

Code of Practice for Conservation Boards

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Code Of Practice for Conservation Boards

Context

Conservation Boards are independent bodies, established by statute. Each Board represents the community of interest in the work of the Department of Conservation, and conservation in general, within the area of jurisdiction of that Board.

There are 14 Conservation Boards, each with a defined geographical area and up to 12 members. Board members are appointed by the Minister of Conservation. Terms of appointment are usually for three years. Reappointment for a further term is subject to Ministerial approval. Conservation Boards generally meet up to five times per year

Purpose

This Code of Practice provides a framework for the successful operation of Conservation Boards, and includes:

- Roles of the Boards;
- Responsibilities of Board members; and
- Key legislative functions.

Role

Conservation Boards work within a partnership between the Department of Conservation, the Minister of Conservation and the public. As the public voice for community input into conservation, Boards are independent, trusted advisors to the Department and the New Zealand Conservation Authority.

Boards help to achieve conservation outcomes for New Zealand by:

- Contributing a strategic perspective to conservation planning, policy development and decision-making as a well-informed voice of the community;
- Exercising powers of recommendation and approval for statutory management planning documents;
- Advising on the implementation of statutory planning documents; and
- Advocating for conservation outcomes, including in public forums and through statutory planning processes.

Responsibilities of Conservation Board members

Members are expected to:

- Fulfil their role responsibly, and at all times act in good faith and in the best interest of the Board and the community;
- Conduct themselves in a professional, courteous and respectful manner, working as a team;
- Be collaborative; share information which is relevant to the proper conduct and operation of the Board's business;
- Participate fully, frankly and constructively in Board discussions and bring the benefit of their particular knowledge, skills and abilities to the Board table;
- Listen carefully and show respect for the views of others;
- Not bring the Conservation Board or the Department into disrepute;
- Attend all Board meetings, unless there is another unavoidable commitment, in which case apologies must be given to the Chair or servicing staff with as much notice as possible;
- Prepare thoroughly for each meeting by reading all meeting materials and familiarising themselves with the content of all relevant correspondence received by the Board;
- Respect and adhere to all decisions reached by the Board even if a minority of members disagree with the decision; and
- Consider continuity and succession of the capabilities necessary for the Board to perform its role proficiently and to a high standard.

Members will often have diverse connections with community groups, trusts and professional associations. It is expected that members will actively develop new and ongoing relationships with groups so they can contribute the perspectives and concerns sourced from those networks to the Board table, along with their own knowledge and expertise.

However it is important that members do not fulfil their roles with only one interest group or sector in mind – all members should seek to use Board diversity to achieve the best outcomes for conservation.

Increasing knowledge about conservation

Conservation Board members must have or seek to gain knowledge on relevant issues affecting conservation in their area. All members should make independent attempts to be informed about matters that come before the Board and contribute their perspectives, as all members have equal rights and responsibilities under the Conservation Act.

Engagement with community and Treaty partners

To exercise their role, Boards need to build strong relationships with communities, seeking information from and feeding information back to communities of interest. To support individual members' community links and networks, meetings should be held in different parts of the Board's area to enable community attendance.

Engagement with community and volunteer groups, iwi and manawhenua will enable the Board to:

- Provide advice to the Department about the perspectives, opportunities and concerns raised; and
- Raise the profile of the Board and promote the role that the Board plays in achieving enhanced conservation outcomes for the benefit of the community.

Relationships with the Department of Conservation

The skills and expertise of Boards are a positive resource that can work hand in hand with the Department in achieving greater conservation outcomes for New Zealand. Strong working relationships between Board members and the Department's senior managers and Board servicing officers are important to maximize the benefit of these skills. These relationships need to be based on honest and open dialogue, as well as trust and respect.

Board members should use these relationships as a source of support for: increasing their knowledge of conservation; seeking views of communities, iwi and manawhenua; understanding procedures that apply to hearings; and engaging with the media. Board servicing officers are the first point of contact regarding health and safety implications of Board activities.

Treaty of Waitangi relationships

Boards have a responsibility to give effect to the principles of the Treaty of Waitangi. All Board members need to consider how they are contributing to this outcome. It is essential that Board members are briefed and become knowledgeable about iwi and manawhenua as well as Treaty settlements that have implications for public conservation land. Further information can be found in the factsheet: **Section 4 of the Conservation Act 1987**.

Financial responsibilities

Board members must be conscious that Board meetings and activities (including reasonable travel expenses) are taxpayer-funded. Members must take appropriate measures to ensure that the Board uses resources economically, effectively and with prudence.

Role of Conservation Board Chair

The Chair of a Conservation Board is elected from within its members. The Chair has a responsibility to provide effective leadership for the Board, including through:

- Setting the agenda for all meetings, in consultation with Board members and Departmental servicing staff;
- Presiding over the Board meetings that s/he attends (or delegating this responsibility);
- Maintaining an impartial role and summing up the debate on any issue in a balanced way to reflect the views that have been expressed;
- Encouraging participation by all members and working towards achieving a consensus;

- Attempting to resolve any disputes relating to the operation of this Code, and referring any unresolved disputes to the New Zealand Conservation Authority; and
- Being a public face of the Board in community meetings or when engaging with media.

The role of the Deputy Chair is to support the Chair.

Working across boundaries

It is important for each Conservation Board to liaise with its neighbouring Board(s) to promote consistency and avoid duplication when dealing with cross boundary matters and other issues of mutual interest.

Relationship with the New Zealand Conservation Authority

Boards should draw to the attention of the Authority matters which they believe may warrant consideration at a national level. The Authority will appoint one of its members to liaise with each Conservation Board and may consult some or all Boards from time to time on matters with national or regional application.

Procedures

Committees

Committees may be formed in order to facilitate efficient decision-making on matters that have come before the Board. This Code of Practice will apply to those committees.

Confidentiality and record keeping

The proceedings and papers of Conservation Boards are subject to the provisions of the Official Information Act 1982 and the Local Government Official Information and Meetings Act 1987. Boards must adhere to these Acts, and keep accurate meeting records. Further information about confidentiality can be found in the Factsheet: **When should information be treated as confidential?** or sought from the Board servicing officer.

Conflict of Interest

Board members should declare any actual or potential conflicts of interest, and take appropriate steps with the guidance of the Chair or Board servicing officer when the Board is discussing matters in which members have an interest. Further information about conflicts of interest can be found in the Factsheet: **Conflicts of Interest**.

Induction

All new Board members are expected to complete an induction programme aimed at deepening their understanding of the roles of the Board and the Department of Conservation. Material for Board member inductions will include the Conservation Board factsheets that have been developed by the Department as well as this Code of Practice.

Managing advocacy and speaking to the media

The Board can only speak with one voice when advocating for conservation outcomes in public processes or speaking to the media. Each Board will need to determine who will speak on its behalf on a particular issue, if not the Chair. Any engagement with the media by Board members should be with the full knowledge and approval of the Chair. Boards should strive to reach a consensus on any messages that are released to the public.

Reporting framework

The Board reports annually to the New Zealand Conservation Authority about activities undertaken in the course of a financial year. The Board receives an annual Letter of Expectation from the Minister of Conservation, and submits a work programme to the Minister about how it intends to meet those expectations.

Review

This Code of Practice should be treated as a living document. Any changes to the Code will be subject to consultation with the chair of the New Zealand Conservation Authority. Individual Boards may wish to adapt the Code to incorporate local material, so long as the overall intent of the Code is preserved.

Legislative functions

Conservation Act 1987 (section 6M)

The functions of each Board are to—

- recommend the approval by the New Zealand Conservation Authority of conservation management strategies, and the review and amendment of such strategies, under the relevant enactments;
- approve conservation management plans, and the review and amendment of such plans, under the relevant enactments;
- advise the New Zealand Conservation Authority and the Director-General on the implementation of conservation management strategies and conservation management plans for areas within the jurisdiction of the Board;
- advise the New Zealand Conservation Authority or the Director-General—
 - i. on any proposed change of status or classification of any area of national or international importance; and
 - ii. on any other conservation matter relating to any area within the jurisdiction of the Board;
- liaise with any Fish and Game Council on matters within the jurisdiction of the Board; and
- exercise such powers and functions as may be delegated to it by the Minister under this Act or any other Act.

National Parks Act 1980 (section 30)

The functions of each Board are to —

- recommend management plans, and the review or amendment of such plans, for national parks within the jurisdiction of the Board;
- consider and determine priorities for the implementation of management plans for national parks;
- make recommendations to the Minister for the appointment of honorary rangers;
- review and report to the Director-General or the New Zealand Conservation Authority, as appropriate, on the effectiveness of the administration of the general policies for national parks within the jurisdiction of the Board; and
- give advice to the Director-General or the New Zealand Conservation Authority—
 - i. on the interpretation of any management plan for a national park; and
 - ii. on any proposal for the addition of land to any national park or the establishment of a new national park; and
 - iii. on any other matter relating to any national park within the jurisdiction of the Board.

Note

This is not an exhaustive list of Board functions under the Conservation Act and National Parks Act. Conservation Boards also have functions under other Acts administered by the Department of Conservation as well as Treaty settlement legislation. Departmental staff will be able to advise Boards about the functions that are relevant to the matters that the Board is considering.

