

NEW ZEALAND

CONSERVATION AUTHORITY
TE POU ATAWHAI TAIAO O AOTEAROA

18 December 2023

Hon Tama Potaka
Minister of Conservation
Parliament Buildings
Wellington

Tēnā koe e te Minita

Briefing to the Incoming Minister of Conservation

Congratulations on your appointment and welcome to the Conservation portfolio; the New Zealand Conservation Authority / Te Pou Atawhai Taiao O Aotearoa (**Authority**) looks forward to working closely with you. I am writing to you, on behalf of the full Authority, to provide an introduction and overview of our role, and to highlight the areas and issues that are of particular focus for us.

In its nature, conservation is focused on intergenerational progress; this is a pivotal time for this progress, with several high profile and high value workstreams that hold potential for considerable positive change. I hope to work closely with both you and Penny Nelson, Director-General of Conservation, to ensure the Department of Conservation / Te Papa Atawhai (**Department**) is strategic and purposeful in its management of public conservation land and waters for the enduring benefit of our future generations.

An introduction to the Authority

The Authority is an independent statutory body, established by section 6A of the Conservation Act 1987 (**Act**). Its primary purposes are to act as an independent advisor to you and the Director-General on conservation matters of national importance; to monitor the effectiveness of the Department's administration of general policies; and, to approve statutory management plans and strategies.

Its membership is appointed by the Minister of Conservation in consultation with various Ministers, on recommendation from key stakeholders, and from public nominations (see Attachment 1 for a list of current members). The Authority is committed to collaborative models in the management of public conservation lands and waters, and advocates for the public interest in the Department's management of these areas.

The Authority meets six times a year, and you are invited to all of these meetings (see Attachment 2 for details). The Authority undertakes a significant portion of its work outside of formal meetings, by way of standing committees. This enables us to form working relationships with Department staff and ensure we are well informed to provide you and the Director-General with high quality and timely advice.

In addition to its functions in the Act, the Authority has functions in the National Parks Act 1980, the Wildlife Act 1953, the Marine Reserves Act 1971, the Reserves Act 1977, the Wild Animal Control Act 1977, and the Marine Mammals Protection Act 1978.

Our role as independent advisors to you and the Director-General

The Authority investigates issues it considers of national importance, to effectively provide high-quality advice to you and the Director-General, in accordance with its functions under section 6B(d) of the Act. Throughout the past year, in addition to discussions within its meetings, the Authority has advised the Minister on the following matters:

- NZCA advice on the Department's expenditure of money 2023-24, January 2023
- Recommendations for conservation board appointments, March 2023
- Recommendation on the release of biocontrol agents in the Kaniwhaniwha Stream Recreation Reserve, Waikato, April 2023
- Overview report on the conservation board annual reports for 2012-22, July 2023

The Authority would value a regular exchange of views on issues of significance to conservation. I have, in the past, found routine meetings with the Minister to be mutually beneficial and suggest that we continue this tradition to keep abreast of the matters each of us may be considering in between meetings. In addition, I would like to take this opportunity to offer my personal number as a means of contact for discussion of issues as and when required (**021 900 014**).

Similarly, I maintain regular monthly meetings with the Director-General, whose attendance, alongside that of her Senior Leadership Team, at the Authority's meetings enables an exchange of strategic advice and guidance on issues important to the Department's future success.

Our role as advisors and approvers of general policy and statutory plans

The Authority has functions to advise on statements of general policy, and to approve conservation management strategies and plans under section 6B of the Act. The Authority has functions to advise on, prepare, and approve statements of general policy for national parks, and to approve management plans for national parks under section 18 of the National Parks Act 1980.

These statutory documents ensure the most robust protection for Aotearoa New Zealand, by providing documents, developed in a democratic process with New Zealanders and more recently in partnership with whānau, hapū, and iwi that guide the Department's management of our public conservation lands, as well as the public's use of, and access to, those lands.

The current focus areas of the Authority

The Authority is progressing through its workplan for the current reporting year, which I look forward to sharing with you in the near future. Alongside its strategic priorities, that provide long term goals and direction (included in Attachment 3), the Authority has identified the following areas that are crucial to deliver on in the upcoming year:

- 1. Partial reviews of the general policies:** In 2019, in response to the Supreme Court decision in the Ngāi Tai ki Tāmaki matter, the Minister and the Authority initiated reviews of the two general policies to ensure they gave better recognition to the role of tangata whenua in conservation management, and to help the Department meet its Tiriti obligations. The Options Development Group (**ODG**) was established to provide advice to the Minister and the Authority on how best to give effect to the Court's decision. The Authority received the ODG's report in April 2022 and is dedicated to ensuring the partial reviews of the General Policy for National Parks and the Conservation General Policy are completed to accurately give effect to the Treaty of Waitangi / Tiriti o Waitangi. The Authority expects that enhanced conservation outcomes should flow from strong Māori-Crown partnerships.

It is important that the review of the Conservation General Policy is progressed in order to free up the current logjam with the management planning systems.

2. **Conservation Management Strategies (CMSs) and National Park Management Plans (NPMPs):** The Authority has long been concerned with the statutory management planning system, and the Department's processes to better give effect to this system. Although we were able to approve the Otago CMS partial review at our June 2022 meeting, this is the first statutory strategy or plan to come before the Authority for consideration and approval since the Wellington CMS in 2018.

The increasing delays in reviewing statutory plans has been a considerable focus for Authority work over the past three years. Following a report and subsequent addendum to the Minister and Director-General on the matter in December 2020 and March 2021 (respectively), the Department actioned the Authority's second recommendation, for an external review of the management planning system to be undertaken. The Department engaged the Environmental Defence Society (**EDS**) for this review, and the report was received by the Department and the Authority in December 2022.

The Department has now launched a project labelled **Re-Imagining Management Planning**, which is designing a new system for how CMSs and NPMPs will be written in the future. The Authority has been working with the Department on this project, primarily through its Management Planning Committee, and will continue to do so through the coming year.

3. **Stewardship Land Reclassification:** The Authority has long advocated for reclassification of stewardship land, and the implementation of the Government's commitment to end mining on public conservation land. We are supportive of the work of the National and Manawhenua Panels in progressing this work in the Western South Island and are currently investigating the Authority's procedure and involvement in resulting recommendations relating to additions to national parks, in accordance with our statutory functions under the National Parks Act 1980 and the General Policy for National Parks. This will include investigation into issues that Te Rūnanga o Ngāi Tahu have expressed regarding National Park access.
4. **Climate and biodiversity crises:** The Authority was engaged in the development of Te Mana o te Taiao / Aotearoa New Zealand Biodiversity Strategy (**TMoTT**) and were pleased to see the Implementation Plan launched in early 2022; and the Authority has regularly advised Directors-General and Ministers on its importance. To be achieved, however, there will need to be a range of implementation measures across Government, across land tenures, and across domains (marine, land, and freshwater). We will continue to advocate for the Department to champion the changes required for TMoTT to succeed.

To ensure true measurement and success of initiatives to adapt to the looming climate and biodiversity crises (such as TMoTT, Predator Free 2050, and the Department's Climate Change Adaption Action Plan), the Authority stresses the necessity for further commitment to scientific environmental research and ongoing socialisation of these significant issues. It is also important that the growing issues around the spread of ungulates and weeds are urgently addressed.

5. **Conservation Law Reform:** The Authority has been engaging with the Department on the programme of conservation law reform. We have established a committee that will be working closely with yourself and Department staff, initially on the Wildlife Act Review. I believe we are strategically placed to provide input into critical junctures in this workstream. At this early stage, the Authority supports the ambition of this work to create a fit for purpose ecosystem-based approach to species protection and management that reflects the full relationship that whānau, hapū and iwi have with taonga species and te taiao. We have so far held a number of workshops on the fundamental questions posed in fuller scale law reform whilst also taking a deep dive in modernising the Wildlife Act 1953.

We are also engaging on the Conservation Management and Processes issues, that will endeavour to deliver more immediate improvements to the conservation system.

- 6. Marine conservation:** The Authority continues to advocate for legislative reform for marine protection and the development of a range of tools to enable protection of marine ecosystems, habitats, and species, in ways in which uphold the rights of tangata whenua and recognise indigenous approaches to ocean conservation.

Aotearoa New Zealand's ocean territory is 15 times larger than our land mass, and our economy relies on the ocean, with \$7.4 billion directly related to sectors active in our marine environment. It also sustains some of our most threatened native species. An integrated mountain-to-sea approach is essential for marine conservation given the impacts of the land-based impacts threatening our coastal and marine ecosystems, including sedimentation, forestry slash, plastic pollution, and nutrient runoff.

The Authority advocates for restoration of our declining marine biodiversity by implementing an effective ecosystem-based management system and ensuring protection of ecologically significant or particularly vulnerable marine habitats.

Fish stocks need to be managed for resilience and abundance in order to safeguard these resources for future generations, and this requires fisheries management regimes that are agile and able to respond in appropriate time frames to the challenges of climate change, phasing out technologies that damage benthic habitats, and adopting best practice mitigation technology to reduce fisheries bycatch.

Our role as advocates

The Authority, in accordance with section 6B(g) of the Act, has a function to encourage and participate in educational and publicity activities for the purposes of bringing about a better understanding of nature conservation. In the past year, members have attended various events including meetings of the International Union for Conservation of Nature (IUCN), JD Stout Trust, and the Tahr Plan Implementation Liaison Group. Members are based across the country and will continue to be available to attend and provide support to you in events such as these, as and when opportunities arise.

In addition, the Authority advocates for conservation by periodically making submissions on a range of issues. In the past year, this has been on items such as:

- Long Term Insights Briefing – January 23
- Feedback on the Environmental Defence Society Report on the *Conservation Management Planning System* – January 23
- NBA and SPA Bills – February 23
- Enabling Investment in Offshore Renewable Energy – April 23
- NPS for Renewable Electricity Generation – May 23
- MBIE Draft Tourism Environment Action Plan – July 23
- Hauraki Gulf / Tīkapa Moana Marine Protection Bill – November 23
- Offshore Renewable Energy – November 2023
- Exploring a Biodiversity Credit System for Aotearoa New Zealand – November 23

The Authority's relationship with the conservation boards

Another of the Authority's roles is to act as a conduit for the fifteen Conservation Boards (see Attachment 4) to report on the implementation of conservation management strategies and conservation management plans, and to raise conservation issues relating to any area within their rohe.

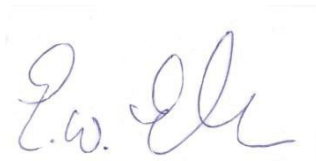
Conservation Boards have a regulatory function in monitoring the use of and access to the public conservation land that covers one-third of Aotearoa New Zealand. The relationship between Conservation Boards and the Authority is enabled through liaison roles, an annual conference, and regular reporting. The Conservation Board Chairs' Conference offers an

excellent opportunity for Board Chairpersons to meet one another and engage on common issues; to receive direction on your expectations as Minister; and meet with the Director-General. Dates are still to be confirmed for this year's conference.

The Authority would like to meet with you as soon as is convenient, to introduce ourselves and to learn about your priorities; to this end, I would like to invite you to attend our next meeting in Wellington on 22 and 23 February, in person or via Microsoft Teams. I would also welcome the opportunity to meet with you and discuss the issues raised in this Briefing.

No reira

Nāku iti noa, nā

A handwritten signature in blue ink, appearing to read 'E. Ellison', enclosed within a thin black rectangular border.

Edward Ellison ONZM
Chairperson NZCA

Attachment 1: Membership of the Authority as of 1 November 2023

In consultation with the Minister for Māori Development

- Ina Kara-France (*3 August 2023 to 30 June 2026*)
- Vacancy

In consultation with the Minister of Tourism:

- Takurua Mutu of Rotorua (*25 April 2021 to 30 June 2025*)
- Aroha Te Pareake Mead of Wellington (*1 July 2022 to 30 June 2026*)

In consultation with the Minister of Local Government:

- Jill Pettis of Martinborough (*3 August 2023 to 30 June 2025*)

On the nomination of Te Rūnanga o Ngāi Tahu:

- Tāne Davis MNZM of Invercargill (*1 October 2018 to 30 June 2025*)

On the recommendation of Royal Forest and Bird Protection Society of New Zealand:

- Sally Gepp of Nelson (*7 August 2020 to 30 June 2025*)

On the recommendation of Federated Mountain Clubs of New Zealand:

- Robin McNeill MNZM of Invercargill (*7 August 2020 to 30 June 2023*)

On the recommendation of the Royal Society of New Zealand:

- Wendy Nelson MNZM of Wellington (*7 August 2020 to 30 June 2026*)

From public nominations:

- Edward Ellison ONZM of Dunedin (Chairperson) (*1 January 2019 to 30 June 2026*)
- Metiria Turei of Dunedin (*1 July 2022 to 30 June 2025*)
- Greg Duley of Christchurch (*1 July 2022 to 30 June 2025*)
- Shadrach (Shad) Rolleston of Tauranga (*3 August 2023 to 30 June 2026*)

The bios for all the members can be found at this web page:

<https://www.doc.govt.nz/about-us/statutory-and-advisory-bodies/nz-conservation-authority/membership/current-members/>

Attachment 2: Authority meetings 2024

The Authority generally meets on the third Thursday and Friday of every second month. Two of the six meetings are held outside of Wellington and include a fieldtrip on the Thursday, to allow for interaction between the Authority, the regional conservation board, and Department staff, and to provide an appreciation of management issues facing the region.

There is a standing invitation for you to attend meetings of the Authority, and it is recommended that your office contact the Authority's Executive Officer to ensure the following meeting dates are confirmed in your diary:

22 and 23 February 2024 in Wellington

18 and 19 April 2024 in Taupō, with Tongariro Taupō Conservation Board

20 and 21 June 2024 in Wellington

15 and 16 August 2024 in Wellington

17 and 18 October 2024 New Plymouth, with Taranaki Whanganui Conservation Board

5 and 6 December 2024 in Wellington

In addition, on the Thursday evening of each Wellington meeting, we invite the Minister of Conservation, the Director-General of Conservation, and the Department's Senior Leadership Team to have dinner with the Authority.

Attachment 3: The Authority's Strategic Priorities

STATUTORY ROLE FOR MANAGEMENT PLANNING AND LAND STATUS	
A.	Conservation Management Strategies
B.	National Park Management Plans
C.	Land status recategorisation e.g. stewardship land
D.	Treaty of Waitangi and post-Treaty settlement conservation management
INFLUENCE AND 'STEP CHANGE' OPPORTUNITIES	
E.	Strategic advice to the Minister and DG in the context of conservation in today's economy, the governance requirements, and strategic advice on public policy documents and legislation
F.	Opportunities for step change in conservation
G.	Visitor management on public conservation lands and waters
ADVOCACY ON NATIONALLY SIGNIFICANT ISSUES FOR CONSERVATION	
H.	Climate change adaptation and mitigation
I.	Rivers and freshwater ecosystems
J.	Marine ecosystems and protected areas
MONITORING AND EVALUATION	
K.	Effectiveness and efficiency of the Department's conservation management
L.	NZCA's performance

The full details for these priorities, including the Goals and Actions, can be found at this web page:

<https://www.doc.govt.nz/about-us/statutory-and-advisory-bodies/nz-conservation-authority/strategic-priorities/>

Attachment 4: Conservation Boards in Aotearoa New Zealand

