

Environmental Reporting Regulations

Submission to the Minister for the Environment and the Minister of Statistics

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Parliamentary Commissioner
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Te Kaitiaki Taiao a Te Whare Pāremata

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Introduction

The Environmental Reporting Act 2015 requires that I be consulted on the regulations prescribing the topics to be covered in environmental reports.

The role of topics in the framework is to “*identify the things we want to know about the environment*”.¹ There are many different ways such topics could be defined and arranged, and in this submission I only comment briefly on the set of topics proposed.

The proposed topics appear to be very broad. In general, this is a good thing because it does not constrain the independent officials preparing the reports, and it allows for ‘learning through doing’.

However, the risk with such broadly defined topics is that an enormous amount of time and energy could be spent reporting on things that do not serve the purpose of reporting on the state of the environment.

The test of the topics will therefore be in their application. Preparing reports on the state of our environment is inherently difficult and complex. The challenge is one of incremental improvement.

A clear sense of the purpose for reporting of the state of the environment is fundamental. Information is limitless, but only some will be relevant. I have therefore focussed my advice on the purpose of state of the environment reporting and have proposed three criteria for judging what is most relevant to that purpose.

A further point is that in this submission I have chosen to use the term ‘state of the environment reports’, rather than the more general ‘environmental reports’ as used in the Environmental Reporting Act 2015. There are many kinds of environmental reports with a range of purposes. I prefer to call these reports ‘state of the environment reports’ because it helps to keep their purpose in mind.

I also wish to clearly restate my earlier advice on the setting of topics. In my submission on the Environmental Reporting Bill 2014, I said that the topics should not be set in regulations because regulations are made by Ministers. Topics should be chosen independently of the Government of the day to avoid the opportunity for political interference. I hope that future amendments to the Act will remedy this.

Documents provided to my office by the Ministry for the Environment show that in this instance the topics being consulted on are almost entirely as recommended by officials from the Ministry and Statistics New Zealand.²

What is the purpose of reporting on the state of the environment?

A report on the state of our environment should be focussed on diagnosing its health, how it is changing over time, and why it is changing. This will enable the people of New Zealand, and those who make decisions on their behalf, to prioritise different concerns about the environment, and thus to improve the way we manage and protect it.

Given this purpose, three criteria are particularly important for deciding what to include in reporting on such broadly defined topics.

Focus on things we can do something about

State of the environment reports should be focussed on aspects of the environment that are influenced by human activities. This is because we can potentially do something about them.

The list of proposed 'pressure' topics includes natural processes and physical conditions alongside human activities. But the main focus should be on the latter – the former explain why human activities have different impacts in different locations and generally do not change over time.

For example, in some towns and cities, the physical form of the land leads to the formation of temperature inversions and thus the trapping of air pollutants close to the ground. This explains why air pollution is an issue in Alexandra but not in Balclutha. But it is explanatory context, not a 'pressure' that we can influence.

Focus on things that affect the health of the environment

State of the environment reports should be focussed on the health and functioning of the environment. Information on the environment is endless, but only some is relevant for improving how we manage and protect the environment.

By way of illustration, consider the proposed topic of 'Minerals and energy resources'. Some aspects of this topic may shed useful light on the health of the environment, but others will not. For example, a stocktake of energy and mineral resources would not in itself shed light on the health of the environment.

Find ways to report on important issues even where evidence is limited

State of the environment reports should be focussed on things we want or need to know about the environment even where the available evidence is limited. In seeking to improve the way we manage and protect our environment, an imprecise measure of what is relevant is much more useful than an accurate measure of what is irrelevant. Accuracy should not be allowed to trump relevance.

Many key aspects of the health and functioning of the environment cannot be reported on with a single high-quality statistic. But they can still be reported on with information that is robust and accurate enough. A 'weight of evidence' approach will often be required.

In conclusion

Preparing state of the environment reports is far from easy. The most important touchstone for their preparation is a clear sense of purpose and therefore a focus on what is most relevant to achieve that purpose.

I hope that the reports prepared jointly by the Ministry for the Environment and Statistics New Zealand, along with the commentaries prepared by the Parliamentary Commissioner for the Environment, will serve to deepen our understanding of the health of our environment and, over time, improve the way we manage and protect it.

1 Ministry for the Environment www.mfe.govt.nz/more/environmental-reporting/reporting-structure

2 The Minister for the Environment raised two concerns with the proposed topics: that 'litter' was not included in the topics, and a query about how 'resource use efficiency' will be reported. These resulted in minor amendments to the "waste, litter and other human activities" topic, and a clarification to the description of the "management and resource use" topic. Ministry for the Environment, Aide-Memoire to the Minister for the Environment, 3 November 2015.