

# Deep dive on planning processes

**Conservation Amendment Bill**

27 March 2025



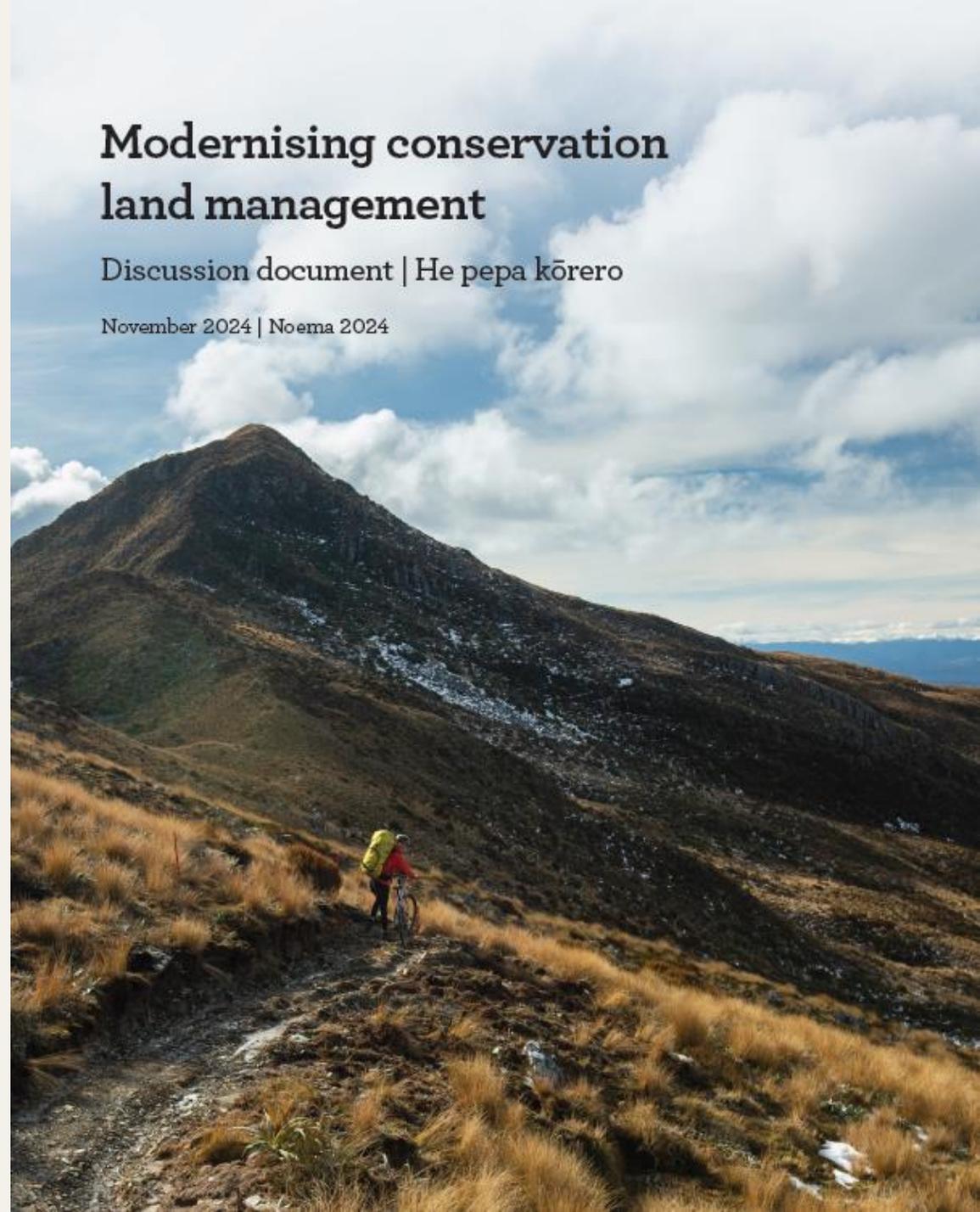
Department of  
Conservation  
*Te Papa Atawhai*

**Te Kāwanatanga  
o Aotearoa**  
New Zealand Government

## Modernising conservation land management

Discussion document | He pepa kōrero

November 2024 | Noema 2024



# Agenda

- Objectives for Treaty partner involvement
- Recap of proposals + initial views from submissions
- Who must be involved and how
- **s9(2)(f)(iv)**
- Timeframes
- Approach to codification of section 4 for planning processes

# Objectives for Treaty partner role

*Note: Treaty settlements will be upheld – these slides refer to the default approach and how we will give effect to Treaty principles.*

## Effective

Meaningful involvement that supports informed decision-making, and allows the direction and shape of the document to be influenced early in the process of development

## Efficient

Workable and achievable for all parties in reasonable timeframes for area plan development

## Inclusive

Supports Treaty partner participation, and allows the full range of Treaty partner interests to be represented in the process

# Recap of proposals

## NCPS

- Requirement to notify iwi when draft NCPS is ready for public engagement.
- DOC must advise Minister of draft's impact on iwi rights and interests, which Minister must consider before approving.

## Area plans

- 12 month total timeframe for developing area plans.
- DOC must engage with iwi (and relevant conservation board) when drafting area plans.
- Iwi may provide written feedback on final draft (after engagement stage) directly to Minister. Minister must consider this feedback before approving.
- DOC must also advise Minister of draft's impact on iwi rights and interests, which Minister must consider before approving.

# Initial views from submissions

## **Treaty partners – range of views including:**

- Involve hapū as well as iwi.
- Expectation of a stronger involvement than status quo, e.g. co-drafting and co-approval of NCPS and area plans.
- Suggested creation of representative groups for iwi and hapū engagement – institutional changes.
- Desire for flexible timelines and funding for participation.

## **Stakeholders including concessionaires:**

- Support setting timeframes to support faster area plan development.
- Support clear and structured processes for engaging Treaty partners, including early in the process.
- Some felt the proposed process provides inadequate participation for mana whenua in the development of the NCPS and area plans.
- Treaty obligations should not be at the expense or disadvantage of private operators.
- Stakeholders should be included at the drafting stage alongside iwi.
- Some felt Treaty partners should not have a unique role in the development of the NCPS and area plans.

# Who to involve – NCPS and area plans

Option	Description	Assessment
<b>1. Undefined</b>	Treaty partner is not defined or constrained in the legislation	Maintains existing challenges with status quo.
<b>2. Iwi and hapū</b>	Legislation requires DOC to involve iwi and hapū	Significant resourcing and timeframe challenges due to volume so unachievable across the country.
<b>3. Iwi only (recommended)</b>	Legislation only requires DOC to involve iwi.	<p>Legislation would not prevent DOC from going beyond iwi where it is workable.</p> <p>Provides more clarity than status quo.</p> <p>Some remaining residual legal risk.</p> <p>Crown may be criticised for determining collective identity.</p>
<b>4. Representative group</b>	<i>Institutional reform - out of scope</i>	<i>Institutional reform - out of scope</i>

# Role of Treaty partners – NCPS and area plans

Option	Description	Assessment
<p><b>1. Engagement (recommended)</b></p>	<p>For NCPS, engagement would take place during public notification stage.</p> <p>For area plans, engagement starts earlier (drafting). Iwi can give feedback directly to Minister, which Minister must consider.</p>	<p>For NCPS, this is the most practical option given national coverage of instrument.</p> <p>For area plans, engagement starts earlier than NCPS, giving iwi opportunity to provide input on draft area plan that is notified, and revisions after notifications.</p>
<p><b>2. Co-drafting, endorsement or co-approval</b></p>	<p>For NCPS, this would require involvement of <u>all</u> iwi in drafting NCPS, or endorsing/approving it.</p> <p>For area plans, there would be significant variation in number of iwi involved per plan than NCPS.</p>	<p>No existing structures to support large-scale involvement in drafting or approval processes. Would require institutional reform to make workable. Without this, co-approval or co-drafting would significantly increase time taken for each plan.</p> <p>However, co-drafting and co-approval roles will be upheld for area plans where provided in settlements.</p> <p><b>s9(2)(f)(iv)</b></p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

s9(2)(f)(iv)

- s9(2)(f)(iv)

- s9(2)(f)(iv)

# Timeframes

- We recommend progressing proposal for 12 month area plan timeframe.
- Any longer significantly undermines ability to roll out area plans quickly and keep them current.

- s9(2)(f)(iv) [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

s9(2)(f)(iv)