

Department of Conservation Status Report

for the Minister of Conservation

Week beginning 22 April 2024

Date: / /

Seen by Hon Tama Potaka
Minister of Conservation



Certified conservation dogs Piri and Piki are trained to detect the presence of rats and mice and were in Mercury Bay recently for pest detection work. They are two of more than 120 certified dogs under DOC's Conservation Dogs Programme.



Department of
Conservation
Te Papa Atawhai

1 Decision items

1.1 Decision - Exemption of Submarine Cables in the Hauraki Gulf / Tīkapa Moana Marine Protection Bill: 24-C-0002

- This item seeks your decision regarding the exemption of installation, repair, and maintenance of submarine cables from prohibitions in the proposed marine protection areas in the Hauraki Gulf / Tīkapa Moana (the Gulf).

Context

- The Hauraki Gulf / Tīkapa Moana Marine Protection Bill (the Bill), proposing new marine protection in the Gulf, is currently before the Environment Select Committee (the Committee).
- On 18 March, we provided you with a briefing seeking your agreement on recommendations to be included in the Departmental Report for consideration by the Committee [24-B-0106 refers].
- One of your decisions was to exempt the installation, maintenance, and repair of submarine telecommunications cables from prohibitions in the Bill. The Departmental Report reflects this decision.
- On 11 April, at the Committee hearing, the Committee requested further information about this decision as it does not align with the other recommendations in the Departmental Report (other infrastructure is not exempt from prohibitions in the Bill).
- The Committee also asked for advice on whether infrastructure generally should be exempt in some part, e.g., for repair and maintenance.

Options for exemptions for infrastructure

- As per the briefing sent to you on 18 March, our recommendation remains that there is no exemption for the installation of submarine cables. This is due to the high level of impact on biodiversity associated with the installation of a submarine cable, which will significantly undermine the marine protection areas.
- We consider that a permitting system would be more effective than exempting the activity. Permitting the activity under the Bill means that appropriate conditions can be placed on permits to ensure the ongoing effectiveness of the protection areas, such as carrying out restoration activities to mitigate impact on biodiversity.
- While we recommend the installation of submarine cables and other infrastructure is not exempt, we do recommend that the Committee consider an exemption under the Bill for the repair and maintenance of submarine cables, as well as other infrastructure. DOC can provide the Committee with additional advice on this.
- Alternatively, you may choose to retain the exemption for submarine cables, as per your original decision. If you choose this option, we request your reasons for this decision to provide to the Committee.

Risk assessment

- Your decision on this matter will be reflected in advice and recommendations to the Committee. The Committee will consider this advice and recommendations and make their own decisions.
- If you choose to retain the recommendation that installation of submarine cables are exempt from prohibitions in the Bill, the Committee will want to understand your reasons as to why submarine cables have been considered differently to other infrastructure.

Next steps

- Your decision will be reflected in advice and recommendations to the Committee at the hearing on 2 May.
- The Committee will consider the advice and recommendations, alongside all other advice and recommendations, and will report back to the House on 20 June.

Recommendations

Decide whether the installation of submarine cables is exempt from prohibitions in the Bill (noting officials recommendation that it is not exempt).	Exempt / Not exempt
Agree that further advice is provided to the Committee on exempting the repair and maintenance of submarine cables, and other infrastructure, from prohibitions in the Bill.	Yes / No
Agree to provide officials with your reasons for submission to the Committee if you choose to retain the exemption for the installation of submarine cables.	Yes / No
/ /	
<hr/> Hon Tama Potaka Minister of Conservation	<hr/> Date

Contact: Sam Thomas, Director Policy: 9(2)(a)