



# Cabinet

## Minute of Decision

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### Report Back on the Review of the Wildlife Act 1953

**Portfolio**                      **Conservation**

On 24 July 2023, following reference from the Cabinet Environment, Energy and Climate Committee (ENV), Cabinet:

- 1        **noted** that in October 2021, Cabinet agreed to initiate a review of the Wildlife Act 1953 and invited the Minister of Conservation to report back to ENV during the second quarter of 2023 with an update on that review [CAB-21-MIN-0402];
- 2        **noted** that alongside the review of the Wildlife Act, the Minister of Conservation intends to progress work to determine where targeted amendments can be made to other conservation legislation to address high-priority problems and will present options for Cabinet consideration in the first quarter of 2024;
- 3        **noted** that targeted engagement on the review was carried out in 2022 involving 40 hui with tangata whenua, stakeholders, government agencies, and conservation statutory bodies, and that there was general agreement that the Wildlife Act is not fit for purpose in a modern context, and there was widespread support for its review;
- 4        **noted** that there are well-documented issues with the Act, including that:
  - 4.1      the Act lacks a clear purpose for biodiversity outcomes;
  - 4.2      it does not explicitly address the protection of threatened or at-risk species;
  - 4.3      the Act creates barriers to the exercise of kaitiakitanga and rangatiratanga, and does not recognise mātauranga Māori or tikanga;
  - 4.4      the Act does not recognise the variety of ways people value, relate to, and want to interact with species, including the lack of a framework to reconcile trade-offs for activities that are important for individual, community, and economic wellbeing;
  - 4.5      the relationship between the Wildlife Act and other conservation and natural resource legislation for safeguarding and enhancing the future of New Zealand's biodiversity is not well described;
- 5        **agreed** in principle to repeal and replace the Wildlife Act, subject to the report back in paragraph 7 below;

- 6 **agreed** to the high-level policy objectives to guide further policy work in relation to species and the replacement of the Wildlife Act:
- 6.1 objective 1: Protect, restore, and enhance species and their habitats so that they are naturally thriving and resilient;
  - 6.2 objective 2: Partner with tangata whenua to design and implement frameworks that support their relationships at place with taonga species and te taiao;
  - 6.3 objective 3: Consider the connections between people and species in our communities, in our heritage, and in New Zealand's nature-based economy in our decisions about how best to protect, sustainably use, and manage species;
  - 6.4 objective 4: Provide a governance and strategic species management framework that appropriately supports local and national values and outcomes;
- 7 **invited** the Minister of Conservation to report back to the ENV during the first quarter of 2024 with advice on:
- 7.1 the potential approach for a new species-related Act, including its general purpose and key elements for its framework;
  - 7.2 potential targeted amendments that could be made to address high-priority systemic issues across other conservation statutes;
  - 7.3 a timeline and process for how the work in referred to in paragraph 7.1 and 7.2 could be progressed, including a plan for engagement;
- 8 **noted** that should Cabinet agree to progress the next stage of work on the Act, the Minister of Conservation (the Minister) will take a paper to the Cabinet Appointments and Honours Committee intending to extend the term of the current Strategic Oversight Group until the end of Quarter One 2024;
- 9 **noted** that work to develop advice for the report back in the first quarter of 2024 will require the Department to carry out some limited focussed discussions in 2023 with tangata whenua, local government, key stakeholders, and others;
- 10 **noted** that a Bill to repeal and replace the existing Trade in Endangered Species Act 1989 is on hold, s9(2)(f)(iv)
- 11 **noted** that the Leader of the House and the Minister of Conservation will discuss the timing of the Hauraki Gulf / Tīkapa Moana Marine Protection Bill, with a view to introducing the Bill into the House of Representatives prior to 31 August 2023.

Rachel Hayward  
Secretary of the Cabinet

*Secretary's Note: This minute replaces ENV-23-MIN-0034. Cabinet agreed to amend paragraph 11.*