



New Zealand Coastal Policy, People and Partnerships: Are there Lessons for Queensland?

Johanna Rosier

Associate Professor and Program Leader, Regional and Urban Planning Program, University of the Sunshine Coast.
jrosier@usc.edu.au

Introduction: NZ Coastal Governance Philosophy

Management of New Zealand's coastal and marine environment fundamentally changed through the economic and legislative reforms of the late 1980's. A new liberal philosophy influenced government. "Do nothing" is always an option, and other policy methods/instruments have to be considered before a regulation or rule is prepared. In creating restrictive regulation or rules – the effectiveness and efficiency of various options including partnerships with Maori, community groups and industry also need to be considered. Significant restructuring of government and the creation of the regional Council level of governance was a contentious debate. The top down, whole of government reform was described as cooperative governance (May and Busby 1996), in that local government could "not be inconsistent" with the higher level policy, but still had space to determine what actions and policy would be delivered at the local level, reinforced by strong monitoring at the central level. This is different from the Queensland model for coastal governance which operates under a coercive policy system – a model in which it is assumed that conflict over shared policy is normal, and both ends and means of achieving policy are prescribed at the higher level of governance and imposed on the local level. This paper aims to focus on recent New Zealand environmental reforms and changes and to demonstrate the effects of these changes on the different types of partnerships that have evolved since the late 1980's. The paper also provides some insights into whether some of the changes and experiences of NZ coastal communities may provide lessons for Queensland coastal planning and management.

NZ Coastal Governance: Reforms and Reviews

New types of government environmental agencies were created in New Zealand through the reforms of the 1980s and 1990s - one of the characteristics of whole of government reform (Christenson and Laegreid 2007). Pre-environmental reform, departmental management had been characterised by highly fragmented legislation and many "quangos"

and agencies with overlapping responsibilities. By 1990, the amount of environmental legislation was more than halved. Politicians talked about the “one stop” shop at the regional and territorial levels of planning and the new relationships, collaborations and partnerships which would mean everyone was committed to sustainability as a normal part of doing business. The Office of the Parliamentary Commissioner for the Environment is the environmental “watch dog”, which provides oversight about the impact of government actions at all levels of government, reporting back to Parliament, not the Executive, reinforcing the state’s monitoring role. Finally, the Department of Conservation was created to advocate for the conservation of NZ indigenous fauna and flora.

The new level of regional government was formed to deal with common property issues related to air, soil, water and coastal marine area management. Territorial authorities (district councils), reluctantly, now focus only on plans about use of land and private property issues (landscape amenity, compatibility of land-use, subdivision noise and activities on water). Cheyne (2008) believes that those changes to intergovernmental relations in New Zealand have resulted in a focus on regions and local government as a way to address the spatial and locational unevenness of socio-economic development. While NZ Local Government does not have a power of general competence – local government has been empowered to promote wellbeing – which gives broad options for development of general policy. But overall, Local Government is not independent and is still a creature of the national level of government.

In the reforms of late 1980s, socio-economic, cultural and environmental considerations in planning resource use were integrated through an “*effects-based*” approach to planning in which planners and decision-makers focus on the positive benefits and possible environmental costs of development to achieve sustainable management of natural and physical resources (*‘to develop and protect natural and physical resources which enable social and economic well-being while sustaining those resources to meet the reasonable foreseeable needs of future generations; safeguard the life supporting capacity of air, water, soil and ecosystems; and, avoiding, remedying or mitigating any adverse effects of activities on the environment’*). In the Resource Management Act (RMA) (1991) regime, this was achieved through the introduction of s32 which has been written several times, but the intent remains consistent (Figure One).

Figure One: Summary of s.32 Resource Management Act 1991.		
Consideration of alternatives, benefits, and costs		
Evaluation to be carried out before decisions are made about all plan and policy statement proposals and changes, and changes to national standards		
The evaluation must examine—		
•	the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and	T
•	whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.	W
Also need to consider:		
•	the benefits and costs of policies, rules, or other methods; and	T
•		T

In the development of the RMA regime there were several positive outcomes for coastal and marine environments:

1. A nationwide focus on the coastal environment as a field of planning is important. Previously, coastal planning had been fairly ad hoc with few councils and harbour authorities identifying it as a planning focus (Miller and Rosier 2006). Reasons for special coastal provisions include the sensitivity of the coastal environment, complexity of the interface between land and sea, and fluctuations in long-term cycles of environmental change. The coastal environment was seen as a finite resource that would be subject to increased competing demands for conservation (DoC 1992).
2. It was decided through the RMA reforms that the New Zealand Coastal Policy Statement (NZCPS) was needed to deal with important coastal matters and to provide a clear definition of the 'coastal environment'. There were to be a series of regional plans and policy statements through which the coastal provisions of the RMA were to be implemented. Rather than a hierarchy, each of the NZCPS, regional policy statements and plans had a particular role in achieving the purpose of the Act - sustainable management. All are required to achieve integrated management.
3. The Minister of Conservation's roles under the original RMA provisions included approval of the NZCPS, approval of regional coastal plans (management of the CMA) and as the consent authority for Restricted Coastal Activities (RCAs) which were to be processed at the regional level of planning. The Minister was also responsible for deciding how land reclaimed from the sea under the RMA was to be vested in the Crown or converted to private property, and how space was tendered in the CMA for extraction of sand, gravels and shell.
4. In the coastal environment, a different philosophy guided the formation of rules. On land, planning had a restrictive regulatory function – activities could be carried out *unless restricted by a rule in a Plan*. Seaward of MHWS, activities could not be carried out *unless facilitated by a rule in a regional coastal plan* (Rosier and Hastie 1996).

However, in the new NZCPS (MoC 2011), there are no longer restricted coastal activities. Once councils created discretionary activities, the Minister's role in this area ceased. Other new types of government agencies created in the 1980's -90's have specific roles in environmental management – but are required by law to integrate management across departmental systems. For example, the Department of Conservation manages State-owned conservation areas on land and most marine conservation matters.

Generally, reviews of RMA implementation have highlighted the dichotomy of aiming for sustainable management of natural and physical resources and creating tradeoffs between environmental and socio-economic objectives, and have discussed the issues associated with ecological modernisation (Grundy and Gleeson 1996; Berke et al 1999). Critics of the RMA regime have also commented on the problems of using the planning system and its processes to deal with the complex socio-economic issues facing NZ in recent years (Jackson and Dixon 2007), the restrictions on the community's ability to participate in RMA processes

if applications for development are not publicly notified (Gleeson 2006), and the implementation gaps attributed to lack of central government guidance (Rosier2004).

Figure Two provides an overview of current NZ environmental legislation affecting the coast and the marine environment, and its area of influence across Mean High Water Springs (MWHS). New bills or legislation created since 2010 are marked in bold.

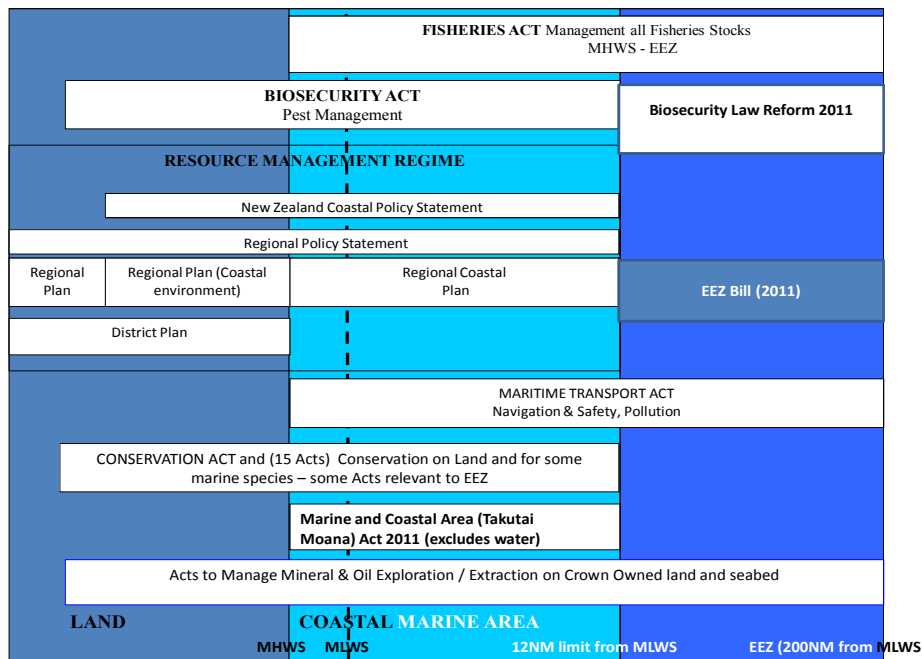


Figure Two: legislation and Bills affecting the coastal and marine environment

Most subsequent legislative reform has occurred to meet National Party (2008) election promises (Marine and Coastal Area Act 2011) and to meet international obligations and fill gaps in natural resource management, some of which have been identified by the OECD (2007;p2) as:

- Adopt more concrete goals and quantifiable targets;
- Strengthen government support and policy guidance for councils;
- Strengthen Parliamentary Commissioner for the Environment’s role (funding and research resources); and,
- Improve coordination and collaboration across levels of government
- Ensure greater use of multi-stakeholder decision-making processes and voluntary agreements.
- Tailor environmental monitoring and reporting systems and use measurable objectives (State of Environment reporting).

It is difficult in a diagrammatic overview of legislation to provide an understanding about changes to participation. Overall people’s ability to participate in formal plan preparation and resource consent processes has been reduced with new tests being applied to determine who is “an affected person”. A consent authority may disregard the effects of an activity when deciding who is an affected person (RMA s.95E). However, the development

of partnerships can be used as a formal strategy to achieve resource management outcomes, such as coastal dune restoration. These environmental outcomes are monitored along with other efforts (e.g. policy statements and plans) to achieve environmental outcomes. New roles have been created within councils and government departments to manage community groups and their outputs.

Why is there so much national focus on the marine environment?

Many coastal communities feel that local management is best because the locals are the people who also bear the brunt of problems caused by poor coastal management. However, at the national level of government “the Crown” has interests too. The interests of the Crown in the coastal marine area (CMA) are not simply based on the assumption that land is government owned. The Crown has other responsibilities and interests because NZ has signed international treaties to manage various matters according to international agreements and standards. The more general interests of the Crown in the management of the CMA, including oceans, may be summarised as:

- Sustainable utilisation of natural resources in the marine environment and protection of natural capital underpinning the wealth-generation capacity of NZ’s oceans.
- Implementation of international obligations, supporting broader regional or global initiatives, developing and implementing multi-lateral oceans treaties and agreements and satisfying various international obligations on land and sea, as outlined by MfE at (<http://www.mfe.govt.nz/laws/meas/>). Under the new EEZ Bill (2011) and the changes to the Biosecurity regime, input by local communities to decision-making beyond the 12nmile limit is reduced because NZ’s national priorities become more important.
- The need to take into account the Treaty of Waitangi in developing policy and regulation at a national level to guide sub-national policy-making in both substance and governance matters. Coordination of the different approaches to the Treaty of Waitangi by various government ministries and departments is important given the partnership between Maori and the Crown. The government still needs to make its response to the Waitangi tribunal decision about the WAI262 Claim (Waitangi Tribunal 2011). However, it is expected that there will be greater more direct involvement of Maori in decision-making about natural resource utilisation in NZ.
- Effective management of data about NZ’s coastal environment and oceans is required. A number of agencies carry out research on the coastal environment (often funded by government), but the quality of the data is variable, and not always accessible to those who need it. Due to the small pool of relevant expertise on management of New Zealand’s coastal environment, it is important that central government co-ordinates research and provides research and monitoring targets. This is managed through the Ministry for the Environment.
- Appropriate management of marine natural resources such as petroleum and minerals, including analysis of the competition between users for increasingly scarce marine resources, and regulating to protect environmental bottom lines. For example, allocation and management of the exploitation of resources of the Coastal Marine Area (sand, shingle, and shell for commercial purposes), is managed by the Minister of Conservation under the provisions of the RMA regime.

Recent Coastal and Marine Governance reforms

Since 2003, as outlined in Table One, several major reforms have occurred since 2003 - changing the RMA and Biosecurity regimes in particular and introducing two new legislative systems in the marine environment in the exclusive economic zone (EEZ).

Table One: Reforms and Reviews Influencing Coastal Governance.

Environmental reforms and reviews	Impact on legislative regimes
Aquaculture decisions in the Planning and Environment Court – requirement for regional coastal plans to provide for aquaculture management areas.	<p>Change in philosophy in the coastal marine area. Originally, Regional Coastal Plan rules facilitated activities with minor effects – Now, regional Councils are required to allocate space for aquaculture activities, a role not envisaged by regional councils.</p> <p>New Interpretation of the “Precautionary Approach” The Planning and Environment Court has provided for an adaptive management approach to large aquaculture projects – enabling for part of the development to be established and monitored so that the adverse effects can be more accurately determined and avoided or mitigated.</p>
Repeal of the Foreshore and Seabed Act (provided for spatial allocation of public access, private titles, reclamation, structures and other matters) and enactment of the Marine and Coastal Area (Takutai Moana) Act 2011.	<p>New Marine and Coastal Area (Takatai Moana) Act 2011 - landward boundary is MHWS and the seaward boundary is 12 nautical mile limit (territorial sea). The Act:</p> <ul style="list-style-type: none"> • Guarantees free public access. • Enables Maori and community groups to seek recognition of “Protected Customary Rights”, or Customary Marine Title” (continuous occupancy since 1840). Customary Marine Title cannot be sold. Eleven existing claims to be heard in the NZ High Court. <ul style="list-style-type: none"> ○ No resource consent needed to exercise customary rights. ○ Additional rights of consultation for other RMA activities in that area. ○ Effect on management of management of marine mammals sanctuaries and associated tourism activities • Makes a common space of the public marine and coastal area, ensuring it can never be sold. • Protects all existing uses, including recreational fishing and navigation rights. • Addresses two fundamental rights violated by the Foreshore and Seabed Act – the right to access justice through the courts, and property rights. • Protects, and in some cases extends, rights of vital infrastructure such as ports and aquaculture.
Review of the New Zealand Coastal Policy Statement (NZCPS)	<p>No Restricted Coastal Activities – with decisions by the Minister of Conservation. Once the regional coastal plan is approved by the Minister, regional councils can make the decision – however, activities which were previously RCAs must now be discretionary activities.</p> <ul style="list-style-type: none"> • More detailed guidance in the NZCPS about what needs to be considered by councils in developing district and regional plans – focus on development excluded from first NZCPS. • Clarifies how agencies interact with Maori. • Need to place an emphasis on <i>avoidance</i> of adverse effects where development is in locations with outstanding landscapes and natural features, significant places. • No policies about charging for space occupancy – need additional legislation.
Waitangi Tribunal Wai 262 decision (Waitangi Tribunal 2011)	Whole of government inquiry – identified issues which, if agreed by government, will significantly change policy decision-making bodies in areas of conservation, heritage and culture.

	<ul style="list-style-type: none"> • Need a new commission to protect Maori cultural works against offensive use. • Existing legislation in NZ does not provide adequately for partnerships with Maori in decision-making as established in the original Treaty o Waitangi – no respect of tino rangatiratanga (traditional authority) over their taonga (treasures) core of Maori identity. • Now need to establish a Crown-Maori future focussed relationship based on mutual advantage – beyond grievances • Improve support for rongoa Maori (traditional healing), Te reo (Maori language) and traditional knowledge. • Maori do not own species of fauna and flora, but need more involvement in resource management and in managing laws about patents and plant varieties.
Exclusive Economic Zone [EEZ Bill (2011)]	<p>The EEZ Bill aims to enable the development of regulations to establish a system (including rules and standards) to classify and manage the effects of people’s activities beyond the territorial sea (12 nautical mile limit) which could potentially have an adverse effect on the environment. This is difficult because of the lack of baseline environmental data. Potentially harmful activities will require consent from the newly formed Environmental Protection Authority. Relatively minor activities will be decided by both the relevant Regional Council and the EPA, with fewer rights of appeal than in the RMA. Existing oil platforms and exploration licences will be exempt.</p> <p>The Bill is being developed by the Ministry for the Environment which is currently developing standards against which people’s activities can be measured. Proposals with potentially serious adverse environmental effects will be publicly notified and applicants will need to justify how the adverse effects of a proposal may be avoided, remedied or mitigated. Existing activities will also be assessed and any which are prohibited under the new regulations will be required to stop activities within a specified time period.</p> <p>Development of policy and processes need to provide “<i>realistic opportunities</i>” for the recognition and protection of Waitangi Tribunal claims by tangata whenua.</p>
Creation of new national agency – Environmental Protection Authority (EPA)	Role of EPA in coastal and marine management is on managing issues of national importance including management of plan changes and development of policy, and management of hazardous substances. The EPA will be consenting authority for activities taking place within the Exclusive Economic Zone and Continental Shelf in the Exclusive Economic Zone and Continental Shelf (Environment Effects) Bill.
Biosecurity Reform Bill (2011)	Provide for management of introduced pests in NZ coastal waters seaward of 12 nautical miles to edge of EEZ.
State Of Environment (SOE) Reporting in Ministry for the Environment	<p>Changes to legislation requiring regional councils to report using consistent criteria to measure environmental indicators.</p> <p>Maori indicators – research ongoing.</p> <p>River environment classification - varies around the country.</p> <p>Marine Classification now complete</p> <p>Land information systems complete – education.</p> <p>Freshwater indicators - ongoing</p>
Indigenous Biodiversity national policy statement (ongoing)	Ensure no net loss of dune habitats (rare endangered habitats), Impetus for regional councils to provide more support to dune care groups so dune protection and restoration becomes more effective, also contributing to managing the potential effects on coasts of events related to Climate Change and sea level rise.
Review of MfE/ Fonterra agreement (2003b)	<p>MAF (2011) Review:</p> <ol style="list-style-type: none"> 1. Critical failure to reduce excess nitrogen runoff to streams. 2. High levels of non-compliance 3. Significant irregularities in monitoring format

--	--

Effect of Legislative Change on Care Group Efforts

The number of volunteers working for NZ conservation, and in community care groups has increased significantly since 1988. For example, approximately 7,000 volunteers help out in areas managed by the Department of Conservation (DoC). In celebrating Volunteer Week, The Minister of Conservation noted that volunteers contributed 23,241 workday equivalents in various DoC projects (Wilkinson 2011). Dune care is the focus of more than 40 groups in the NZ North Island alone. Most groups aim to restore the integrity of the sand dunes to maintain amenity of their beaches, manage the effects of climate change and avoid hard engineering on their coasts.

While the most successful groups are managed in partnership with regional councils, DoC has also become involved and now works in partnership with more than 400 community conservation organisations, some of which focus on indigenous habitats or species and not necessarily coastal environments. This required a philosophical shift from 'do it ourselves' to 'do it with others' and 'support others so they can do it' (DoC 2011).

In the regions, partnerships have been formed between the Department of Conservation and/or regional councils with community organisations to achieve specific resource management outcomes – e. g., the Fiordland Integrated Coastal Management Project, a partnership (The Fiordland Marine Guardians) between catchment groups and fishers with Council and DoC. The draft strategy has changed the perceptions of local communities and industries and gradually the role of the Guardians has been to focus on the preparation of resource consent applications, research and biosecurity measures (Allen and Clark 2010). The review recommended better budgeting and financial management.

Community groups undertaking dune or landscape restoration in the coastal environment are often unclear about the wider coastal management framework (Rosier 2007 unpublished) and potential effects of policy and other regional council activities in their restoration area. They are often unaware of the effects of local and regional policy guiding river management (e.g. river mouth cutting) and people's activities (e.g. "off lead" dog walking area). Once the effects of these activities are known, groups are placed in a reactive position needing to ensure that their restoration projects are not threatened. Groups also need to consider being proactive in policy advocacy in areas where protection of natural character is a high priority, so future group work does not threaten the restoration projects.

Change in Central Government policy means that some coastal issues may be dealt with in other national policy initiatives at a national level in addition to new NZCPS (MoC 2011) policies. The 'Indigenous Biodiversity National Policy Statement' (MfE 2011) is about to be publicly notified with implications for natural character and amenity. The Aquaculture review is almost complete, ensuring that further progress will be made in relation to coastal occupation charges.

The use of education and volunteerism has also changed policy implementation in recent years. Community environmental programmes to engage communities, increase people's

awareness of environmental problems and achieve landscape restoration have enormous potential to engage local communities in debates about the management of their coast and the marine environment off shore.

Some methods incorporate survey and analysis, enabling property owners and community groups to improve environmental practices. Other initiatives provide information about the sensitivity of environmental values or the effects of peoples' activities. However, it is not clear that New Zealanders realise that new legislative provisions about marine management beyond the 12 nautical mile limit provide little means for community involvement because the assumption is that decisions in the EEZ are more likely to be matters of national and international importance.

Lessons for Queensland volunteer care groups

1. **Be clear about the role of your group in coastal management in your region.** Not all groups need to become environmental advocates. Some groups may simply enjoy restoring one part of the coastal environment and leave environmental advocacy to other community groups.
2. **Become involved in all debates about public access to and along the coast.** What is appropriate and reasonable access from your perspective? What are the effects on natural character or your project? Should some modes of public access be considered inappropriate in your area? Why? For example how is vehicular access managed on your beaches? Should public access be restricted in and around planted areas?
3. If your group is seeking to become involved in policy debates- **ensure that someone regularly cruises websites looking for information about the release of discussion documents. Note deadlines for submissions.** Consult with the department of Environment and Resource Management, the Department of Local Government and Planning, and your regional council so that the regional and local objectives for coastal landscape restoration are clearly expressed at both the state and regional levels of planning.

Overall, research in various countries has shown that it is difficult for local groups involved in landscape restoration to effectively participate in policy debates, so there is a role for volunteer networks to work with groups to present their views at the State level in Queensland. This conference is a useful place to continue that debate. Given that policy debates about coastal and marine policy are just beginning again, it is crucial that the voices of voluntary groups working in the coastal environment are heard at the regional, state and national levels of policy development.

Maori: NZ's Indigenous People

A Human Rights Commission (2010) review of race relations in New Zealand found that while there has been significant general progress in hearing and settling Treaty of Waitangi claims, systematic disadvantage remains to be fully addressed, especially in areas of health and education. The review also reports that there are significant challenges in Maori land

development, participation in decision-making at the local level of government and in improving socioeconomic outcomes for Maori.

Maori have consistently argued that they are disadvantaged by prevailing environmental governance philosophy and resource management methods used in government departments to control exploitation of indigenous species traditionally harvested by Maori, in fact Wright et al (1995;p84) argue that Maori have been particularly ill-served in management of native bird harvest and guardianship. For example, there have been no delegations of decision-making power to make decisions about harvesting of wildlife to Maori, while delegations have been made to Fish and Game Councils dominated by hunters and fishers – not local Maori concerned with Kaitiakitanga (guardianship of resources). Wright et al argue that some isolated examples such as the kaitiaki and monitoring of the sooty shearwater population in a Crown/Rakiuru partnership establish partnership models of science based co-management of NZ's indigenous species.

The wider debate about Maori practicing customary rights in the marine and environment was distorted by the 2004 Foreshore and Seabed Act. While the recent replacement legislation, the Marine and Coastal Area (Takutai Moana) Act 2011, recognises a partnership role for Maori in the marine environment, Maori is still required to pass government or Court tests to carry out customary activities and practices including the ability to restrict access to Wahi tapu (sacred) areas and to develop their own plans (Bess 2011).

In the resource management arena, the Maori Policy Unit in MfE (2003a) and online (2011) have provided guidelines for local hapu (family) and iwi (regional tribal level) to develop plans which are required to be considered by regional councils and territorial authorities in the preparation of plans and policy statements. MfE (2003a) have also provided guidelines about consultation with local Iwi and hapu. Local Government NZ has provided guidance about how to determine Maori issues about local governance and to choose what type of representation is desired by local Maori. Options include: improving officer capacity to understand Maori issues, developing a memorandum of understanding to guide the relationship between local Maori and Council, and improving Maori participation in local governance through voting in a Maori ward, representation on Council Boards, formation of a Maori consultative committee or funding the employment of an iwi liaison officer which increases the capacity of local iwi in understanding responsibilities of local government (LGNZ 2003;p6).

Because regional councils are generally concerned about pollution of air, water, soil and coastal waters, they would prefer that scientific information underpins the preparation of iwi plans. Regional councils have generally only used the iwi plans to describe environmental qualities (Rosier 2004). One Kaimoana (seafood) survey – between Fletcher Challenge Energy (FCE), (Subsequently acquired by Shell Petroleum Mining Ltd), Taranaki Regional Council, Ngāti Rahiri and Otaraua Hapū was carried out on the Taranaki Coast. The survey was specifically designed to work with hapu and iwi. Once the project was completed, the Ministry for the Environment completed the guidelines as a template for public use. This initiative is an excellent example of the non-statutory partnership initiatives to improve the capacity of Maori to manage kaimoana – practicing kaitiakitanga. Given the pressures marine resources are under, a common understanding of good management

practice, monitoring and standards enable Maori communities to adapt Tikanga moana (practices and customs) and management techniques to meet changing needs and expectations of the wider community.

Lessons for Queensland's Indigenous Communities

1. All Queenslanders still need to address disparities between aboriginal and non-aboriginal people in health and education as a priority.
2. If genuine opportunities for co-management of natural resources are going to arise out of reconciliation, DERM officers and Queensland Planning and Local Government officers are going to have to think more laterally about involving aboriginal people in decision-making about their country – i.e. become facilitators and catalysts for collaboration. At present the following organisations are listed as partners in coast care on the DERM website:
 - Australian Government Land and Coasts Program
 - Department of Environment and Resource Management
 - Great Barrier Reef Marine Park Authority
 - Local Government Association of Queensland
 - Queensland Coast and Marine NRM Network
 - Queensland Water and Land Carers

Each of those organisations represents thousands of people, but few, apart from the GBRMPA, has detailed provisions on their websites about recognising traditional links to country. The GBRMPA also fosters indigenous community engagement through membership on the Authority's Board, representation on the Indigenous Reef Advisory Committee (IRAC), Science and Management Workshops for Traditional Owners, compliance training, and involvement in projects about monitoring and Traditional ecological knowledge (GBRMPA)

3. Further research by aboriginal people is needed to determine their priorities for ecological restoration and aboriginal community participation in decisions about protection of coastal and marine resources.

Industry

One NZ industry partnership is seen as a key strategy to improve freshwater quality and thus influence the quality of coastal water quality, particularly in the South Island. The Dairying and Clean Streams Accord (Fonterra/MfE/LGNZ 2003) aimed to provide jointly agreed quantitative performance targets, so that government and industry could reach agreed water quality improvement goals without regulation. The (MAF 2010) review of the effectiveness of the Accord demonstrated that the volunteer accord alone had not improved water quality in streams running through dairy country. The report noted that there remains significant non-compliance with the accord. It also identified deficiencies in the dataset used for monitoring environmental outcomes. The monitoring program did not have a consistent format to guide monitoring in each region. Also consistency of results was affected by variations in farm management - changes in farm personnel, farm inputs such as fertilizer and the varying degree of stock access to streams. Also streams have different characteristics and flow patterns. The Accord monitoring program is being refined and the

Accord will be re-evaluated in 2012. In the meantime, regional councils in dairying country (especially lowland rivers) are under considerable pressure to prosecute river polluters.

Lessons for Queensland partnerships with industry.

1. Monitoring criteria and indicators need to be agreed as part of the development of the partnership and training given to people employed to carry out this task.
2. There needs to be clear agreement about partnership outcomes and potential implications for industry if environmental outcomes are not achieved over the life of the partnership.

Overall Lessons for Queensland Coastal Management

Queensland planning legislation is currently focussed on prescribing requirements for planning scheme contents and the framework for the IDAS system. It could be worthwhile to specifically provide for:

1. Provision of a service or other methods to be used as an alternative to regulation to achieve specified, monitored environmental outcomes – contributing ultimately towards ecologically sustainable development.
2. Provide specifically for the special relationship of indigenous people to their lands and traditional resources.

The local Government Act provisions should be used by regional communities to provide additional representation for local community concerns to be filtered more effectively through to the larger regional council.

Currently, without the legal requirement for partnerships and participation to be recognised, there is not the same incentive for Queensland local councils to develop long term partnerships with indigenous people and care groups. Guides are prepared as part of the Natural Resource Management (NRM) Network's initiatives. In Qld, NRM groups, Reef Rescue industry groups, State government agencies and other service providers have many achievements including:

- “· 376,291 hectares (ha) of native vegetation protected by fencing
- 1,446,448 ha of native vegetation enhanced/rehabilitated
- 1054 ha revegetation with native vegetation
- 227,800 ha of pest plant control
- 776, 391 ha of pest animal control
- 6378 ha of land where improved irrigation practices have been adopted by 137 landholders
- 566 new or improved natural resource monitoring programs
- 5401 biophysical studies, surveying 92,457,870 ha
- 2313 sub-regional plans developed
- 2061 awareness raising events attended by 90,734 participants
- 1534 training events attended by 15,417 participants
- 6358 community groups or projects assisted
- 2470 collaborative arrangements established.”

(Queensland Regional NRM Groups Collective Ltd 2011)

However, analysis of this impressive record is not correlated into measurable environmental outcomes. While Queensland's care groups and volunteers are working hard on restoration projects, and participating with landowners to develop more awareness about good

environmental management, their work is not integrated and measured explicitly with other environmental outcomes in State of Environment reporting.

References

- Allen and Clarke. 2010. Review of the effectiveness of the management of the Fiordland Marine Area. Ministry for the Environment. <http://www.fmg.org.nz/documents/management-review-fiordland-marine-area.pdf> Accessed 27 September 2011.
- Bess, R 2011. New Zealand's Treaty of Waitangi and the doctrine of discovery: Implications for the foreshore and seabed. *Marine Policy* 35:85-94.
- Cheyne C 2008. Empowerment of local Government in New Zealand: A new model for contemporary local-central relations. *Commonwealth Journal of local Governance* 1:30-48.
- Dahm J et al 2005. Community-based Dune Management for the Mitigation of Coastal Hazards and Climate Change effects: A Guide for Local Authorities. Local Government New Zealand. Pp35.Hansard (Debates) New Zealand House of Representatives 2011. Marine and Coastal Area (Takutai Moana) Bill. Second reading.
- Fonterra, MfE and LGNZ 2003. Dairying and Clean Streams Accord. <http://www.mfe.govt.nz/issues/land/rural/dairying-accord-may03.pdf> Accessed 29 September 2011.
- Fonterra, MfE and LGNZ 2010. Dairying and Clean Streams Accord: Snapshot of progress 2009/2010. <http://www.mfe.govt.nz/issues/land/rural/dairying.html> Accessed 29 September 2011
- GBRMPA (undated) Traditional Owner connections to sea country. <http://www.gbrmpa.gov.au/our-partners/traditional-owners> accessed 24 September 2011.
- Human Rights Commission 2010. Tui Tui Tuituia – Race relations in 2010. The treaty of Waitangi: 2010 in Review. Wellington New Zealand.
- May P J and Burby R J 1996. Coercive Versus Cooperative Policies: Comparing Intergovernmental Mandate Performance. *Journal of Policy Analysis and Management*, 15(2): 171-201.
- Miller, C L & Rosier, D J 2006. "At the Fringe of the Land and the Sea: Maritime Planning in New Zealand" 1977-1985, in Miller, C.L. & Roche, M.M *Past Matters: The Proceedings of The 8th Australasian Urban History/Planning History Conference*, Massey University, Palmerston North, pp 335-348.
- Ministry for the Environment 2003a. Whakamau ki Nga Kaupapa - Making the best of iwi management plans under the Resource Management Act 1991. <http://www.mfe.govt.nz/publications/rma/whakamau-ki-nga-kaupapa-jun01/index.html> .
- Ministry for the Environment 2003b. *The Dairying and Clean Streams Accord*. <http://www.mfe.govt.nz/issues/land/rural/dairying-accord-may03.pdf>. Accessed 27 September 2011.
- Ministry for the Environment 2011 (a). Proposed National Policy Statement on Indigenous Biodiversity. January 2011, Ref. INFO 576. <http://www.mfe.govt.nz/publications/biodiversity/indigenous-biodiversity/proposed-national-policy-statement/index.html> accessed 27 September 2011.

- Ministry for the Environment 2011(b). Future proactive steps for Maori participation in the RMA. <http://www.mfe.govt.nz/publications/rma/ki-teuo-te-hiahia/html/page6.html>. Accessed 27 September 2011.
- Ministry of Agriculture and Forestry 2011. *The Dairying and Clean Streams Accord: Snapshot of Progress 2009/2010*. Wellington NZ.Pp12.
- OECD 2007. Environmental Performance Reviews: New Zealand: Executive Summary. OECD Environmental Performance Reviews Programme. Paris France. Pp8.
- Queensland Regional NRM Groups Collective Ltd 2011. Key achievements. <http://www.rgc.org.au/regions/overview>. Accessed 30 September 2011.
- Rosier, J 2004. Independent Review of the New Zealand Coastal Policy Statement. Report prepared for the Minister of Conservation, Massey University. Palmerston North, January 2004. pp138.
- Rosier, J 2007. Assessment of the information and project support needs of Coast Care groups. Unpublished Report, Massey University, Palmerston North, NZ
- Rosier, J and Hastie W 1996. New Zealand Coastal Planning an Issue-Based Approach. *Ocean and Coastal Management*, 33:147-165.
- Waitangi Tribunal 2011. Ko Aotearoa Tēnei: A Report into Claims Concerning New Zealand Law and Policy Affecting Māori Culture and Identity. <http://www.waitangitribunal.govt.nz/reports/downloadpdf.asp?ReportID={BF981901-5B55-441C-A93E-8E84B67B76E9}> Accessed 14 October 2011
- Wilkinson, K (Minister of Conservation) 2011. Volunteers exceeding expectations. Press release about volunteer contribution to conservation in NZ. <http://www.beehive.govt.nz/release/volunteers-exceeding-expectations> accessed 20 September 2011.
- Wright, S D, Nugent, G and Parata, H G 1995. Customary Management of Indigenous Species: A Maori Perspective. *New Zealand Journal of Ecology* 19:83-86.