



Office of the
PARLIAMENTARY COMMISSIONER FOR THE ENVIRONMENT
 Te Kaitiaki Taiao a Te Whare Pāremata

10 June 1997

Mr Bryce Johnson
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I was going to throw this in the bin! Then I thought I'd send it to you!

TO: Regional F&G Managers *Morgan*

If any of you have any particular views/ideas, please send them direct to Morgan, with a copy to me. Ta Bryce 16/6/97

Dear Mr Johnson

Earlier this year an invitation to attend the "Guardians for the Environment" Symposium was made to you. The purpose of the Symposium was to review the first ten years of the work of the PCE and to look forward to where the focus should be in the future.

As the new Commissioner, I gained very valuable insight into the past work and effectiveness of the office and received many thoughtful responses from participants on future directions.

Since that time, my team and I have made considerable progress in a strategic planning process in looking at where and how to redirect the work of the office.

I am enclosing a copy of my draft plan. I wish to emphasize that it is not in final presentation form.

I am seeking comment from you particularly on whether the strategic directions I have identified are the most important areas for my office to focus on over the next five years.

If you do wish to send me any comments, I would appreciate them by 27 June 1997. That will enable me to progress the Plan through to its being tabled in the House of Representatives in early August 1997.

Yours sincerely

Dr J Morgan Williams
Parliamentary Commissioner for the Environment

12 JUN 1997

FUTURE DIRECTIONS

STRATEGIC FOCUS OF THE PARLIAMENTARY COMMISSIONER FOR THE ENVIRONMENT

1997 - 2001

JUNE 1997

**OFFICE OF THE
PARLIAMENTARY COMMISSIONER FOR THE ENVIRONMENT**

FOREWORD

The purpose of developing this plan is to set future directions for the office of the Parliamentary Commissioner for the Environment for the next five years.

There have been major advances in environmental management during the first ten years of the office. However, environmental demands of society, within New Zealand and of our global consumers, have continued to rise as have the demands on our own environmental resources.

I therefore need to ensure that the office addresses the most important issues for New Zealand's environmental management and focuses on areas where my small office's work can add most value to advancing environmental management and thus contribute to underpinning New Zealand's social and economic goals.

I trust that the directions that I set will assist our interested parties by setting out which environmental management areas the office intends to focus on and how individual investigations fit into the broader areas. I define interested parties to include Parliament and MPs, central and local government, communities, businesses, non-government organisations and individuals.

The process of preparing this plan had four phases:

1. commissioning a small survey of some of our key interested parties to determine their expectations of the office;
2. drawing on the key points from the Guardians for the Environment Symposium;
3. working with my staff team over a period of some three months; and
4. seeking views on the resultant draft plan from a wide cross-section of interested parties.

Our "future directions" will continue to evolve and be reviewed as part of the annual corporate planning process within the office.

The plan comprises:

- background on the establishment of the office;
- a restatement of the functions and powers of the Parliamentary Commissioner for the Environment;
- the past scope of the office investigations;
- the vision and values of the Parliamentary Commissioner for the Environment;
- an analysis of the wider social, political, cultural, and economic environment in which the Parliamentary Commissioner for the Environment functions;
- interested party perceptions of the office;
- the future directions for the office and the significant areas the PCE should focus on;
- a discussion of the trends in environmental management that support these significant areas; and
- the corporate strategies that are necessary to ensure the office continues to function effectively.

This document has been written for a wide audience within New Zealand; some readers are familiar with the role and function of the office and some who are not.



Dr J Morgan Williams
Parliamentary Commissioner for the Environment

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1. INTRODUCTION

1.1 Background

A significant catalyst for New Zealand's environmental management restructuring was the 1981 OECD report *Environmental Policies in New Zealand* which recommended changes to the New Zealand environmental administration system. Changes were also foreshadowed in the New Zealand Labour Party's 1984 election manifesto and considerable public input was sought on new administrative arrangements over the years 1984 to 1987.

The office of the Parliamentary Commissioner for the Environment (PCE) was established at a time of major environmental administration restructuring, beginning in the mid-1980s. The Parliamentary Commissioner for the Environment and the central government agency, the Ministry for the Environment (MFE), were established following the enactment of the Environment Act 1986. The Department of Conservation (DOC) was established under the Conservation Act 1987.

In the restructuring, it was seen as important to retain the independent audit role of the former Commission for the Environment (a government agency), together with statutory backing for the role to act as a check on the system and to monitor the achievement of environmental outcomes.

The status of a Parliamentary officer was considered necessary if the Commissioner was to be an effective guardian of the environmental management system¹ in which the Crown plays a key part. Effectiveness of the PCE was envisaged, at that time, to be dependent on the Commissioner being sufficiently independent of executive government to review any system or agency the Commissioner considered necessary to enhance environmental management.

The establishment of the Parliamentary Commissioner for the Environment was subsequently endorsed by an OECD review in 1995 which concluded:²

The establishment of the office of the Parliamentary Commissioner for the Environment in 1986 is a major institutional accomplishment, improving government accountability on environmental matters at all levels.

Environmental management systems are continuing to change as new legislation and new policies are developed by public authorities in order to maintain or improve the quality of the environment.

¹ The environmental management system is the network of legislation, agencies, policies and plans that provide for the management of a particular aspect of the environment. A plain english description will be provided in the final plan.

² Environmental Performance Reviews. New Zealand. OECD 1996.

1.2 Functions and powers

The Commissioner's functions include:

- an **environmental inquiry** role whereby the Commissioner can examine any matter where the Commissioner considers the environment has been or may be affected;
- an **environmental ombudsman** role whereby the Commissioner can investigate concerns about the performance of public authorities in handling environmental management issues;
- an **environmental systems guardian** role whereby the Commissioner can check the capability of an environmental management system (including institutional arrangements, legislation, policies and generation of necessary knowledge) to ensure that the quality of the environment is maintained or improved³;
- an **environmental auditing** role whereby the Commissioner can audit⁴ the environmental management performance of public authorities;⁵
- an **advisory role**, including advice on remedial action, if appropriate; and
- ensuring environmental management information is disseminated to decision-makers and interested parties.

The Commissioner has discretion over the exercise of most functions but must give priority to any directions that arise from Parliament to inquire into any matter that affects or has affected the environment. Section 16 of the Environment Act which defines the Commissioner's functions is included as an appendix.

The Commissioner's powers are those necessary to carry out his functions and include wide powers to obtain information (ss 18 and 19 Environment Act 1986). The Commissioner's power to obtain information must be understood in the context of obligations under the Environment Act 1986 to maintain the confidentiality of information provided to the Commissioner (sections 20 & 22A). The Commissioner has the discretion to determine what information should be published for the purposes of the Environment Act 1986, but the Commissioner cannot be compelled to make information available under the Official Information Act 1982. Any information provided to the Commissioner for the purpose of an investigation is not subject to public disclosure under the Official Information Act 1982.⁶ However, the retention of information is a power that is used extremely judiciously.

The Commissioner has the power only to report and make recommendations; there is no power of decision. The Commissioner can advise Parliament or any person of the findings of investigations including publishing such findings.

³ A plain english description is being developed.

⁴ Within the PCE's office, an audit is an independent check to ascertain if an environmental management system is functioning according to established rules and standards.

⁵ "Public authority" is defined in the Environment Act 1986 as: Ministers of the Crown, central government departments, instruments of the Executive Government of New Zealand and local authorities.

⁶ Refer to sections 18(c)(i) and 52(3)(b) Official Information Act 1982.

The credibility of the Parliamentary Commissioner for the Environment and the independence, quality and timeliness of the Commissioner's assessments and advice are critical factors in whether improvements to environmental management are made by the recipients of the advice.

The relationship between Parliament, central government and local government is indicated in the attached figure.

1.3 Past scope of office investigations

Investigations into environmental management issues carried out by the Parliamentary Commissioner for the Environment have been categorised as:

- national issues; or
- complaints; or
- reviews of public authority policies and performance.

The selection of individual investigations is guided by project selection criteria developed in the office. The criteria include:

- the environmental significance of the issue;
- the adequacy of the system or public authority management in relation to the issue; and
- an assessment of whether the PCE's involvement would be effective.

Each of these criteria has a subset of other issues to be considered.

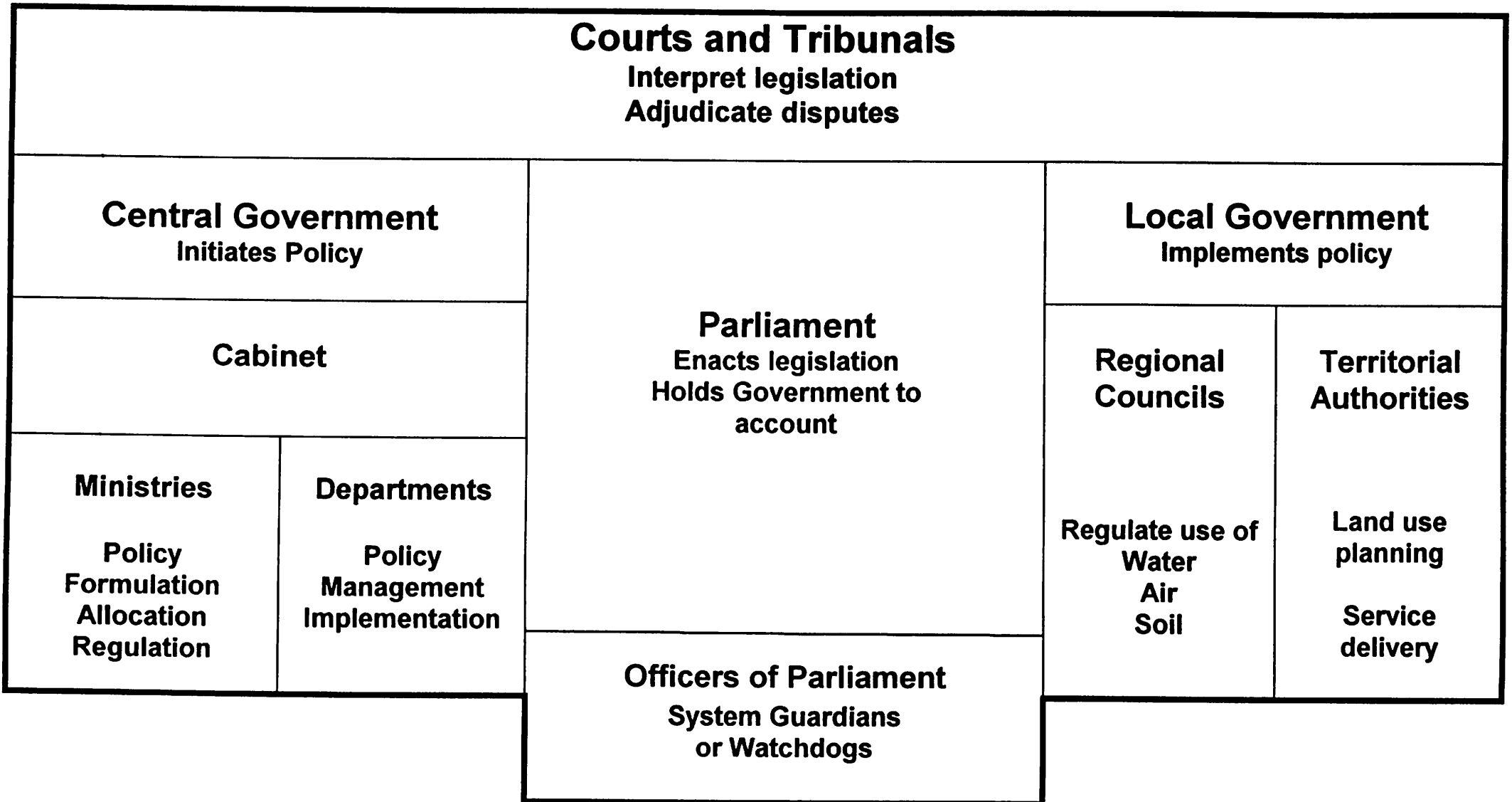
The **national issue** investigations have examined complex environmental management systems, such as heritage management, possum control and sustainable land management, where responsibilities rest with a number of agencies and other interested parties. In general these investigations are undertaken at the Commissioner's initiative.

The **complaints investigations** are usually undertaken in response to concerns expressed to the Commissioner. If several concerns on an issue are received, the Commissioner has the discretion to decide to investigate the generic issue rather than each complaint or concern. Differences in the nature and scale of effects on the environment are taken into account in the determination of which complaint(s) to investigate. For example, a number of complaints on the effects of odours on different communities was investigated as a generic issue of odour control.

A **Local Government Review Programme** was initiated in 1993 in response to concerns that the Resource Management Act 1991 was not being implemented in an effective manner. In each review, three case study councils were chosen from which to evaluate an aspect of the implementation of the RMA. The report of the review included a good practice guide for the benefit of other councils. This programme filled an urgent need that is starting to be addressed by the Ministry for the Environment as part of their five year monitoring strategy.

New Zealand Administration System

Where does the Office of the PCE fit?



The Commissioner has investigated the subjects of certain bills and has presented submissions on the results to committees of Parliament. The Commissioner has also conducted an enquiry for a committee in 1988. A report on petitions to committees has been requested from time to time.

A significant part of the office's output is the **transfer of information** by which means the findings and recommendations of investigations are disseminated to interested parties and environmental management issues are raised with interested parties.

The Parliamentary Commissioner for the Environment has no power to ensure that the advice or recommendations will be accepted, or that they will be acted on immediately or some time in the future, or that environmental problems are addressed in the ways recommended.

However, the Commissioner does have a policy of requesting information on the actions taken by public authorities that have received remedial advice. For national issues investigations, a response is usually sought six months and two years after the findings and advice were transmitted to the authorities. These responses, together with responses of a selection of other advice given, are reported in the Commissioner's annual report to Parliament.

Notwithstanding the above, the Parliamentary Commissioner for the Environment has observed an encouraging response to findings and advice which has included the following types of response (drawn from a small sample of investigations):

- acceptance of recommendations made to the Minister of Transport to review the Marine Pollution Act 1974 and to clarify responsibilities for oil pollution control;
- incorporation of recommendations about the public water supply grading system into the Ministry of Health's review of procedures;
- ongoing improvements in the system for possum control by central and regional government including an increased level of funding;
- consideration and implementation of waste reduction initiatives such as green waste composting by councils following a 1993 report on waste reduction; and
- actions to enhance the Whakaki Lagoon eco-system by iwi and the regional council.

The rate of favourable response to advice given by the Commissioner from January 1992 to December 1996 has been assessed as:⁷

- central government 70 per cent;
- local government 80 per cent; and
- Parliament 39 per cent.

⁷

A response is assessed as favourable when the recipient of the advice has been judged to have accepted and/or implemented the advice given. Parliamentary Commissioner for the Environment. The First Ten Years (in press).

2. VISION OF THE PARLIAMENTARY COMMISSIONER FOR THE ENVIRONMENT

2.1 Vision

The Parliamentary Commissioner for the Environment has a vision of:

A healthy environment, highly valued by people and managed responsibly for the current and future benefit of all.

The staff of the office see their contribution as being a cohesive professional team who are recognised by all sections of the New Zealand community for advancing the quality of New Zealand's environmental management through the quality of its work.

The Parliamentary Commissioner for the Environment will achieve this vision for the future by independently:

- assessing the capability, performance and effectiveness of the New Zealand system of environmental administration; and
- providing advice and information that will assist managers to maintain and improve the quality of the environment.

2.2 Office values

In implementing the functions of the office, a full and balanced account is taken by the PCE and staff of:

- the intrinsic values of ecosystems;
- all values that are placed by individuals and groups on the quality of the environment;
- the principles of the Treaty of Waitangi;
- the sustainable management of natural and physical resources; and
- the needs of future generations.

This statement of values reflects s 17 of the Environment Act 1986.

The office also values:

- the independence of the Commissioner.

The freedom to comment as an officer of Parliament is the most valuable asset and will be safeguarded through responsible use. The ability of the Commissioner to exercise judgement on what are the important environmental management issues is critical to the office's work.

- **fairness**
Input will be sought from all interested parties and information will be carefully assessed. A diversity of interests and values on the management of the environment needs to be acknowledged. The office will always endeavour to be fair in its deliberations and in processes of deciding on findings and advice.
- **robustness of advice**
The credibility of the Commissioner's office is valued. Analyses and assessments will continue to be conducted in a rigorous manner so that the Commissioner's findings and advice are well-founded.
- **teamwork**
Teamwork will be required in order to provide quality assessments of complex environmental management systems. The different perspectives of the individual team members will be valued.
- **responsiveness and timeliness**
An appropriate and timely response to people's concerns and information will be given when contact with the office is made.
- **wise use of available resources**
The work of the office will continue to be carried out in an efficient and effective manner, within the available resources.

3. FOUNDATION FOR THE FUTURE: ISSUES INFLUENCING ENVIRONMENTAL MANAGEMENT

To project forward in an area as complex, and controversial, as environmental management necessitates appreciation of many wider elements of society. Therefore, this section outlines the wider social, political, cultural, and economic environment in which the Parliamentary Commissioner for the Environment functions and concludes with an analysis of interested party perceptions of the office and its roles.

3.1 Public sector

Major legislative change has impacted on environmental management over the past seven years in New Zealand. This legislation includes:

- the Building Act 1991;
- the Resource Management Act 1991 (RMA);
- the Crown Minerals Act 1991;
- the Electricity Act 1992;
- the Biosecurity Act 1993;
- the Forest Amendment Act 1993;
- the Maritime Transport Act 1994;
- the Hazardous Substances and New Organisms Act 1996; and
- the Fisheries Act 1996.

Some of this legislation, eg the Maritime Transport Act 1994, implements obligations under international conventions.

There have also been significant amendments to existing legislation, eg to the Conservation Act 1987 in 1990 and 1996, to the Resource Management Act 1991 in 1993 and 1996, and to the Local Government Act 1974 in 1989 and 1992.

The State Sector Act 1988 brought about reforms in the management of the state sector and the Public Finance Act 1989 provided for a major upgrading in the quality of financial management and reporting in the public sector.

The structural change in the public sector includes the separation of government trading activities from policy advice functions with some trading activities becoming state-owned enterprises (SOEs) with commercial objectives and focus. Deregulation of various industry sectors has occurred together with the sale of some SOEs and Crown assets.

In this restructuring, a number of central government responsibilities were devolved to local government including substantial resource management functions. Government has also clearly identified specific limits to its assistance to local government. For example, a policy for disaster recovery operations is in place whereby local authorities take full first-line responsibility for dealing with the impact of a disaster in their geographic and functional areas of responsibility.⁸

In 1989 the local government sector was reorganised into a system of regional and territorial local government. More than 250 agencies became 86 agencies. The enactment of the RMA in 1991 presented local government with one challenge, the implementation of the Local Government Act Amendment No 3 another. New skills have been required for local government councillors and staff to implement the new legislation.

The implementation of new legislation, coinciding with local government restructuring, decentralisation of environmental management and the drive to become more financially efficient and effective have placed strains on local government. This has in part been reflected in the environmental management issues brought to the attention of the Parliamentary Commissioner for the Environment.

Sustainable management is the principal focus of the Resource Management Act 1991. However, that concept is open to interpretation and not widely understood.

The effects-based approach⁹ of the Resource Management Act 1991 and the monitoring requirements of the Act have meant that complex information is needed by resource managers to fulfil the responsibilities under this Act. Much of this information was not required under an activity-based regulatory framework. Not only do resource managers need to know what information and how much is required but also how to evaluate that information for decision-making purposes.

The development of market mechanisms to address environmental management issues has occurred in relation to issues such as making provision for transferable water permits within a particular river catchment. Their use for other applications such as carbon dioxide emissions has been widely discussed.

In the late 1980s the relationship between Ministers of the Crown and their departmental chief executive became a contractual one in which specific policy advice, or other services, is purchased for each financial year. Government policy advice is now contestable and can be purchased from sources other than government departments. Similar relationships now exist in local government.

⁸ Recovery Plan. Natural Disasters and Emergencies within New Zealand. Undated.

⁹ The focus is on managing the effects on the environment of an activity rather than the activity itself.

There have also been major changes in governance, The most recent has been the change to a Mixed Member Proportional (MMP) system of representation in Parliament. This has led to the formation of a coalition government and an agreement that has specific implications for environmental management.

3.2 Private sector

Some industry sectors have responded to the opportunity to demonstrate a commitment to responsible environmental management. The mechanisms used have included:

- promulgation of sustainable land use and sustainable agricultural strategies;
- the introduction of a cleaner production approach by the horticultural sector;
- the development of codes of practice in the agrichemical and other industry sectors; and
- voluntary agreements with government, eg in the packaging sector and to reduce CO₂ emissions in the energy sector.

There is a perception in some parts of the New Zealand business community that environmental management and environmental enhancement is a cost (or a threat) and not an opportunity for their business. This has been highlighted by the 1997 KPMG report¹⁰ on company environmental reporting where New Zealand ranked last of the thirteen countries surveyed. The business sector's crucial role in delivering environmental management results for the community has not been widely recognised. The lack of company environmental reporting in New Zealand represents a potential strategic business risk as well as an environmental risk.

3.3 Tangata whenua

Kaitiakitanga or wise management of natural resources and other taonga is fundamental for tangata whenua. Iwi and hapu have contributed to positive environmental outcomes in working with local government and others; for example, the design of the land treatment system for the Beachlands Maraetai sewage treatment system was a joint tangata whenua and local government initiative. Another example is the partnership between tangata whenua and scientific researchers on kereru in Northland and titi on southern offshore islands.

Tangata whenua have been involved in legal actions to protect environmental quality, and have taken claims to the Waitangi Tribunal seeking redress for past actions by the Crown in relation to natural resources.

However, tangata whenua have increasingly been overwhelmed by the need for consultation on resource management issues and a wide range of other matters in

¹⁰ International Survey of Environmental Reporting (1996). KPMG Bohlius Environmental Advisers and the International Institute for Industrial Environmental Economics at Lund University, Sweden. 16pp.

recent years. Some hapu and iwi have been under-resourced to cope with the demands in their time, expertise and knowledge.

Tangata whenua have observed that there is inadequate monitoring of the implementation of the Treaty of Waitangi at a local government level. This may be in part because there is no specific direction in the Resource Management Act 1991 to local government as to their responsibilities under the Treaty of Waitangi. There are no requirements for local government to consult with tangata whenua in the Local Government Act 1974. The degradation and loss of heritage and taonga that have occurred in some areas are also of great concern to tangata whenua.

3.4 Community

Although community and environmental groups have continued to participate in resource consent hearings, many community groups did not realise the importance of participating in the preparation of regional and district plans. Consultation requirements in respect of these plans and resource consent applications have been a burden to most voluntary groups. Some groups have felt disadvantaged when using, or considering using, the judicial system because of the costs that have been awarded against voluntary groups in some instances as well as the high costs of technical and legal assistance the processes seem to require. In other instances objections without merit have slowed important investment decisions with penalties for communities.

Landcare groups, and other non-government resource management groups where people take collective responsibility for practical environmental management, are continuing to be established. Groups have been formed for a variety of purposes such as the care of streams, parks, the coast and pest management, and have in some cases been supported by public authorities.

3.5 International influences

There is an increasing focus in international markets on the environmental qualities of food and fibre products (inclusive of agricultural, forestry and fishing products).

There are also important implications for New Zealand arising from the international environmental and trade agreements that have been signed. Ongoing consideration needs to be given to whether ratification can occur without significant effects on the legislative framework or on New Zealand's system for environmental management. Frequently, local government is the sector that has to find ways of implementing international accords after they have been formalised by central government. There is increasing standardisation with Australia, through CER, for trade and environmental management purposes.

New Zealand has been involved in developing protocols and other potential solutions in respect of global environmental management issues that need to be

taken into account. The Montreal Protocol on Substances that Deplete the Ozone Layer (1987) limiting the use of CFCs and the Framework on Climate Change Convention (FCCC) are examples.

The OECD country reviews of environmental management, conducted in 1981 and 1995, have highlighted the need for consistent and more complete information on the New Zealand environment, not only for internal purposes but also for international comparative purposes. The development of national state of the environment reporting (SER) will be crucially important. There is a need to ensure the system developed is independent and objective. There are many challenges in integrating data from the local to the national level within local and central government systems and even more challenges in linking the government SER system to internationally acceptable product-aligned environmental quality assurance systems.

One of the outcomes of the Earth Summit, the United Nations Conference on Environment and Development in 1992, was *Agenda 21*. This is an international statement on the importance of sustainable development of resources, within a social and economic context, that can be implemented at an appropriate level of government. In New Zealand some local authorities have adopted the principles of *Agenda 21* into their planning for the future.

3.6 Interested party perceptions of the office

A small survey of interested parties was conducted for the Parliamentary Commissioner for the Environment in February-March 1997 in order to ascertain the expectations of those parties for the office. The people surveyed were from local government, central government, tangata whenua, industry and environmental groups.

In early March 1997 a "Guardians for the Environment" Symposium¹¹ was held to review the first ten years of the work of the PCE and to help determine where the focus should be in the future.

Some perceptions of the office to emerge from the two processes were:

- *although the office has been functioning for ten years it is still not well-known by all sectors of the New Zealand community;*
- *the office has largely been involved in rural and conservation issues;*
- *the strong body of scientific skills and experience in the office, although essential, may not always take sufficient account of the diversity of values in environmental management;*

¹¹ Guardians for the Environment. Proceedings of the Symposium. 28 February-1 March 1997, Wellington. New Zealand. (in press).

- *there is a lot of overlap in environmental management with both statutory and non-statutory bodies involved.*

This perception particularly manifests itself in the ongoing confusion between the roles of the PCE and MFE. The confusion appears in part to be due to the fact that both institutions work towards (as do many other organisations, communities and individuals) the same ultimate end – a healthy robust environment. However, the way that the PCE and MFE contribute to that goal is a product of their powers and functions and is very different. **The PCE is an independent officer of Parliament who is not part of the government system.** The Commissioner's work programme is decided by the Commissioner, except where directed by the House of Representatives. He is able to investigate a wide range of environmental matters that fall within the jurisdiction of a number of public agencies, including central and local government. In contrast, MFE's work programme is subject to annual negotiation with the Minister for the Environment during which the Minister agrees to purchase policy advice or assistance to achieve certain outcomes.

In reality, the roles, purposes and functions of the two institutions are very different but clearly complementary. MFE, as a policy ministry, aims to contribute to improved environmental management by developing policy, and subsequently monitoring it, according to the wishes of their minister. The PCE, in contrast, contributes to enhanced environmental management by investigating citizens' concerns (an environmental ombudsman's role) and by investigating generic issues of national importance defined by the Commissioner. In both cases, the powers of the Commissioner enable investigation across a wide range of public agencies and the private sector. This "breadth" of investigative power is particularly valuable in identifying policy, knowledge and legislative implementation gaps between public agencies.

- *because the Commissioner's reports are taken seriously there is a great risk in not investigating an area of concern to sufficient depth.*

This is a particularly important observation and appears to arise out of concerns that, in an effort to respond to as many of the 500 plus concerns that the Commissioner receives each year, some investigations have not been sufficiently rigorous. Limited and shrinking resources have contributed to this, but the message is clear: Maintain the quality and integrity of investigations even if it means doing fewer.

- *environmental NGO groups want the Commissioner to be more of an "advocate" for the environment; they perceive the Commissioner as too neutral.*

The Commissioner's role is not one of advocacy for the environment *per se* but advocacy for citizens' environmental concerns and for good environmental management in the interests of ensuring our environmental resources can meet the needs of current and future generations. The role is about advancing the development of truly sustainable management.

- *the office should become more proactive and investigate more complex environmental systems.*

This expectation arose, in part, out of the widely expressed view that the most effective work of the office has been on nationally important environmental management systems eg possum control and heritage management. This view also recognised the unique powers of the office to enable investigations to traverse a wide range of jurisdictions and disciplines.

- *the Commissioner has undertaken significant work in addressing Treaty of Waitangi-related environmental management issues and this needs to be continued.*

Maori participants in the "Guardians for the Environment" Symposium made it very clear that they appreciated the Commissioner's work in addressing their concerns and wished to see a focus on their needs retained in the office's work programme.

- *the roles of the office (ie the "environmental systems guardian", the "environmental ombudsman", and the "environmental auditor") should all be continued but the weighting should be reviewed.*

There was considerable discussion at the "Guardians for the Environment" Symposium about the need to focus on the missing linkages in environmental management systems (including research) that prevent sound environmental management occurring. A Commissioner of "gaps" was discussed leading to strong support to increase the focus on complex environmental management systems for issues such as transport and to focus on cross-sector, longer-term environmental management issues.

The value of an "environmental ombudsman" role was primarily seen as providing a critical source of information about environmental management and citizens' views on the state of the environment. The flow of information generated by citizens provides a key input to defining investigations into the generic causes of concerns. Within the resource limitations of the office, these concerns are investigated.

In redirecting the weighting of the roles, there are implications for the Commissioner's work programme. The current Local Government Review Programme, begun in 1993, should not continue to be a major focus for the office. Such reviews are more appropriately the role of the Ministry for the Environment as part of their evolving RMA monitoring programme. Any ongoing role for the PCE could involve audit of MFE's review functions. Investigations involving local government will, however, continue where significant environmental management matters arise from citizen's concerns.

It should be noted that there are systems in place to ensure that the other Officers of Parliament, the Ombudsmen and the Auditor-General are consulted on potential investigations to avoid, as far as possible, duplication with the work carried out by the PCE.