initiative that will involve engagement with stakeholders.

Whether and how the ecosystems approach has been adopted or used in mainstreaming biodiversity into sectoral and cross-sectoral strategies, plans and programmes: The ecosystems approach has not been explicitly adopted or used to mainstream biodiversity into sectoral and cross sectoral strategies. However, the implementation of the processes referred to above is broadly an 'ecosystem'-based approach when sustainable management of fish stocks is combined with avoiding, remedying and mitigating the effects of fishing on the aquatic environment, as required by the Fisheries Act 1996.

## **Mining**

Extent to which biodiversity has been integrated into sectoral and cross-sectoral strategies and plans: Biodiversity is integrated into the strategies of the New Zealand mining sector through the cross-sectoral interlinking of minerals development with New Zealand's environmental legislation, which includes the Resource Management Act (RMA), and regional and district plans (which are guided by the RMA).

Processes by which biodiversity has been integrated into these sectoral and cross-sectoral plans: Biodiversity is a value considered in the RMA. The key focus of the RMA is the sustainable management of natural and physical resources. Within the purpose and principles section of the RMA, any decision-maker under the RMA must have 'particular regard' to the 'intrinsic values of ecosystems'. Biodiversity or biological diversity is defined in the RMA as: '...the variability among living organism, and the ecological complexes of which they are part, including diversity within species, between species, and of ecosystems'. Such values filter into the operational plans of regions and districts, as regional and district councils (local government) create such plans under the instruction of the values and processes within the RMA. For example, under the RMA, one function of all regional councils is to 'control the use of land for the purpose of... the maintenance and enhancement of ecosystems in water bodies and coastal water'. Biodiversity is integrated into the mining sector's plans and strategies through the RMA's intersection with the processes of the mining sector. Under the Crown Minerals Act 1991 (CMA), the Crown allocates the right to develop Crown-owned minerals by granting prospecting, exploration or mining permits to successful applicants. Access to land is a separate matter, as is the consideration of environmental effects. Environmental effects are considered under the RMA and any required RMA resource consents must be obtained before minerals development can take place. The determination of which resource consents are necessary is informed by the plans of the region and/or district in which the development intends to take place. As noted above, such plans are set by regional and/or district councils. Resource consents often contain compulsory measures such as mitigation and rehabilitation in cases where significant environmental effects would occur as a result of the activity allowed for in the consent. The intersection of the CMA and other environmental legislation also serves to close off, for all practical purposes, areas of high-value conservation land from mining activities. Schedule Four of the CMA lists such protected areas; examples include Ramsar sites and national parks held under the National Parks Act 1980.

Whether and how the ecosystems approach has been adopted or used in mainstreaming biodiversity into sectoral and cross-sectoral strategies, plans and programmes: The ecosystems biodiversity approach has been adopted in mainstream cross-sectoral plans and strategies. As noted above, the predominant way this has been incorporated is through the RMA's consideration of biodiversity under the umbrella of considerations relating to ecosystems. The Thames-Coromandel District Plan provides an insight into how such planning documents can make the consideration of ecosystems and biodiversity by sectors such as mining operational in their region. The plan identifies biodiversity issues in the area and then sets out objectives, policies, methods, results, anticipated environmental results and monitoring for the issue. In New Zealand, a tool that has features in common with the SEA and the EIA (Environmental Impact Assessment) is called an Assessment of Environmental Effects (AEE). This tool is used regularly by the extractive minerals industry. Any proposed activities requiring resource consent must furnish an AEE, as this must accompany any application for resource consent. AEEs provide an opportunity to consider and provide for the protection of biodiversity in the mining sector.

## **Tourism**

Extent to which biodiversity has been integrated into sectoral and cross-sectoral strategies and plans: The New Zealand Government launched the New Zealand Tourism Strategy 2015 (NZTS 2015) in November 2007. The NZTS 2015 sets out priorities, actions and targets to guide the development of the tourism sector through to 2015. These are grouped according to four interdependent outcomes:

- New Zealand delivers a world-class visitor experience
- New Zealand's tourism sector is prosperous and attracts ongoing investment
- The tourism sector takes a leading role in protecting and enhancing New Zealand's environment
- Communities and regions recognise and value the benefits of tourism

The NZTS vision is that by 2015 tourism will be valued as a leading contributor to a sustainable New Zealand economy. Outcome three of the Strategy identifies a number of priorities to protect and enhance New Zealand's environment (for further information, refer to [www.nztourismstrategy.com](http://www.nztourismstrategy.com)). Tourism activities on the Public conservation land are managed by the Department of Conservation. Commercial tourism operators are required to obtain concessions to undertake commercial activities. The types of permitted activities are outlined in National Park Management Plans, which identify conservation values, including the preservation of indigenous species, habitats, ecosystems and natural resources. Regulation of tourism activity on private land is captured by the Resource Management Act. The Biosecurity Strategy also has an impact on the tourism sector. Visitors to New Zealand are primarily attracted by the country's natural environment. However, this environment is at risk from imported pest species, and the Biodiversity Strategy sets out what needs to be done to make sure that New Zealand maintains good levels of biosecurity.

## **Other national and sub-national programmes and strategies and programmes:**

### **Poverty reduction strategies and papers**

New Zealand International Aid and Development Agency (NZ Aid) is the government agency responsible for delivering New Zealand's Official Development Assistance Programme. NZ Aid's Environment Policy goal is to provide 'a protected and enhanced natural resource base for sustainable development and poverty elimination'. Through this approach, NZ Aid will ensure that best practice environmental management is mainstreamed in all NZ Aid programme activities. (For more details on the NZ Aid environment policy, please visit [www.nzaid.govt.nz](http://www.nzaid.govt.nz).) NZ Aid's Pacific Strategy 2007—2015—Te Ara Tupu—The Pathway of Growth—Tackling poverty in our Region is strategy to guide New Zealand's development assistance in the Pacific Islands region. NZ Aid's mission is to eliminate poverty through development partnerships with a vision of a safe and just world that is free of poverty. The NZ Aid poverty statement is available at [www.nzaid.govt.nz](http://www.nzaid.govt.nz)