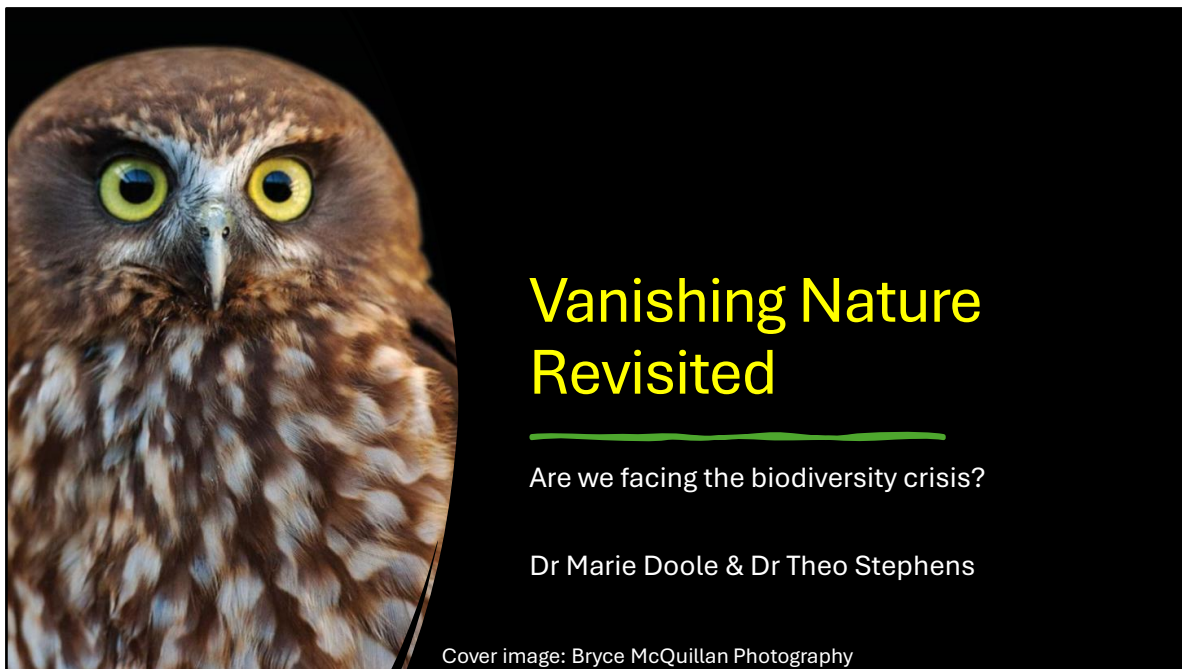




- Greetings and thank you to everyone that has made time to attend today
- What I will take you through today is a whirling overview of what we found when we looked at Vanishing Nature with the benefit of ten years and the associated 20/20 vision that comes with that.

Brown Marie A, RT Theo Stephens, Raewyn Peart and Bevis Fedder (2015) Vanishing Nature: facing New Zealand's biodiversity crisis. Environmental Defence Society, Auckland NZ [Vanishing nature: Facing New Zealand's biodiversity crisis | EDS](#)

VANISHING NATURE

facing New Zealand's biodiversity crisis

Marie A Brown
R T Theo Stephens
Raewyn Pearl
Bevis Fodder



Vanishing Nature Revisited

2

- Published in 2015 VN an analysis of the drivers of biodiversity loss in Aotearoa
- Vanishing Nature explored the many efforts to safeguard nature but noted its ongoing decline. It tried to explain nature loss, rather than just synthesizing information. It held a framework of how to think about nature and its loss.

Scope



DOC AND PUBLIC
CONSERVATION
LAND



PRIVATE LAND



FRESHWATER



MARINE
ENVIRONMENT

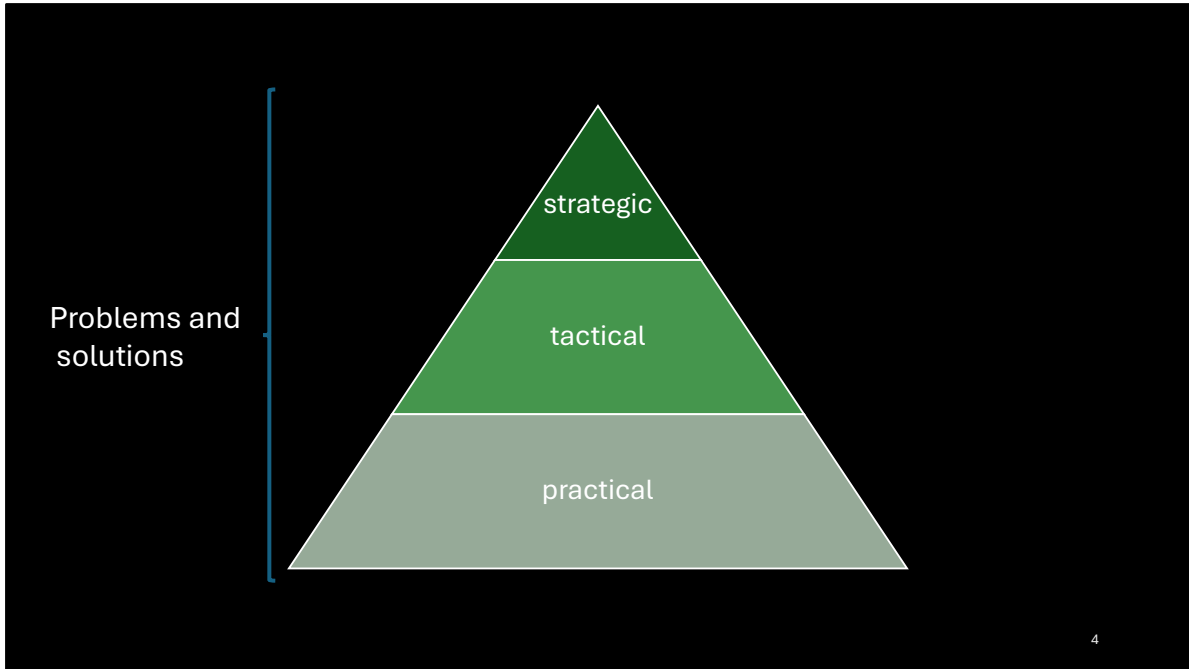


COMMUNITY
CONSERVATION

3

To present a lot of information we needed to divide across some domains. Four physical domains, one context of community led conservation

A key observation was the mushrooming nature of community led conservation, which we interpret as evidence of substantial and motivated public support for conservation – and we see that time and again



Problems exist and solutions are needed at three levels:

- (1) practical levels (do more of the good stuff in more places),
- (2) tactical (primarily legal constructs that rebalance power between extractive interests and the public interest) but most importantly:
- (3) strategic solutions that addressed the misalignment between what works for the public interest in nature and what garners private economic benefit.

Vanishing Nature proposed many solutions at the different levels.

Practical solutions are needed but don't make substantial change to underlying drivers

Effectiveness of tactical solutions often ineffective due to undue influence

Strategic solutions were really where effort was needed



Strategic solutions

- Partnerships
- Environmental Protection Fund
- Environmental consumption tax and rebate system
- National conversation on biodiversity
- Payments for ecosystem services

5

We can name them, but we need parameters

Its not the partnering, its how we are partnering etc...

National conversation on biodiversity

'Finding ways to work together and achieve win wins for biodiversity and prosperity will mean that protecting and restoring biodiversity doesn't need to come at a cost to wellbeing and sustainable livelihoods.' (ANZBS p.23)



TE MANA O TE TAIAO
AOTEAROA NEW ZEALAND
BIODIVERSITY STRATEGY 2020

SHIMMADV

6

The replacement of the previous New Zealand Biodiversity Strategy was a significant process culminating in the release of Te Mana o te Taiao in 2020.

The strategy and work programme also reflected te Ao Māori much more strongly than its predecessor. We think this is critically important, because in our view the Treaty partnership is the foundation of an effective and enduring future for all of us, and enshrining the Māori world view a critical precursor to the protection of te taiao

However, given the enormous threat to biodiversity and what we know of the importance of addressing the fundamental drivers of harm, it was important that the strategy engaged with those. It did not.

Quote

The reality is the strategy appeared to enshrine the dichotomous message that conservation was something that sat on the opposite side of prosperity.

The contrast between the ambition in the goals and the scale of change that could be expected from completion of the tasks was gulf-like (Hall and Brent, 2022) [Without a better plan, New Zealand risks sleepwalking into a biodiversity extinction crisis — Environmental Law Initiative](#)

Tactical solutions

- Mandatory national level biodiversity reporting ★
- Regional biodiversity planning
- Close gaps for wetlands and estuaries
- Allocate stewardship land
- Strengthen public interest litigation ★



The Environmental Reporting Act 2015 which set up mandatory national state of the environment reporting along with some quality controls.

Biodiversity is a cross cutting theme – reports are well laid out, accessible and drawn on whatever data they could

Mandatory national level biodiversity reporting



- Biodiversity is a cross-cutting theme
- Underlying data gaps make the story difficult to tell
- Many data gaps are long standing
- Efforts to steward biodiversity data are there but more work needed (see further, PCE series)
- Is our science and research system changing the basis for the story or its trajectory?

8

The reporting regime is administered by the Ministry for the Environment and Statistics New Zealand, with a review role for the Parliamentary Commissioner for the Environment.

Biodiversity is a 'cross-cutting' theme (being present in all domains) which means it should be covered in every report.

Indicators explicitly related to biodiversity exist – deficiencies and gaps with limited effort to address them over time however

Are we supporting our science and research system to address those gaps and maintain necessary expertise?

[Environmental reporting | Ministry for the Environment](#)

Strengthened public interest litigation



9

This public interest litigation is really important because it can directly influence the collective action problem. It does this by promoting agency accountability, creating case law and clarifying policy.

Public interest litigation is an essential tactical-level function in nature conservation. There was, until recently, a small fund to support this work.

The Environmental Legal Assistance Fund (ELA) is a fund administered by the Ministry for the Environment since 2001. The ELA was launched by then Acting Minister for the Environment Pete Hodgson, designed to enable groups (not individuals) to participate in resource management processes. The fund started with \$1m p.a and was \$600,000 at the time of its abolition in 2023.

At the time the fund was launched, an independent panel was convened to make politically independent recommendations to the Chief Executive of the Ministry for the Environment on what to fund. In 2016, Cabinet decided that the decision making should be under political control and so made the Minister for the Environment of the day (National's Nick Smith) the decision maker.

In 2017, Nick Smith was questioned in Parliament over the fund's attrition and the unpublicised changes in criteria he made to limit access to the fund if the intention was to contest housing or infrastructure proposals. Min Smith noted in Parliament 'The Government makes no apologies for making it harder for groups to get Government money to stop houses and infrastructure from being built' (Hansard, 2017).

In 2024 as the fund was abolished and four years of funding (2.4m) was handed back, Minister for the Environment Rt Hon Penny Simmonds stated that 'the Government wants taxpayers' money to be used to fund better environmental outcomes rather than legal challenges' (Williams, 2024). The removal of the ELA reflects favouring of commercial interests over community and environmental outcomes, likely lessening public accountability and eroding the public interest in nature.



Department of Conservation and PCL

- Commercial partnerships
- Allocating stewardship land
- Trouble on the horizon...?

10

The Department has had a tough ten years, beginning in a depleted state following the massive Partnerships restructure and all the collateral damage

Any amount of excellent and crucial work done on the ground every day within often very challenging circumstances

PARTNERSHIPS (commercial) –

No objection to business being involved in conservation, but was the juice worth the squeeze

The Department was able to provide an approximate figure for the 35 commercial and other partnerships for which information was provided (\$123 million), includes in-kind contributions - further confounding assessment. Was it worth it?

Notable lack of clear reporting. Commercial partners are going to quickly say what they are doing but it would be good if the Department was more transparent.

STEWARDSHIP LAND

A fraught context is the allocation of stewardship, a long standing of the Department that has never received necessary attention.

Misclassified land is both a threat to biodiversity and a systemic weakness in the management of public conservation land. Land is commonly framed as low value when much of it simply isn't

'Stewardship land' is the class of land of varying levels of importance to nature conservation, a 'statutory holding pen' as it is often described. (NHF, tenure review)

The Stewardship Land reclassification process demonstrates that dilatory efforts to put in place appropriate protections provided by the law and to then use them to bring about public interest outcomes have very real consequences.



Conservation on private land

- Private restoration effort overall unknown, but some gems (Tahi)
- National Policy Statement: Indigenous Biodiversity (strategies must start in August)
- Regional biodiversity action
- Covenant success

11

Vanishing Nature highlighted that existing strategies to safeguard biodiversity via various forms of legal protection have been overwhelmed by pressure for development and resource use, and strong private interest opposition to regulation with preference for voluntary conservation.

Outside of regulation, there is likely a lot of good stuff happening under the radar. There is no joined up census of conservation activity on private land. Tahi as an exemplar

The strong influence of vested interests on underfunding and under-implementation of environmental protection tools (especially regulation by regional councils) and the strong economic incentives for land use intensification rather than conservation and maintenance of ecosystem services combine to create much risk for nature on private land.

While we still observe that private land bears the brunt of the contest between public and private interests, we are buoyed by a few developments in the last decade. We highlight three:

- A strengthened embrace of council's biodiversity role and what this has meant for nature (willis reports)
- National Policy Statement: Indigenous Biodiversity (initiated by national, Feds and F&B, regression in requirements)
- The enthusiasm for covenants even in the context of very limited incentives (QEII, BPCT, Nga Whenua Rahui – all struggling to meet demand. It seems to me that the absolute least we could do is fund covenanting organisations to at least meet demand

Freshwater biodiversity

- Biosecurity incursions
- National policy changes trying to broker acceptable policy that doesn't curtail economic activity
- Nitrate emergency



12

There has been enormous effort over the last decade reflected in collaborative processes, policy wrangling and formation and reformation of advisory groups to provide input into the legislative processes intended to put instruments in place aimed at sustainable freshwater management.

We have spent considerable time trying to find an acceptable level of policy control, while avoiding constraining economic activity (eg curtailed intensification). These goals in many parts of the country are no longer reconcilable.

In the background, freshwater biodiversity has continued to face pressure not just from pollution and take, but from invasive species (golden clams, didymo and lake snow)

Growing evidence of serious water quality issues with implications for biodiversity and human health demonstrate that the economic value of freshwater for short-term consumption and waste disposal continues to have primacy over its intrinsic value and life supporting capacity.

Beyond the political rhetoric eventually you bump up against physics and the fact that the way we use water is sending us over ecological thresholds and into spaces where human and ecological health is potentially heavily compromised.

We have run out of runway for easy interventions

We conclude that a mechanism to put a price on the environment costs of water consumption and pollution would do much to help slow the loss and degradation of freshwater ecosystems and promote our wellbeing over the time scales it needs to occur.



Marine biodiversity

- Place based innovation 'against the tide'
- Glacial progress in marine protection
- Cameras on boats

13

Growing recognition of the importance of the marine environment including at global levels
Primary interaction remains extractive due to a lack of national scale uptake on the likes of marine spatial planning

Some place based wins and innovation, and you can read lots about that in the work that Raewyn Peart has produced over the review period.

Latest inclusion of hard fought marine reserves – no fast track for protection

Cameras on boats = a sharp uptick in evidence of harm and now a proposal to exclude footage from OIA
[Chief Ombudsman says fishing boat camera footage should not be excluded from the OIA | Ombudsman New Zealand](#)



Community conservation

- Conservation is multi-polar and pan tenure
- Increasing sophistication of community efforts and reliance upon them
- Is it shifting economic and political choices?

14

Community led conservation – complexity is about holding multiple things to be true at the same time

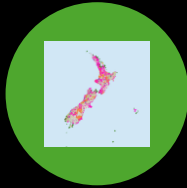
We have seen the whole context shift – no apex of doc and a smattering of groups/councils. It looks quite unlike the governance system that leads it.

Increasing reliance on community efforts as budgets shrink and size of the job grows.

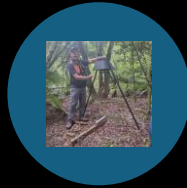
The difficult question – is it changing what people do enough? We might need to engage in some tough conversations about the strategic linkages in the years to come.

<https://predatorfreenz.org/about-us/predator-free-new-zealand-trust/our-research/#key-shifts-to-improve-funding-and-support-2024>

Predator Free 2050



PREDATOR FREE NEW
ZEALAND TRUST



PREDATOR FREE SOUTH
WESTLAND



PREDATOR FREE
WELLINGTON

15

New Zealand's much-cited goal of being predator free by 2050 deserves a central place in the conservation story of the past decade because it has been such a powerful catalyst of public mobilisation to actively manage natural areas. You can't just lock up and leave.

Key decisions supporting the predator free goal included:

- That DOC is the lead agency and Minister of Conservation the lead minister
- That the establishment of Predator Free New Zealand 2050 (PF2050) should proceed as an independent Crown Company (or equivalent Crown Entity)
- That a subsidiary be formed to oversee investment in long term predator science (this became Zero Invasive Predators)
- That PF2050 will anticipate at least a 2:1 financial contribution from other co-funders (Cabinet, 2016).

Over the past ten years we have seen considerable embrace on the ground of the predator free objective, a growing acceptance of pest control methods and some burgeoning areas of innovation where resources and expertise allow.

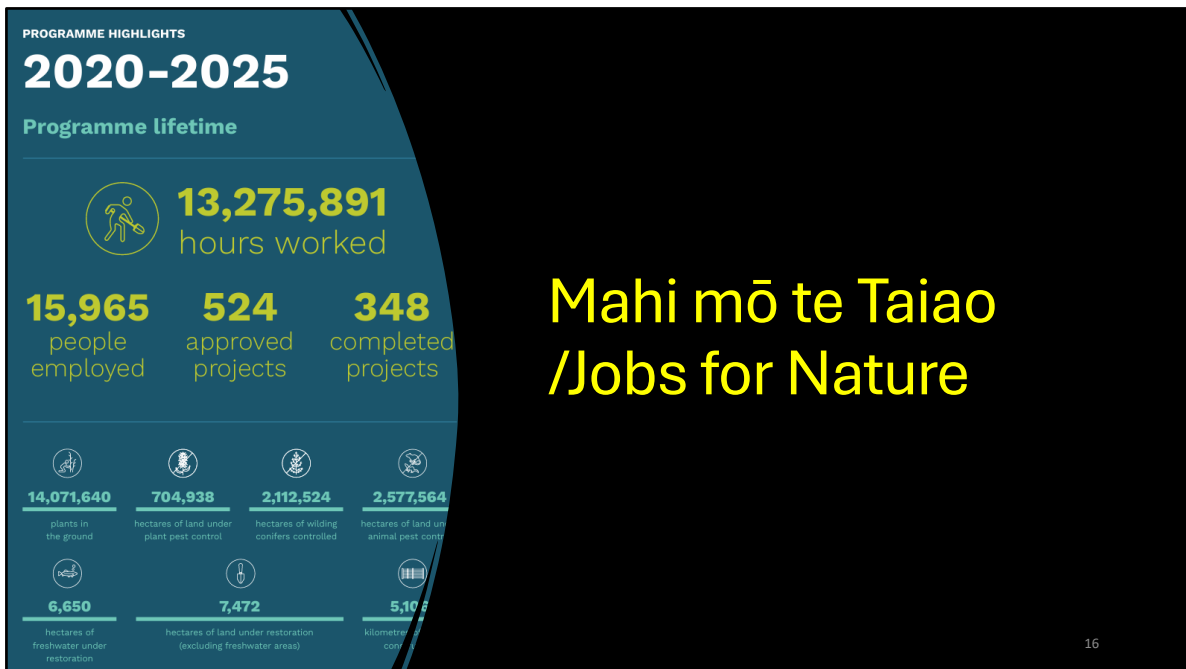
The stalwart Predator Free New Zealand Trust has provided consistent and admirable support to many thousands of individuals, a vital catalyst in a movement that has taught us a lot about what promotes individual engagement with conservation mahi.

Predator Free South Westland has bitten off some significant goals and made considerable inroads to achieving them developing critical knowledge and expertise along the way

Predator Free Wellington, and all the many precursor and partner efforts have demonstrated what an audacious goal in an urban context looks like.

While we note there's a long way to go and a slew of social, cultural, technical and economic challenges still to

navigate, it's hard to beat the predator free movement as a game changer. We do note the recent disestablishment of PF2050 and we wonder if the concentrated effort can be equally discharged at its new home....but that's something to watch...



The fund was a stimulus initiative to offset the 15% unemployment expected from the Covid-19 global pandemic. However, careful management of pandemic impacts prevented the unemployment rate reaching this level.

Programme performance reporting focused on hours/days of employment provided, not social or ecological outcomes. Consequently, the overall value of the programme for nature is unknown.

Other shortcomings of the programme were:

- A lack of additionality. Some of the funding went to projects already required for regulatory reasons (e.g. wilding pine control)
- Weak alignment with conservation priorities. Some funds were spent on low value actions that with little strategic advantage beyond being 'shovel ready' and generating FTE
- Potential for unintended wealth transfer from public to private hands through private land restoration subject to little security (e.g. legal protection by way of covenant)
- Cost shifting for core government functions. Already funded positions became funded by J4N and then discontinued at the end of the programme.

Notwithstanding, Jobs for Nature provided insight to what better funded conservation might look like. Highlights include:

- Funding to enable some community-led conservation initiatives to plan strategically and achieve much greater action on the ground, providing a glimpse of a future where conservation has a central role in the economy
- Seed funding for projects that would not otherwise be supported
- Support for existing but under-funded initiatives. For example, the QEII Trust received funding for three projects focused on catching up on their backlog of keen would-be covenantors, protecting threatened plants and installing deer fencing to protect covenant values from the rising incidence of ungulate browse

To that end, it also illustrated that the boom and bust nature of conservation funding carries inherent and unavoidable risk.



Consistent themes

- Sustained efforts to promote extractive interests at the expense of biodiversity and (our) wellbeing
- Some surprise developments (disestablishment of the Ministry for the Environment)
- Some areas that give 'imperfect' hope
- Fundamentally misaligned incentives sit at the core of the problem – what holds them in place?

17

Themes are consistent – what's happening here?

Effort to reduce power for civil society to advocate for the public interest while increasing power with extractive interests.

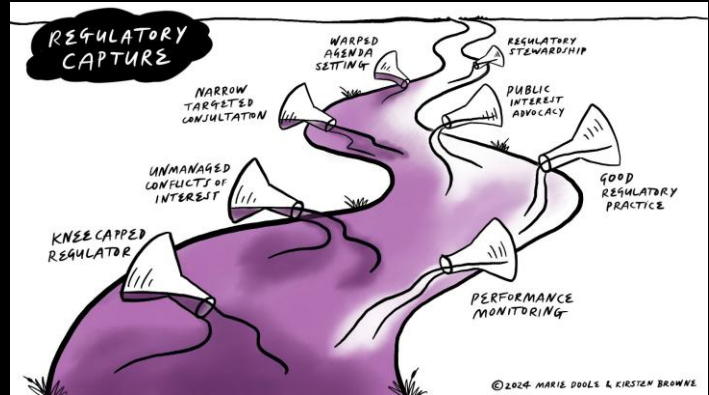
Conservation remains restricted in cost, location and scale to where it is convenient and does not contest economic interests

The momentum represented by these shifts needs to be built upon in strategic and enduring ways.

This will demand much disruptive and fundamental change – not just more philanthropy, more people volunteering on the weekend and more land retired for ecological restoration. It requires a new level of participatory democracy: knowing what our economy is for; a deep understanding that we are both a product of nature and a part of it and therefore, self-care and nature conservation are inseparable.

Diagnosis - Fundamentally misaligned incentives. These drive excessive influence and intensify the struggle,

Undue influence remains significant



18

A word on the moderation of vested interests – side bar on capture research

Strategies to exert influence – discursive and direct action strategies

The cumulative effect of weakly moderated vested interests through the system

See papers below

[Navigating Murky Waters: characterising capture in environmental regulatory systems | Policy Quarterly](#)

[Drain the Swamp to Save the Swamp: mitigating capture in environmental regulatory systems | Policy Quarterly](#)

So, what of
the future?



19

When Lucy writes her book about nature in twenty years, what are the big moves that might result in a turning point worth recording?

[Wairarapa wild bird rescue | Facebook](#)

1. Centre conservation on Treaty partnership

We envision

- Mātauranga Māori will be integral to every conservation initiative
- Local iwi and hapū will be engaged traditional guardians
- Permissions and funding will be contingent on mana whenua support
- Traditional and Western ecological knowledge is supported within the national science and research system.

20

Centre nature conservation on an authentic expression of the Treaty partnership

Integrate the Māori world view and models of co-governance, power sharing and transfer arrangements and other provisions to support the exercise of kaitiakitanga and tino rangatiratanga

2. Fundamental economic reform

- The tax system has the potential to drive systemic change
- A nature-sustaining economy is likely dependant on fundamental reform
- Tax affects everybody, so is a powerful lever
- Disincentivising harm and rewarding good actions in tandem



21

Creating an economic context in which long term decision making can be rewarded is a near term challenge for the New Zealand economy. So long as powerful incentives exist to degrade nature for private benefit, ecologically sound decision making will be fraught.

While the political obstacles to tax reform are daunting, particularly as dominant political parties cling to the centre, we note baby steps toward useful environmental taxation have been implemented by some progressive councils. We hope more will follow. Indeed, we cannot imagine brokering a more sustainable trajectory for humanity without rethinking what constitutes wealth and how we can best preserve it.

[Enhancing the tax system to halt the decline of nature in New Zealand | Policy Quarterly](#)

3. Addressing integrity

- Assurance that fundamental democratic safeguards are in place is a precursor to the protection of public goods
- Protecting the environment from concentrated efforts of interests that degrade nature depends on a deliberate rebalancing
- Eroding public trust in the state will pull us away from the potential for positive collaboration



SOLUTION

A dedicated capture and corruption agency, with an environmental mandate

22

Addressing regulatory capture is increasingly urgent because as vested interests succeed, they invest more in achieving further undue influence and degrading the advocacy rights of civil society, climbing an epistemic ladder (Saltelli, 2021). Politicians and agencies must be staunch in resisting capture by vested interests while being diligent in engaging with civil society and laser-focused on delivering public interest outcomes.

We recommend creation of a dedicated capture and corruption agency, with an environmental mandate in addition to other interventions to moderate the excessive influence of vested interests. We propose the institution be modelled on the Australian examples known as Independent Commissions Against Corruption. This recommendation follows earlier ones such as following a study of environmental regulators in New Zealand (Brown, 2017)

- A national anti-corruption strategy (see further Chapple, 2024)
- Improvements to the way New Zealand approaches access money and the management of official information (Yasbek 2024)
- controls on political donations to parties and candidates (see further Rashbrooke and Marriott, 2023)

Summary

Conservation must quickly and deeply engage with the fundamental drivers of harm

We must take care about the narratives we tacitly accept

Conservation is not a 'nice to have' and harm is not a right

Underfunding of conservation is a political choice and we are all worse off when its made

Follow up questions

marie@matakienvironmental.co.nz



23
Judy Lapley Miller



In memoriam

- Sir Rob Fenwick
 - Rod Oram
 - Chris Smuts-Kennedy
 - Gordon Stephenson
 - Mel Galbraith
 - Craig Cary
 - Chris Allen
 - George Mason
 - Ian Atkinson
 - John Sawyer
 - Wade Doak
 - Alan Livingston
- and many more....

