

**New Zealand Conservation Authority
Te Pou Atawhai Taiao o Aotearoa**

Meeting 3 & 4 August 2015

Agenda and meeting papers



Photo: Tonga Island, Abel Tasman National Park, January 1999
Photographer: Garry Holz

NEW ZEALAND CONSERVATION AUTHORITY (NZCA)
TE POU ATAWHAI TAIAO O AOTEAROA
3 & 4 August 2015

One hundred and forty fourth meeting, to be held at
Conservation House, 18 – 32 Manners St, Wellington, starting at 10.00am.

D means Decision required, A means Advice required, I means Information only

	AGENDA			
<i>Item</i>		<i>#</i>	<i>Priority</i>	<i>Pages</i>
1	Welcome and Chairperson's Introduction – Introduction to Mervyn English and Bruce Parkes (new DD-Gs) and Chair's overview	I	-	
2	Apologies – receive	A	-	
3	Conflicts of Interest for the Meeting – identify	A	-	1-2
4	Minutes			
	4.1 – approve minutes for the meeting held on 2 & 3 June 2015	D	J	3-12
	4.2 – approve “in-committee” minutes for the meeting held on 2 & 3 June (<i>expected to be taken “in-committee” with public excluded</i>)	D	J	13-16
5	Status report – note progress in actioning resolutions from the meeting held on 2 & 3 June 2015	I	J	17-20
6	NZCA work programme 2015-2017 – summary of planned elements	I	J	21-24
7	Management Planning update – Sarah Bagnall	I	A/B	25-36
8	Stewardship land: general issues/exchanges – Paula Warren	I	C	37-54
9	Stewardship land: specific issues – Wendy Evans	I	C	55-74
10	Kahurangi National Park additions	D	C	75-84
11	Stewardship land: discussion on net conservation benefits – Mark Christensen	A/ D	C	85-96
12	Members' Environmental Scan	I	E	
13	Director-General's report – Lou Sanson	I	E	97-110
14	DOC's risk management framework – Christeen Mackenzie	A	I	111-112
15	Formation of a science committee – Ken Hughey	D	E/I	113-114
16	CMS monitoring and reporting	A	A/I	115-120
17	Seismic monitoring code review – Andrew Wright	A	G	121-188
-	Meeting adjourn for the day			
Day Two				
18	Tonga Island Special Protected Area	D	C	189-228
19	Broom gall mite – ratification of June decision	D	G	229-230
20	Conservation Board Chairs' meeting	D	J	231-232
21	Pike River follow-up – verbal update	I	C	
22	Canterbury (Waitaha) CMS – receive from the Canterbury Aoraki Conservation Board: Dr Mick Abbott Deputy Chair CACB and Barry Hanson, Eastern South Island Conservation Partnerships Director	D	A	233-258

23	Otago CMS – receive from the Otago Conservation Board: Vance Boyd Deputy Chair OCB and Barry Hanson: Eastern South Island Conservation Partnerships Director	D	A	259-280
24	Southland Murihiku CMS – receive from the Southland Conservation Board: John Whitehead Chair SCB and Barry Hanson, Eastern South Island Conservation Partnerships Director	D	A	281-302
25	Wilding Conifers Briefing – Allan Ross	A	F	303-308
26	Island Biosecurity update – Allan Ross	I	F	309-312
27	National Animal Welfare Advisory Committee – John Hellstrom	I	F	313-318
28	Representation and Liaison			
	28.1 Chair's report	I	J	319-320
	28.2 Conservation Board liaison reports	I	J	321-414
29	Correspondence – receive the inwards and approve the outwards correspondence	D	J	415-418
	Meeting close			

Strategic Priorities

A	Conservation Management Strategies
B	National Park Management Plans
C	Land Status change e.g. Stewardship land
D	Treaty of Waitangi
E	Strategic advice to the Minister and DG in the context of conservation in today's economy and strategic advice on public policy documents and legislation
F	Game Changers for Conservation: Pest control/biosecurity
G	Marine
H	Rivers and Freshwater
I	Effectiveness of the Department's conservation management
J	NZCA's performance

Meeting timetable

Monday 3 August

10.00	Meeting starts
12.30 – 1.00	Lunch
3.30 – 3.45	Afternoon tea
5.30	Meeting concludes for the day
6.30	Dinner at DOC 4 th floor – with Lou, Mervyn, Bruce, Ken, and Lucy

Tuesday 4 August

8.30	Meeting starts
10.00 – 10.15	Morning tea
1pm	Meeting concludes – lunch for those staying

NEW ZEALAND CONSERVATION AUTHORITY REGISTER OF INTERESTS and IDENTIFICATION OF CONFLICTS OF INTEREST

For meeting on 3 & 4 August 2015

Please use this form to update your register of interests and to note any actual or perceived Conflict of Interest with regard to any agenda item for this meeting

Name	
Register of Interests update	
Identification of any actual or perceived conflict of interest with regard to any agenda item	
Signed (NZCA member)	
Date	

REPORT

Meeting Date: 3 & 4 August 2015
Prepared By: Rick McGovern-Wilson
Subject: **June 2015 meeting minutes**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	NZCA's performance (Priority J)
Recommendation or Action Required	It is recommended that the Authority: a) Approve the 2 & 3 June 2015 minutes as a true and accurate record.
Context	The draft minutes from the NZCA meeting on 2 & 3 June 2015 were circulated to members by email on 12 June as a draft for comment. No comments were received by the time of printing agenda papers. Once the minutes are approved they will be uploaded to the NZCA website www.conservationalauthority.org.nz

Unconfirmed

New Zealand Conservation Authority (NZCA)

Te Pou Atawhai Taiao O Aotearoa

2 & 3 June 2015 meeting

143rd meeting, held at 10am, in the Level 4 Meeting Room,
Conservation House, 18-32 Manners St, Wellington

Unconfirmed minutes

Present:

Warren Parker, Chairperson
David Barnes
Mark Christensen
Mick Clout
Sandra Cook (2 June 2015)
Waana Davis
Judy Hellstrom
Rauru Kirikiri
Devon McLean
Gerry McSweeney
Jan Riddell
Mike Simm

Apologies:

Jo Breese, Sandra Cook (3 June 2015)

In attendance:

Rick McGovern-Wilson, Executive Officer, NZCA, Department of Conservation (DOC)
Lou Sanson, Director-General, DOC
Lucy Alcock, Acting Deputy Director-General Policy and Regulatory Services, DOC
Tata Lawton, Deputy Director-General Kaupapa Atawhai, DOC (agenda item 8)
Gavin Walker, Acting Director, Partnerships, Historic and Visitor (agenda item 8)
Marie Long, Director, Planning, Permissions and Land, DOC (agenda items 10 & 11)
Wendy Evans, Technical Workflow Coordinator, DOC (agenda items 10 & 11)
Sarah Bagnall, Management Planning National Advisor, DOC (agenda item 14)
Beth Masser, Conservation Partnerships Account Manager, DOC (agenda item 15)
Kirsten Ralph, Commercial Manager, Public Conservation Land, DOC (agenda item 15)
Ken Hughey, Departmental Science Advisor, DOC (agenda items 15 – 17)
Geoff Hicks, Chief Scientist, DOC (agenda item 17)
Graeme Elliott, Scientist, DOC (agenda item 19)

For agenda item 21:

Jan Wright, Parliamentary Commissioner for the Environment
Quentin Duthie, Manager, Office of the Parliamentary Commission for the Environment
Kelsey Sergeant, Senior Advisor, Office of the Parliamentary Commission for the Environment
Nick Chin, Senior Advisor, Office of the Parliamentary Commission for the Environment

Karakia

Rauru Kirikiri welcomed Authority members and opened the meeting with a karakia.

Agenda item 1: Welcome and Chairperson's introduction

The Chair, Warren Parker, opened the meeting at 10am, and identified items that would be addressed over the course of the meeting, including:

- Paparoa National Park additions
- Stewardship land
- Honeybees with regards to ecosystem services versus commercial use
- Conservation Management Strategy (CMS) delays

The NZCA resolved to go into committee for agenda items 4.2, 7, 8 and 13.

Judy Hellstrom/Jan Riddell/carried

Agenda item 2: Apologies

The NZCA resolved to accept the apologies received from Jo Breese for the full meeting, and Mike Simm and Sandra Cook for part of the meeting.

Mick Clout/Devon McLean/carried

Agenda item 3: Conflicts of interest

No conflicts of interest were identified for the meeting.

Agenda item 4.1: Approve minutes for the meeting held on 7 April 2015

The NZCA resolved to approve the minutes of the meeting held on 7 April 2015 as a true and accurate record.

Mark Christensen/Rauru Kirikiri/carried

Agenda item 5: Status report

Items on the status report were discussed. For the Fiordland National Park additions item it was agreed the NZCA would seek a formal response from the Department regarding consultation.

Agenda item 6: NZCA work programme 2015-2017

The Authority discussed the work programme. Proposals from the Department regarding management planning timeframes (e.g. the timing of conservation management strategies being presented to the NZCA for consideration) are to be added to the work programme through into mid-2016.

Agenda item 7: Director-General's report

Lou Sanson updated the NZCA on items of particular interest and sought members' feedback on specific issues.

- Battle for our Birds: Department is planning to add 50,000ha/annum to the baseline area.
- Sea lions – concern was expressed at the time to develop the Threat Management Plan. D-G agreed to provide further information to members.
- Investment criteria on the West Coast tourism initiatives and how DOC is going to adapt to increasing tourism demands.
- Budget 2015 outcomes - \$11.5m new money for kiwi protection, work on the Stretch Goals will increasingly focus the priority areas. D-G seeking advice from the Authority on potential new funding initiatives going forward.
- Pilot Project – this has now been completed and staff are reportedly pleased with the improvements gained through the modified structure. Will now be looking to roll this out across the country.

Agenda item 12: Members' Environmental Scan

Comments were provided during agenda item 7 above.

Agenda item 10: Update on Stewardship land

Marie Long and Wendy Evans spoke to this item. They advised that the Department has developed criteria for prioritising reclassification of Stewardship Land and will be developing a work plan to undertake reclassification over the next 5-10 years. The discussion covered how the reclassification is being prioritised (reclassifications that already have the appropriate approval, NZCA's rivers report which identified strips of land beside rivers, and tenure review process where the values have been assessed and so the work on the appropriate classification has been completed). Other aspects of the discussion were; dealing with legacy land, not giving land 'stewardship' classification if an assessment has been completed with an appropriate classification identified in the acquisition process; and methods to quantify and assure net conservation gain.

The NZCA requested;

- a breakdown of the criteria used for land swaps,
- a map of stewardship land, and
- information on the financial implications.

It also asked if there was a way for the Authority to have input into the stewardship land reclassification process.

The NZCA also requested detailed information on specific land blocks identified in the agenda paper in order for it to determine how best to proceed with these already prioritised sites.

An outline of the sites and their values, to help the NZCA consider whether it supports an investigation under section 7 or section 8 of the National Parks Act 1980 for:

- a) Gavin, Westhaven, Whanganui Inlet (Nelson - Kahurangi National Park);
- b) Harwood, Kahurangi Point (Nelson - Kahurangi National Park);
- c) Big River, Kahurangi Point (Nelson - Kahurangi National Park);

An assessment of the following options:

1. Add to national park anyway
2. Change the National Parks Act
3. Change to another land status
4. Treat the land "as if it was national park, subject to certain conditions"

for these three areas of land

- d) King DT & Co, Borland Mire (Southland - Fiordland National Park);
- e) O'Brien, Westend Station, Monowai (Southland - Fiordland National Park);
- f) Wang/Morgan, Cromarty (Southland - Fiordland National Park).

More information including what are the 'next steps' and any legal requirements for

- g) Castle Hill, Porters Pass (Canterbury - Craigieburn & Korowai Torlesse Tussocklands Conservation Parks);
- h) Hakatere Station (Canterbury - Hakatere Conservation Park);
- i) Tarnbrae, Ashburton Lakes (Canterbury - Ahuriri Conservation Park);
- j) Canaan Downs, Takaka Hill

Information regarding Tai Tapu, which is listed in the Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014 and is contiguous with the North West edge of Kahurangi National Park.

An overview of the additional costs to the Department of adding this land to National Parks was requested.

The NZCA resolved to request the Department provide advice at the August 2015 meeting regarding the six blocks of land listed in paragraph 34 of the agenda paper, with an overview of their values and how best to proceed.

Mark Christensen/Judy Hellstrom/carried

Agenda item 11: Land Status Proposals

There was discussion on the Department's proposed new approach to the NZCA's request of April 2013:

- a) "to recommend that the Department of Conservation seek the transfer of the bed of the Mokihinui River and any other Crown Land administered by LINZ within the boundaries of adjoining public conservation land to the Department and its classification as a conservation area.
- b) to put on the NZCA agenda for the April 2014 meeting an item to further discuss the West Coast *Tai Poutini* Conservation Board request that a Section 8 investigation be instigated for the bed of the Mokihinui River and its catchment."

The NZCA resolved to request the Department undertake an investigation under Section 7 of the National Parks Act 1980 of the Mokihinui River Catchment (excluding the riverbed), recognising the need for ongoing consultation and for work to be completed on the riverbed with respect to the land being transferred from LINZ to the Department.

Warren Parker/Mick Clout/carried

Agenda item 9: DD-G's Environmental Scan

Lucy Alcock (Acting DD-G P&RSG) introduced herself. She gave an update on the Treaty negotiations in progress. Work happening in policy included marine mammal permitting work, the seismic code of protection for marine mammals is being reviewed and development of policy on ownership and management of riverbeds. Legal Services are developing a legal definition of 'riverbeds'.

Agenda item 15: Honey Bees: biodiversity issues and commercial opportunities

Beth Masser and Kirsten Ralph spoke to this item. This has become an issue due to increased demand for placing hives on conservation land, increased desire by iwi for involvement in the indigenous species derived honey industry, versus effects on biodiversity. There are different pieces of work underway to address matters such as hive 'stocking rates' and concessions management. The Department has been reacting to beekeeping applications by looking at different allocation models and is not yet up to speed in realising the full financial potential. DOC is experiencing issues around compliance, but is looking to incentivise good practice. There is a need to manage regional needs, science, iwi, and beekeepers including those having hives outside public conservation land but exploiting manuka on public conservation land.

The Ministry for Primary Industries is the lead agency for beekeeping in NZ. DOC's interest is with regards to the public conservation land.

The NZCA suggested the Department develops and applies a rigorous economic model that fully reflects the returns and the impacts, compliance and biosecurity, and identifies links with other agencies. It would also allow evaluation of policy option trade-offs.

A report back to the Waikato Conservation Board will be undertaken by Mick Clout, with the assistance of Warren Parker and Rick McGovern-Wilson.

Agenda item 16: Presentation from Ken Hughey, Chief Science Advisor

Ken Hughey discussed his role as an independent science advisor to the Department. He is part of a network of Science Advisors working with the Prime Minister's Chief Science Advisor Sir Peter Gluckman. The network has been set up to better integrate science and policy across government. Ken's principle foci are: networking, developing strategic goals, and operational matters such as honey bees, kauri dieback and social science policies.

A Conservation Research Roadmap is being developed with a 'New Zealand Inc' approach (incorporating DOC, Ministry for the Environment, Ministry for Primary Industries etc and consulting with iwi, scientists and the NZCA as examples).

Discussion covered the need to integrate Mātauranga Māori, western science and anecdotal knowledge in an objective manner, and the need for DOC science strategy to be principles based.

Agenda item 17: Briefing on DOC's role in IPBES and National Science Challenges

Geoff Hicks gave an overview of the development of the National Science Challenges. DOC is most involved with the Biological Heritage Challenges. Three projects have been confirmed to go; wasps, environmental DNA, and a biosecurity network.

Geoff also gave an overview of the [IPBES](#) (Intergovernmental Science Policy Platform on Biodiversity and Ecosystem Services) for which DOC has a leadership role.

Agenda item 14: Management Planning Update

Sarah Bagnall discussed the fact that the conservation management strategies (CMSs) which were meant to be presented to the NZCA at this meeting were not yet ready. DOC is working to 'lock in' a schedule of CMSs/conservation management plans in its work programme and to have all relevant staff and the conservation board chairs advised. The Chair reiterated the importance of timelines being met and that Authority would also be advising Conservation Board Chairs of this expectation.

Sarah advised that the Westland National Park Management Plan and the Aoraki Mt Cook National Park Management Plan would be reviewed at the same time to create efficiencies in the planning process for these adjoining national parks.

The Department is currently consulting with the conservation boards regarding a definition of 'exceptional circumstances', the department is preparing guidelines on 'will', 'should' and 'may' as used in the General Policy for National Parks. The wording will apply to all management plans. The Department will bring the guidelines to the NZCA once consultation with iwi and others has been completed.

There was discussion on fettering and the use of the wording hierarchy (will, should, may) and whether there is a need to review the Conservation General Policy and the General Policy for National Parks.

The use in national parks of power assisted cycles and drones were raised as major concerns for the NZCA and whether the General Policy for National Parks is robust enough to deal with these new technology issues. The Department has a lot of work to do to ensure policies adequately cover these issues.

Agenda item 18: Presentation on Predator Free NZ

Devon McLean and Mick Clout gave a PowerPoint presentation on Predator Free-NZ and Zero Invasive Predators (ZIP). Of particular interest was the online interactive map of recent and historic predator control across the country carried out by DOC, Other

Government Agencies, Territorial Authorities, Regional Councils, community groups etc
<http://predatorfreenz.org/the-big-picture/>.

The meeting adjourned at 5:45pm on 2 June 2015.

The meeting reconvened at 8:30am on 3 June 2015.

The NZCA resolved to go into committee for agenda items 4.2, 7, 8 and 13.

Judy Hellstrom/Devon McLean/carried

The NZCA resolved to come out of committee.

Mick Clout/Jan Riddell/carried

Agenda item 21: Parliamentary Commissioner for the Environment

Jan Wright gave an overview of the work of her office and what they are currently working on, including the review of the National Policy Statement for Freshwater Management. She advised that she cannot work directly with the NZCA as her office is independent, but staff can discuss issues with the NZCA.

The major topic of discussion was Stewardship Land, and the request for the Authority to provide advice on the principles and processes around the issue of “net conservation benefit”.

A number of actions were identified:

- Complete a summary paper of all the types of land classifications, do they remain useful/relevant
- Investigation into the rationale of why LINZ is the “custodian” of rivers that run through national parks and other land areas of high conservation value and is it time for this to be reviewed?
- Reply to the Minister advising that the Authority is undertaking working on the issues she raised in her letter, but have identified issues around incentives for reclassification, and the need to clearly identify net conservation benefits to expedite the process of change

Agenda item 24: Correspondence

The NZCA resolved to receive the inwards and approve the outwards correspondence.

Devon McLean/Judy Hellstrom/carried

Agenda item 19: Battle for our Birds: overview

Graeme Elliott gave a PowerPoint presentation on ‘Battle for our Birds’.

The discussion provided two actions for the NZCA to take:

- A press release about the positive outcomes of Battle for our Birds and 1080 (Gerry McSweeney, Warren Parker and the Executive Officer)
- Writing to the Director-General regarding prioritization and funding of PAPP research. PAPP is considered to have high promise for pest control, but it needs to get to a field ready stage. The NZCA acknowledges that there will be trade-offs in reprioritizing additional tools in the ‘battle’.

Agenda item 23.1: Chair’s report

The Chair’s report was taken as read.

Agenda item 23.2 Conservation Board liaison reports

The written reports were taken as read.

West Coast Tai Poutini Conservation Board - The Haast – Hollyford Road continues to be a proposal.

Northland Conservation Board – CMS monitoring mechanisms need to be addressed. The Northland Conservation Board has suggested a Dashboard approach. This topic was to be added to the NZCA's August 2015 agenda. The Northland Conservation Board was to be asked not to finalise the CMS monitoring mechanisms before the NZCA has had its discussion.

Waikato Conservation Board – Several issues it was interested in and these were on the agenda separately.

IUCN – There was discussion about the need to clearly identify the value to the NZCA in going to the Oceania Regional Forum in July 2015. The NZCA decided to withdraw itself from any IUCN NZ Committee correspondence regarding Tongariro National Park due to a potential conflict of purpose.

Conservation Board Chairs' meeting – A meeting date has yet to be decided.

Agenda item 20: Tourism research – Waikato CB request

After discussion the NZCA agreed to ask the Department to respond to the Waikato Conservation Board directly.

It was also proposed that the chairman of the tourism board be invited to the December meeting for a strategic discussion about the role of the Department in growing the tourism sector.

Agenda item 22: NZCA Approvals

The NZCA resolved to support the disposal of approximately 863m² from the Westland *Tai Poutini* National Park along the Southern approach to the Fox River Bridge at Fox Glacier to enable the road to be realigned.

Judy Hellstrom/Waana Davis/carried

Conservation Board Code of Practice – There was discussion on the draft content and amendments were agreed upon. The NZCA's feedback will be provided to the Department.

Waitaiki Management Plan – The NZCA agreed to send the Plan to the Minister of Conservation for approval.

The meeting closed at 1.00pm on 3 June 2015.

NEW ZEALAND CONSERVATION AUTHORITY (NZCA)
Meeting on 3 & 4 August 2015

Status Report as at July 2015

RESPONSIBILITY	TOPIC	REQUIRED ACTION	PROGRESS	STATUS
Actions arising from June 2015 meeting. <i>Previous actions which follow from resolutions taken at previous meetings on the same issue are retained and reported on under the meeting at which the issue first arose. e.g. Strategic advice on management planning; Kauri National Park proposal.</i>				
1. Department	Stewardship Land	Requested advice regarding the six blocks of land listed in paragraph 34 of the agenda paper, with an overview of their values and how best to proceed.	For August 2015 meeting	
2. Department	Mokihinui River	Request an investigation under Section 7 of the National Parks Act 1980 of the Mokihinui River Catchment (excluding the riverbed), recognising the need for ongoing consultation and for work to be completed on the riverbed with respect to the land being transferred from LINZ to the Department.	Supersedes Mokihinui items from April 2013 meeting	
3. NZCA	Paparoa National Park	In-Committee so don't print - Recommend addition of land to Paparoa NP - Give further consideration to the addition of land areas D and E to the Paparoa National Park.	Section 7 Report sent to Acting Minister of Conservation for Pike River Matters 8 June 2015 Request for report on areas D & E sent to DOC 22 June 2015	- Complete - Ongoing
4. NZCA	Westland Tai Poutini NP disposal	Support the disposal of approximately 863m ² from the Westland <i>Tai Poutini</i> National Park for road safety improvements	Letter sent to DOC 15 June 2015	NZCA's role complete

5. Gerry McSweeney, Chair and EO	Battle for our Birds	- A press release about the positive outcomes of Battle for our Birds and 1080 - Writing to the Director-General regarding funding PAPP research. PAPP is considered to have high promise for pest control, but it needs to get to a field ready stage. The NZCA acknowledges that there will be trade-offs in reprioritizing additional tools in the 'battle'.	(note this was not a resolution so we could take out of the status report)	
Actions arising from April 2015 meeting.				
6. Andy Roberts - Director Conservation Services	Himalayan Tahr Management	To report back to the Committee in December 2015	Ongoing	Ongoing
7. Manager	Battle for our Birds data	To be released to the committee once it is available	Item at June 2015 meeting	Ongoing
8. Manager	The Nature Conservancy (TNC)	Report back when more information comes to hand	Ongoing	Ongoing
9. Jonty Somers Chief Legal Adviser Anne Bogle – Senior Solicitor	Guidelines for concessions in National Parks	To report back on the Chairs' suggestions to enable the committee to be able to make a decision by the May deadline	Ongoing	Ongoing
10. Mike Slater- Deputy Director-General Conservation Services (Acting)	Paparoa NP	Reporting on the feasibility study by December 2015	Ongoing	Ongoing
Actions arising from December 2014 meeting.				
11. Manager	NZ Whitebait fisheries	To investigate and report back to the NZCA on issues around the NZ whitebait fisheries including; trading, food safety and species survival.	Ongoing – report back to June meeting Talk to John Whitehead of SCB	Currently under investigation

Actions arising from August 2014 meeting.				
12. Manager	Department of Conservation Risk Management Framework	Request D-G Lou Sanson to report on DOC's risk management framework in response to random events and the effects on the budget		To be discussed during the DGs environmental scan at the August 2015 meeting
Actions arising from June 2014 meeting.				
13. Manager	Fiordland National Park land additions	Request DOC to undertake full consultation with iwi before the report is brought to the NZCA for approval		Awaiting response from DOC before paper can be presented to NZCA

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Rick McGovern-Wilson, NZCA Executive Officer

Subject: **NZCA work programme 2015-2017**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	NZCA's Performance
Recommendation or Action Required	It is recommended that the Authority: a) Note the attached work programme, and provide input on further directions
Context	This spreadsheet is a record of papers and other items projected that will be coming to the Authority over the next 12 months. It will be updated after each meeting, and is designed to give Authority members an overview of the proposed work flow. Members are requested to give consideration to items that they feel should be included for discussion, and researching where necessary.

Agenda paper type	3-4 August 2015	5-6 October 2015	30 November - 1 December 2015	1-2 February 2016	4-5 April 2016	7-8 June 2016	1-2 August 2016	3-4 October 2016	5-6 December 2016
	Wellington	Gisborne	Wellington	TBC	Wellington	Wellington	Wellington	TBC	
Strategic	Receive Canterbury CMS	Report on the Tahr Management Plan for 2014-15	Update on Kauri Dieback	Te Hauturu o Toi CMP - NZCA consulted at the pre-approval stage, early 2016		Wellington CMS eta mid-2016			Aoraki/Mount Cook NPMP
	Receive Otago CMS	Feedback on the Canterbury CMS	Update on Himalayan Tahr Management			Hawke's Bay CMS eta mid-2016			Westland Tai Poutini NPMP
	Receive Mainland Southland/West Otago CMS	Feedback on the Otago CMS	Visitor numbers, recreation and conservation - update on NZCA's 2012 meeting discussions and formal request of March 2013 DG			East Coast CMS eta mid-2016, includes Ngati Porou (Nga Whakahaere Takiura)			
	Stewardship land - update on a range of issues	Feedback on the Mainland Southland/West Otago CMS				Whanganui CMS eta mid-2016			
	Update on BFOB and Weeds (especially wilding pines)	NPS - Freshwater Management: the NZCA response				Te Urewera Plan - NZCA consulted at the pre-approval state, mid 2016			
Review/Approve	Review the draft Annual Report	Approve the NZCA's Annual Report	Approve the Canterbury CMS						
	Review draft NZCA Charter	Approve NZCA Charter	Approve the Otago CMS						
		Fiordland National Park additions	Approve the Southland CMS						
Information	D-G report and environmental scan	D-G report and environmental scan	D-G report and environmental scan	D-G report and environmental scan					
	DD-G S & I environmental scan	DD-G S & I environmental scan	DD-G S & I environmental scan	DD-G S & I environmental scan					
	Update on NZ marine reserves								
	Update on DOCs work with Historic Heritage								
Stakeholder Engagement		Meet with East Coast/Hawkes Bay Conservation Board and Ngati Porou	Meet with Chair of the Game Animal Council	Meet with CE of Forest and Bird					

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Sarah Bagnall, Management Planning National Advisor

Subject: **Management Planning Update**

NZCA Strategic Priority	Conservation Management Strategies National Park Management Plans
Recommendation or Action Required	It is recommended that the Authority: a) Note the contents of this report.
Context	The purpose of this paper is to keep the NZCA informed of progress with management planning processes being undertaken by the Department. The first page of the paper contains an overview of progress on various plans and documents since the last NZCA meeting. The management planning unit is also responsible for formal investigations to extend or change protection regimes. For this reason an update on the south-east New Zealand Marine Protection Forum's process has been included. The overview also updates progress on the development of guidance on exceptional circumstances as discussed by the NZCA at its last meeting

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Sarah Bagnall, Management Planning National Advisor

Subject: **Management Planning Update**

Background/Introduction

1. The NZCA approves all national park management plans and conservation management strategies. Conservation management plans (CMP) are approved by either conservation boards alone or jointly with a Post Settlement Governance Entity if the CMP is a commitment in Treaty settlement legislation.

Comments – summary of progress since the last update

Second Generation Conservation Management Strategy (CMS) progress

2. The Canterbury, Otago, and Southland Conservation Boards are referring the revised CMSs to the NZCA at this meeting.
3. Work on the Wellington and East Coast Hawkes Bay CMS is ongoing. A discussion is scheduled with Ngati Porou to clarify the process for developing the Ngati Porou chapter of the East Coast/Hawkes Bay CMS.

National park management plans

4. Aoraki/Mt Cook national park management plan. Discussions have been scheduled with TRONT and the Ngai Tahu runanga to discuss the process for reviewing the plan. An issues paper and fact sheet are being drafted, it is intended to publicly notify the intention to review the plan in August.
5. Westland national park management plan. Discussions have been scheduled with the Ngai Tahu runanga to discuss the process for reviewing the plan. An issues paper and fact sheet are being drafted, it is intended to publicly notify the intention to review the plan in August in conjunction with notification of the Aoraki/Mt Cook plan review.

Conservation management plans

6. Discussions with Ngati Whare are underway regarding the draft Whirinaki Conservation Park Conservation Management Plan and next steps.
7. Work on the Te Hauturu-o-Toi/Little Barrier Island (Nature Reserve) Conservation Management Plan is being put hold until Feb 2016 in response to request from iwi.

Marine Protected Area Policy – South-East Marine Protection Forum

8. The South-East Marine Protection Forum is continuing its community engagement and is working towards submitting recommendations to Ministers in mid 2016.

Section 4 of the Conservation Act

9. All management planning processes include consultation with tangata whenua. Those plans prepared under Treaty settlement legislation are developed closely with the Post Settlement Governance Entity.

Exceptional Circumstance Guidance

10. The Department is preparing for consultation on the development of the exceptional circumstance guidance that is being prepared in response to the Ombudsman's report into the Routeburn guided walking concession decision with Post Settlement Governance Entities that have decision making roles in management plans.

Progress report on status of CMS and management plans

There are only two updates to the December report (tracked).

1. Conservation Management Strategies

Table One outlines when each conservation management strategy was approved and progress with their review.

Table One Timelines for review of Conservation Management Strategies

Conservation Management Strategy	Date approved	Action	Expected date to NZCA
Northland CMS	8/09/2014	Operative as of 29/09/2014	
Auckland CMS	9/10/2014	Operative as of 17/11/2014	
Waikato CMS	8/09/2014	Operative as of 29/09/2014	
Canterbury CMS	14/06/2000	Referred to NZCA for approval	August 2015
Otago CMS	15/08/1998	Referred to NZCA for approval	August 2015
Mainland Southland/ West Otago CMS	10/07/1998	Referred to NZCA for approval	August 2015
Subantarctic Islands CMS	16/07/1998	This is being combined with the Mainland Southland/West Otago CMS.	
Nelson/ Marlborough CMS	12/09/1996	Project planning for review begun.	tba
Chatham Islands CMS	12/08/1999	Work will commence in 2016.	tba
Wellington CMS	13/03/1996	In first stage of review process.	Eta mid-2016
Hawke's Bay CMS	19/10/1994	In first stage of review process. This is being combined with East Coast as an East Coast/Hawke's Bay CMS.	Eta mid-2016
Bay of Plenty CMS	4/12/1997	Review not currently scheduled within next 5 years.	tba
East Coast CMS	14/10/1998	In first stage of review process. This is being combined with Hawke's Bay into an East Coast/Hawke's Bay CMS.	Eta mid-2016
Wanganui CMS	9/04/1997	Part review (Rangitikei/Manawatu) has commenced as part of the revised Wellington CMS. Review of the rest of the CMS not currently scheduled within next 5 years	Eta mid-2016 tba
Tongariro-Taupo CMS	30/05/2002	Review not currently scheduled within next 5 years.	tba
West Coast CMS	April 2010	Operative. Heli-hunting amendment not scheduled. Game Animal Council Act 2013 has relevance.	tba
Stewart Island/Rakiura CMS	9/02/2011	Operative.	n/a
Te Hiku CMS	To be prepared	Treaty settlement requirement. Scheduled to begin early 2016.	tba

Conservation Management Strategy	Date approved	Action	Expected date to NZCA
Ngati Porou (Nga Whakahaere Takirua: part of East Coast/Hawke's Bay CMS)	To be prepared	Treaty settlement requirement. To be prepared as part of the East Coast/Hawke's Bay CMS. Work has commenced	Eta mid-2016

2. National Park Management Plans

Review timetable

Table Two outlines when each national park management plan is due for review. The only review currently scheduled is a whole review of the Aoraki Mount Cook National Park Management Plan.

Table Two **Timelines for review of National Park Management plans**

National Park	Status	Action	Expected date to NZCA
Kahurangi National Park Management Plan 2001-2011	Approved 13 June 2001. Due for review by June 2011.	Due for review. Partial review approved by NZCA December 2010. Full review on hold until CMS review completed.	
Tongariro National Park Management Plan 2006-2016	Approved 12 October 2006. Due for review by October 2016.	Partial Review approved 13 October 2011. WT National Park report released November 2013.	
Aoraki/Mount Cook National Park Management Plan 2004-2014	Approved 12 August 2004. Due for review by August 2014. Amendments approved by the NZCA at the June 2012 meeting.	Review initiated	December 2016
Arthur's Pass National Park Management Plan 2007-2017	Approved 13 December 2007. Due for review by December 2017.	Current Amendment approved by the NZCA at the June 2012 meeting.	
Paparoa National Park Management Plan 1992-2002	Approved 18 November 1992. Due for review by November 2002.	Due for review. One third of park not covered by the Plan as it was added subsequent to its approval.	
Nelson Lakes National Park Management Plan 2003-2009	Approved 10 October 2002 as a 7-year plan expired October 2009.	Due for review. On hold until other current planning processes completed.	

National Park	Status	Action	Expected date to NZCA
Westland <i>Tai Poutini</i> National Park Management Plan 2001-2011	Approved 21 December 2001. Due for review by December 2011. Amendments approved by the NZCA at the April 2014 meeting.	Being reviewed in conjunction with Aoraki	December 2016
Egmont National Park Management Plan 2001-2011	Approved 14 February 2002. Due for review by February 2012.	Due for review. On hold until CMS reviews completed. Treaty negotiations due to begin end 2013.	
Te Urewera National Park Management Plan 2003-2013	Approved 13 February 2003. Due for review by 2013.	The national park management plan remains in force until it is replaced by a new management plan to the extent that it is not inconsistent with sections 111 and 112 of Te Urewera Act 2014.	The bed and lakeshore of Lake Waikaremoana are excluded from the Act and decisions have yet to be made about its future management (currently managed under a lease expiring 30 June 2017 as national park and covered by the NPMP).
Fiordland National Park Management Plan 2007-2017	Approved 21 June 2007. Due for review June 2017.	Current. Notified draft CMS proposes some amendments to FNP objectives.	n/a
Abel Tasman National Park Management Plan 2008-2018	Approved 9 October 2008. Due for review October 2018.	Current.	n/a
Rakiura National Park Management Plan 2011-2021	Plan approved 9 February 2011.	Current.	n/a
Mt Aspiring National Park Management Plan 2011-2021	Approved 23 June 2011.	Current.	n/a
Whanganui National Park Management Plan 2012-2022	Approved 9 August 2012.	Current.	n/a

3. Conservation management plans (prepared under the Conservation Act and the Reserves Act)

Review timetable

Table Three outlines when each management plan is due for review and when the conservancy anticipates undertaking the review.

Table Three **Timelines for review of Conservation management plans (prepared under the Conservation Act and the Reserves Act)**

Conservation Management plan	Status	Comments
Molesworth Recreation Reserve Management Plan (Required by lease)	CMP approved by Nelson/Marlborough Conservation Board on 9 October 2013. Replaced previous plan under Land Act.	Current.
Abel Tasman Foreshore Scenic Reserve (enables management of commercial activities on foreshore below the National Park)	Approved by the Management Plan Approval Committee on 25 June 2012.	Current.
Te Waihora Joint Management Plan	Approved 10 December 2005. Due for review by December 2015.	Current. In initial stages of review.
Pukenui Forest Management Plan 2006-2016	Approved December 2006 by Whangarei District Council and Northland Conservation Board. Due for review by December 2016.	Current Charitable Trust formed and meeting monthly to develop website, promote hapu & community interest & source funding.
North Head Historic Reserve CMP 1999-2009	Approved September 1999. Due for review by September 2009.	Remains in force until replaced by Nga Mana Whenua o Tamaki Makaurau Collective Redress Act 2014 management plan for all the volcanic cones; to be prepared by the Auckland Council.
Leigh Reserves Complex CMP 2002-2012	Approved June 2002. Due for review by June 2012.	Intention is to revoke this plan once the Auckland CMS is approved. ACB is decision-maker
Coromandel Peninsula Conservation Land Management Plan	Approved 2002. Due for review by 2012.	Intention to revoke this plan now Waikato CMS has been approved. WaiCB is decision-maker See also Hauraki Collective AIP below.
JM Barker (Hapupu) Historic Reserve 1998-2008.	Approved in 1998. Due for review by 2008.	Intention to revoke this plan once Chatham Island CMS review completed.
Kaimanawa Forest Park 2007-2017	Approved 15 June 2007. Due for review by June 2017.	Current.
Loch Katrine Recreation Reserve	Approved September 1998. One-term plan, not to be reviewed.	Provisions to be taken into the reviewed CMS, consistent with CMS national issues regarding private accommodation – intention is to revoke CMP once CMS operative. DGC is decision maker

Conservation Management plan	Status	Comments
Various CMP's for reserves in Canterbury (4 Scientific; 2 nature; 2 Historic; 1 Recreation)	These are the remaining CMPs in Canterbury following a wider revocation/withdrawal action in 2004. All approved in 1980's and still operative in part.	All likely to be revoked once Canterbury CMS reviewed and management issues covered where necessary by the CMS. Minister is decision maker
Ruahine Forest Park Conservation Management Plan 1992-2002	Approved in 1992. Due for review by 2002.	Intention to revoke this plan once the Hawke's Bay CMS review is completed. ECHBCB is decision-maker
Farewell Spit NR/Puponga Recreation Reserve	Approved in December 1990. Due for review by 2000.	Intention to revoke this plan once Nelson/Marlborough CMS review completed. DGC is decision-maker
Te Waikoropupu Springs Management Plan	Operative. Approved by Nelson/Marlborough Conservation Board in April 2009.	Current.
Te Tapui Tokotoru Conservation Management Plan. It includes Moutohora Wildlife Management Reserve, Ohope Scenic Reserve and Tauwhare Pa Scenic Reserve.	Approved October 2008. Developed by the joint management committee established under the Ngati Awa Claims Settlement Act 2005.	Current
Pukekura Reserves (Taiaroa Head) Management Plan)	Operative. Approved April 2012 by Otago Conservation Board for Taiaroa Head Nature Reserve and Taiaroa Head Foreshore Wildlife Sanctuary. Approved May 2012 by Dunedin City Council in respect to the other reserves. Otago Conservation Board has a statutory role in the approval of the draft plan pursuant to Sections 6M(b) and 17G(1)–(3) of the Conservation Act 1987, as a result of the inclusion of the Taiaroa Head Nature Reserve and Taiaroa Head Foreshore Wildlife Sanctuary.	Current Developed by the Korako Karetai Trust, Te Rūnanga o Ōtākou, Department of Conservation and the Dunedin City Council.
Te Hauturu o Toi Conservation Management Plan	Requirement of Ngati Manuhiri Treaty Claims Settlement Act 2012. Preliminary discussions with Ngati Manuhiri underway.	NZCA is consulted at the pre-approval stage – early 2016.
Whirinaki Te Pua Tāne Conservation Management Plan	Requirement of Ngati Whare Treaty Claims Settlement Act 2012.	Drafting at advanced stage. Consultation with Ngati Whare and BOPCB <u>January/February</u> . Working towards notification in March/April 2015. NZCA is consulted at the pre-approval stage.

Conservation Management plan	Status	Comments
Rangitoto, Motutapu, Motuihe, and Motukorea Conservation Management Plan	Requirement of Nga Mana Whenua o Tamaki Makaurau Collective Redress Act 2014.	Scheduled to begin February 2015.
Wairau (Boulder Bank and Te Pokohiwi) Conservation Management Plan	Requirement of Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014	Plan development at early stages.
Kapiti Island Conservation Management Plan	Requirement of Ngati Toa Rangatira Claims Settlement Act 2014.	Not scheduled.
Coromandel (excl. Moehau) Conservation Management Plan	Requirement of Hauraki Collective Treaty Settlement (AIP).	Not scheduled.
Moehau Conservation Management Plan	Requirement of Hauraki Collective Treaty Settlement (AIP).	Not scheduled.
Nga Motu/Sugarloaf Islands Conservation Management Plan	Requirement of Te Atiawa and Taranaki Treaty Settlements (AIP).	Not scheduled.
Urupukapuka and Waewaetorea islands Management Plan	Approved 1984	Intention to revoke with approval of revised Northland CMS

4 Other

Te Urewera Plan	Requirement of Tuhoe settlement.	If requested by Te Urewera Board to prepare or contribute. NZCA is consulted at the pre-approval stage – mid 2016.
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5. Marine Reserve management plans

Review timetable

Table Five outlines when marine reserve conservation management plans are due for review and when the conservancy anticipates undertaking the review.

Table Five **Timelines for review of Marine Reserve management plans**

Marine Reserve	Status	Management Plan (if needed)
Cape Rodney-Okakari Marine Reserve.	Leigh Reserves Complex Conservation management plan covers this reserve. Approved June 2002. Due for review 2012.	Intention is to revoke once revised Auckland CMS approved.ACB is decision maker
Kapiti Marine Reserve	Conservation Management Plan approved 1998. Due for review in 2008.	Intention to revoke this plan once Wellington CMS review is completed. WgtnCB is decision maker
Te Whanganui A Hei (Cathedral Cove)	Incorporated as part of Coromandel Peninsula Conservation Land Management Plan. Approved 2002. Due for review 2012.	Intention to revoke this plan now revised Waikato CMS approved. WaiCB is decision maker

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Paula Warren, Senior Policy Advisor

Subject: **Land exchanges, reclassification, land classifications, and riverbeds within protected areas**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	NZCA Priority C: Land status changes DOC: The holding and classification of land relates to all DOC's goals. It affects operations on the land relating to natural heritage, historic heritage and visitor services, and the way iwi and partners can use and/or relate to the lands and contribute to conservation.
Recommendation or Action Required	It is recommended that the Authority: a) Note the contents of this paper b) Provide feedback on the contents of this paper
Context	NZCA has asked some questions relating to land exchanges, land classifications and riverbeds. This paper provides information on those matters.

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Paula Warren, Senior Policy Advisor

Subject: **Land exchanges, reclassification, land classifications, and riverbeds within protected areas**

Background/Introduction

1. NZCA has requested information on a number of matters.

Information on the criteria and guidance required for considering and completing a land exchange

Generic requirements in law

2. Land exchanges can only occur for certain classes of land, including stewardship. So any legal impediments to land exchanges would need to be identified and addressed before an exchange could proceed. Steps prior to an exchange occurring might include changing the classification, addressing Public Works Act requirements, etc.
3. There may also be legal requirements relating to the process and criteria for exchanges that will vary between protected area categories. For example section 15 of the Reserves Act 1977 sets out the requirements for exchanges of reserves.

Policy requirements

4. The Conservation General Policy provides the following guidance on exchanges:

6 (a) Land acquisition or exchange (including boundary changes) may be undertaken to manage, for conservation purposes, natural resources or historical and cultural heritage; or for the benefit and enjoyment of the public, including public access, where the land has international, national or regional significance; or where land acquisition or exchange will either:

- i. improve representativeness of public conservation land; or*
- ii. improve the natural functioning or integrity of places; or*
- iii. improve the amenity or utility of places; or*
- iv. prevent significant loss of natural resources or historical and cultural heritage; or*
- v. improve the natural linkages between places; or*
- vi. secure practical walking access to public conservation lands and waters, rivers, lakes or the coast; or*
- vii. achieve any other purpose allowed for under the relevant Acts.*

5. Provisions in CMSs and CMPs are also likely to be relevant in determining whether an exchange would be appropriate.

Process matters

6. There is a standard operating procedure (SOP) for exchanges.

7. As discussed above, a first step in any exchange would be to ensure the exchange would be legal, and then to consider the provisions of the General Policy and other statutory documents, and identify any conditions set when the land was acquired. The process used to make the assessment would be that set out in the SOP, including steps such as consultation with iwi and conservation boards. The following discussion about applying “net conservation benefit” approaches would be within that context.

Net conservation benefit

8. If all the legal requirements and tests have been met, a decision is still needed on whether the exchange is desirable. Unlike the case with concessions, there is no legal obligation to process a proposal for an exchange, or agree to one that meets the legal bottom lines. A general principle of “achieve a net conservation benefit” has been applied to exchanges in the past, although that particular phrase may not always have been used.

Decisions for local exchanges affecting only one protected area

9. Many exchanges are minor exchanges, usually with a neighbouring landowner. These may be prompted by the need for a more appropriate boundary fence line, or to improve the value of both properties (the neighbouring farmer receiving areas of pasture land and DOC receiving remnant natural areas), or by the need to achieve other objectives such as improving access to a protected area or resolving access issues for a private land-locked property.
10. In that case the “net conservation benefit” approach would generally be applied by looking at the net effect on the affected protected area, rather than on the overall protected area network. That simplifies the assessment, as it is less likely to require an “apples and oranges” comparison, and the same community and iwi are affected by the benefits and the costs.
11. So the criteria applied would be:
- Is this the best way to achieve the intended outcome (e.g. to resolve the boundary issue problem).
 - Are there any costs that are unacceptable (e.g. privatisation of a site important to iwi).
 - Is there a net benefit from the change for the values and management of the protected area (noting the matters set out below on how to assess net effects).
 - Have any Treaty requirements been fulfilled.
 - Have any community concerns been addressed.

Decisions on more complex exchanges, usually of sites that are not contiguous

12. Other exchanges are generally initiated because an external party seeks to use part of the protected area network for an activity that would either not be able to be authorised by a concession, or wishes to have a stronger property right (e.g. to allow money to be borrowed for the development). Because sale of public conservation land is seldom possible, exchanges are the legal mechanism that is normally considered in those cases (rather than special legislation), with the developer buying (or already owning) a property that is known to have high conservation value, and then offering that in exchange for the area they wish to acquire.
13. The above criteria would still broadly apply, but the considerations under each heading will be more complex.
14. In particular, the “net conservation benefit” argument in this type of situation relates to the protected area network overall, as the two areas of land are likely to be in very

different ecosystems, and the exchange is likely to affect multiple communities and perhaps multiple iwi.

15. The following are some key considerations in applying the criteria in these cases.

- The values of the land are irrelevant in determining a net conservation benefit – it is the increase in protection of those values that is the relevant “benefit” to be included in the calculation. It is therefore important to determine the degree to which legal protection by transfer into the protected area network will increase the protection of biodiversity in practice over the long term. For example the land may be adequately protected by district or regional plan provisions, or the values may be at risk from impacts that would not be managed by inclusion in the protected area network (e.g. drainage of land adjacent to a wetland).
- It is also important to fully assess the biodiversity “cost”. The current values of the land are not the right measure of that cost. Loss of restoration potential is also important. For example an area of lowland river terrace in pasture may be the only opportunity within the network to re-create a missing ecosystem type. Also relevant will be the likelihood of future deterioration of the site under likely management scenarios. It will also be necessary to consider the effects of the change in ownership and use on values and management of the surrounding protected area network. For example a private land enclave may reduce the ability to manage pests (e.g. if the landowner does not wish to have traps on their land), restrict the use of aerial 1080 (given standard boundary setbacks), create new weed and pest problems, affect hydrology, etc.
- Costs and benefits to conservation will also include effects on other values, including recreation, soil and water protection, community participation, education, etc.
- There may also be past investment issues to be considered, including whether the land was donated for a particular purpose, and conservation work by communities.

16. Once the costs and benefits to the individual site are clear, it is necessary to assess the net benefit/cost. In an “apples and oranges” situation, it will only be easy to show a net benefit if the values of the site being exchanged are low, or the difference in values is extremely large (e.g. if 5 ha of upland beech forest were being exchanged for 100 ha of a lowland broadleaf forest). Communities are unlikely to be comfortable with exchanges where it is difficult to demonstrate a clear benefit, particularly if there are significant costs within the equation.

17. It is appropriate to consider whether fee simple ownership of the land is reasonably required for the development. A lesser interest (e.g. a long term lease) would provide the community with an ongoing legal interest in the land, giving more control over changes in use over time, and retain a greater ability for the Crown to recognise Treaty interests of iwi. If a concession or other site would allow the development, retention of the land, or a disposal process that allowed other parties to participate (e.g. tendering or offer back to iwi), may be more in keeping with the Crown’s responsibilities as landowner.

18. It will be necessary to consider the Treaty interests of iwi, including customary access, customary values, and provisions in settlement legislation.

19. It is also desirable to consider the interests of local communities, beyond the matters covered in “conservation”. For example the exchanged land may have relatively low conservation values, but be an important recreation site that supports local tourism operations, or the proposed use of the land may impact community values (e.g. through changes to landscape). Conditions on the disposal may be able to address some or all community issues, for example through selling the land with a covenant to protect landscape values or recreational use, or retaining an access easement.

20. These matters, and the broad criteria, are not set out in any formal policy, as the methodologies continue to evolve.

Information on the financial implications of reclassification

21. Reclassification costs include:

- Undertaking analysis of the classification proposal. That may be relatively simple and low cost, or (e.g. in the case of a section 8 investigation) be an expensive exercise.
- Defining the land area to be re-classified. If a new definition is required (e.g. a survey) that will significantly increase the costs.
- Undertaking any required public process – public advertisements, hearings and decision-making.
- Undertaking any necessary Treaty-related process.

22. Costs vary significantly between sites. A very simple process may cost a few thousand dollars. An average stewardship reclassification may cost perhaps \$30-50,000. A national park investigation may cost as much as \$500,000 or more. Funds for that work must come from existing baselines, which means diversion from land management, land purchase and other activities.

23. Transferring non-protected Crown land to conservation area or reserve may also require payment for some or all of the market value of the land.

24. NZCA has previously established criteria and priorities for determining the relative benefits of reclassification, taking into account the high cost of reclassification work. The Department does not see any reason to change the guidance from NZCA on that matter, which appears to still be fit for purpose. NZCA may wish to re-confirm that policy and provide it to the Minister, if it agrees that no change is needed.

Summary information of the full range of types of classifications for conservation land, including comment on whether they remain useful/relevant

25. Attached is an appendix setting out all the protected area categories in the Conservation, Wildlife, Reserves and National Parks Acts. There are also other categories for marine areas, and protected areas established under specific law.

26. That there are too many categories, and strong overlap between them, has been recognised since the Conservation Act was enacted in 1987. A formal review of protected area categories (Protected Area Legislation Review) was undertaken in 1989 but did not result in new law. The issue was also considered by a select committee considering West Coast Accord reserves between 1994 and 1996.

27. The general view of the Department as a result of the work undertaken in the past is:

- The system would ideally be simplified, but the current range of categories is not creating a serious problem that would make a law change urgent.
- The most important problems created by having multiple protected area Acts have been resolved by creating a single set of concession and management planning provisions that apply to all lands managed by DOC. Rationalisation of enforcement provisions is also being progressively undertaken as opportunities arise.
- Many of the categories have not been used since 1987, which suggests that they are probably redundant in terms of having a full range of options, or that there are problems with them (e.g. in the case of faunistic reserves).
- The Reserves Act has some significant advantages over the Conservation Act, in particular the ability to be very specific about the primary purpose of the reserve, to

have multiple purposes forming a mosaic across one administrative unit, the way the primary and secondary purposes apply, and the ability to transfer some or all powers to partners (including local government, iwi and reserve boards). That Act is, however, older than the Conservation Act and has some provisions that have not yet been updated.

28. Notwithstanding the comment above about the number of categories not creating a significant problem at present, if there is a desire to have significant numbers of stewardship lands re-classified, it would be more efficient to simply remove the category and move all those areas into another existing status. Scenic reserve would probably be the most appropriate place to put those lands, with a transitional provision allowing them to be given a lower protection status (e.g. recreation reserve) by reclassification subsequently if that is considered appropriate (section 24(3) of the Act has significant limitations on reclassification of scenic to recreation reserve).
29. If that was to be done, it would be appropriate to consider whether the legislation should also remove other Conservation Act categories, with transfer to appropriate Reserves Act categories (for example ecological areas becoming scientific reserves).
30. There are two Conservation Act categories which should be retained in any reform – marginal strips and faunistic reserves.
31. Marginal strips are created when Crown land is disposed of, and are unusual in being moveable – i.e. when a river or coast moves, the strip also moves.
32. Faunistic reserves are an overlay protection mechanism that do not change land ownership or status in other ways, and are designed to control effects of fishing on fisheries. Reform of the relevant regulation is being considered to allow them to protect specific fish (rather than all fish) and to better address customary fishing, so they can be used for eel management purposes.
33. NZCA's views on the issues set out here would be a valuable input to our consideration of options.

Management of riverbeds

34. The allocation of riverbed lands within protected areas is mixed, with some being part of the protected area, others being unallocated Crown land, and others being paper roads administered by district councils. It would probably be fair to say that most allocations were either a response to conditions at the time that are no longer applicable (e.g. in the case of paper roads), or simply an artefact of the way protected areas were created.
35. The existence of paper roads and unallocated crown land (UCL) within protected areas creates a number of management problems:
 - The Department cannot control commercial activities on those lands, despite their potential to adversely affect the protected area.
 - Concessionaires (e.g. guided walk operators) need permission from multiple landowners, and concessionaires using paper roads may adversely affect the business of other concessionaires without that being able to be considered in approval processes (e.g. in determining appropriate numbers of operators or preventing conflict between activities).
 - Boundaries of the protected area become very long and poorly defined.
 - Motorised vehicles cannot be controlled on paper roads to prevent environmental impacts and disturbance of other users

- The public expect riverbeds within parks to be part of the park and behave accordingly, not realising that in some cases they are trespassing. They are also likely to treat inappropriate activities as evidence of poor park management.
36. As an example of unallocated Crown land (river parcels) and paper (unformed legal) roads refer to the map of Abel Tasman National Park.
37. There has previously been agreement in principle with the Department of Internal Affairs (which is responsible for paper roads legislation) that consideration of stopping all paper roads within protected areas by legislative change should be included in a proposed reform. Paper roads are not needed to guarantee public walking access as that is only rarely restricted within the protected area network. However the review of paper roads legislation that was planned at that time did not proceed.
38. There have been extensive discussions among officials over the last 20 years about the management of unallocated Crown riverbeds. For all riverbeds (including those that are not within protected areas) two options have been favoured by DOC:
- Make the lands a new category of reserve, with administration retained by LINZ as the default option. The category would recognise and not automatically restrict a range of uses of riverbeds that would be restricted in scenic reserves, such as the use of motorised vehicles and boats.
 - As with the first option, but with responsibility transferred to DOC.
39. The latter option would transfer some lands with significant commercial uses (e.g. grazing on braided riverbeds) and liabilities (e.g. weeds and rabbits), but would remove the need to then transfer individual riverbeds to DOC, and place administration with an agency with a conservation focus and staff on the ground.
40. In the absence of work on the broader riverbed issue, DOC has been examining the potential to transfer all beds that are completely within a protected area to that protected area, potentially stopping any unformed roads at the same time, by a new statute. Transfers of UCL to DOC can be done on a case by case basis under current law, but the cost of doing such transfers is high and that would not address paper roads.

Section 4 Conservation Act

41. Land status has significance to section 4 matters. Where land is within the protected area network, iwi values will be important management considerations, and section 4 will apply to management actions. Land which is managed by other parties (e.g. private land, district council roads) will not be subject to those requirements. Neither the Land Act (under which UCL riverbeds are managed) nor the Local Government Act provisions on paper roads have explicit provisions relating to iwi interests.
42. In terms of classifications, Reserves Act classifications provide more options for responding to Treaty matters, particularly by transferring kaitiakitanga functions to iwi.

Conclusion

43. Land can be moved into and out of the protected area network through a range of mechanisms, including disposals, purchases, exchanges and statutory transfers.
44. Whether land is within the protected area network, and its classification if it is a protected area, has fundamental effects on how that land is managed.
45. Exchanges can allow the overall value of the protected area network to be improved, and may also facilitate activities of high benefit to conservation or other public values. There are strict statutory provisions relating to exchanges, and also statutory policies. Additional criteria, such as “net conservation benefit” approaches can also be applied.

46. Reclassification of land is possible, with each statute having specific provisions to guide that process. The process is costly. NZCA has previously agreed on criteria and priorities for reclassification work.
47. It is recognised that there are more protected area categories than required, but that has not in the past created problems that have justified the cost of changing the law. If, however, extensive reclassification of stewardship land was desirable, removing that category and reassigning all those lands through a new statutory provision would be desirable.
48. Many protected areas contain areas of unallocated Crown riverbed that was not made part of the protected area. There are also often unformed legal roads. The existence of those enclaves of non-protected land is a management problem. The simplest solution to the problem would be to use a new statute to change the status of the land. There are also issues around the status of other Crown riverbeds that it would be desirable to resolve.

Attachments

- Appendix: Protected Area Categories
- Criteria for prioritising proposals for land status changes (endorsed by NZCA in 1999)
- Map of Abel Tasman National Park
- Map of Stewardship Land
- Map of Stewardship land within Te Wahipounamu - South West New Zealand World Heritage Area

Appendix: Protected Area Categories

National Parks Act

National parks can have specially protected areas, wilderness areas and amenity areas within them.

Conservation Act

- Stewardship areas
- Conservation parks
- Wilderness areas
- Ecological areas
- Sanctuary areas
- Watercourse areas
- Amenity areas
- Wildlife management areas
- Marginal strips (fixed strips under older legislation and moveable strips created under current legislation)
- Faunistic reserves (created under the Freshwater Fisheries Regulations 1983)

Reserves Act

- Recreation reserve
- Historic reserve
- Scenic reserve
- Scientific reserve
- Nature reserve
- Government purpose reserve
- Local purpose reserve

Government and local purpose reserves will generally be established for a particular purpose, which may be reflected in their title. Two key examples are:

- Government purpose (wildlife management) reserves
- Local purpose (esplanade) reserves

Not all reserves would be treated as part of the “protected area network”, as many Government and Local Purpose Reserves are used for non-conservation purposes such as court houses, council workshops, local halls, light houses, gravel pits, etc. However in some cases those reserves have ceased to be used in practice for those purposes, and have become part of the protected area network managed for biodiversity (e.g. old stock holding reserves on the West Coast, and old hall reserves in forested areas that no longer have public halls).

Another key feature of the Reserves Act categories is that each will have a primary purpose, but they will also have secondary purposes (e.g. biodiversity management, soil and water management) that must be achieved if that does not impede the primary purpose. So even land still used for the primary purpose may in practice be delivering conservation outcomes that are protected by the Act.

Wildlife Act

- Wildlife sanctuaries
- Wildlife refuges
- Wildlife management areas

APPENDIX 1: CRITERIA FOR PRIORITISING PROPOSALS FOR LAND STATUS CHANGES

Note on application:

These criteria apply to both categorisation and re-categorisation as defined in this Manual (but only the latter term is used below) They do not cover changing land status to allow disposal.

These criteria also do not provide guidance on what land status would be appropriate [see Chapter 2 of this Manual].

Higher Priority

Re-categorisation will be a higher priority when the current category constrains the ability to achieve desirable outcomes in a cost-effective manner, if re-categorisation is the most cost-effective way to overcome the constraint(s).

The following are circumstances where this might be the case:

- the current category has a purpose which is contrary to the desired outcomes for the area
- the Department does not have the necessary jurisdiction over the land to undertake desirable conservation work
- the current status does not permit desirable management actions (e.g. restrictions on public access, controls on harvest of species)
- the change in status will have a highly significant effect on the efficiency of the Department's work
- the change in status is necessary to allow the transfer of management to a more appropriate body.
- the proposed change in status will lead to a significant change in public perception of the area where that change removes a significant impediment to achieving the desired outcomes
- the proposed change in status will change public views or political support in a such a way that the ability to achieve the desired outcomes is significantly enhanced (e.g. by increasing the likelihood of getting additional resources).

Medium Priority

Re-categorisation will be a medium priority where the change does not meet the high priority criteria, but will:

- improve the efficiency and effectiveness of the Department's operations; or
- significantly increase public support for the desired outcomes, either in relation to the particular area or more generally; or
- remove or significantly alter public expectations which are contrary to the desired outcomes (e.g. expectations of public access, management activities).

and if re-categorisation is the most cost-effective mechanism to do this.

Lower Priority

Re-categorisation will be a lower priority where the change will not greatly enhance the achievement of conservation outcomes.

Re-categorisation would need to:

- have positive effects on the local community, tourism businesses, or other parties;
- bring the status of the land more accurately into line with its values (i.e. reflect its legislative fit); or
- change the status to reflect international conservation interests.

It should not have any significant negative effects (see “concerns” below). Re-categorisation must be the most cost-effective mechanism available to achieve the benefits.

Concerns

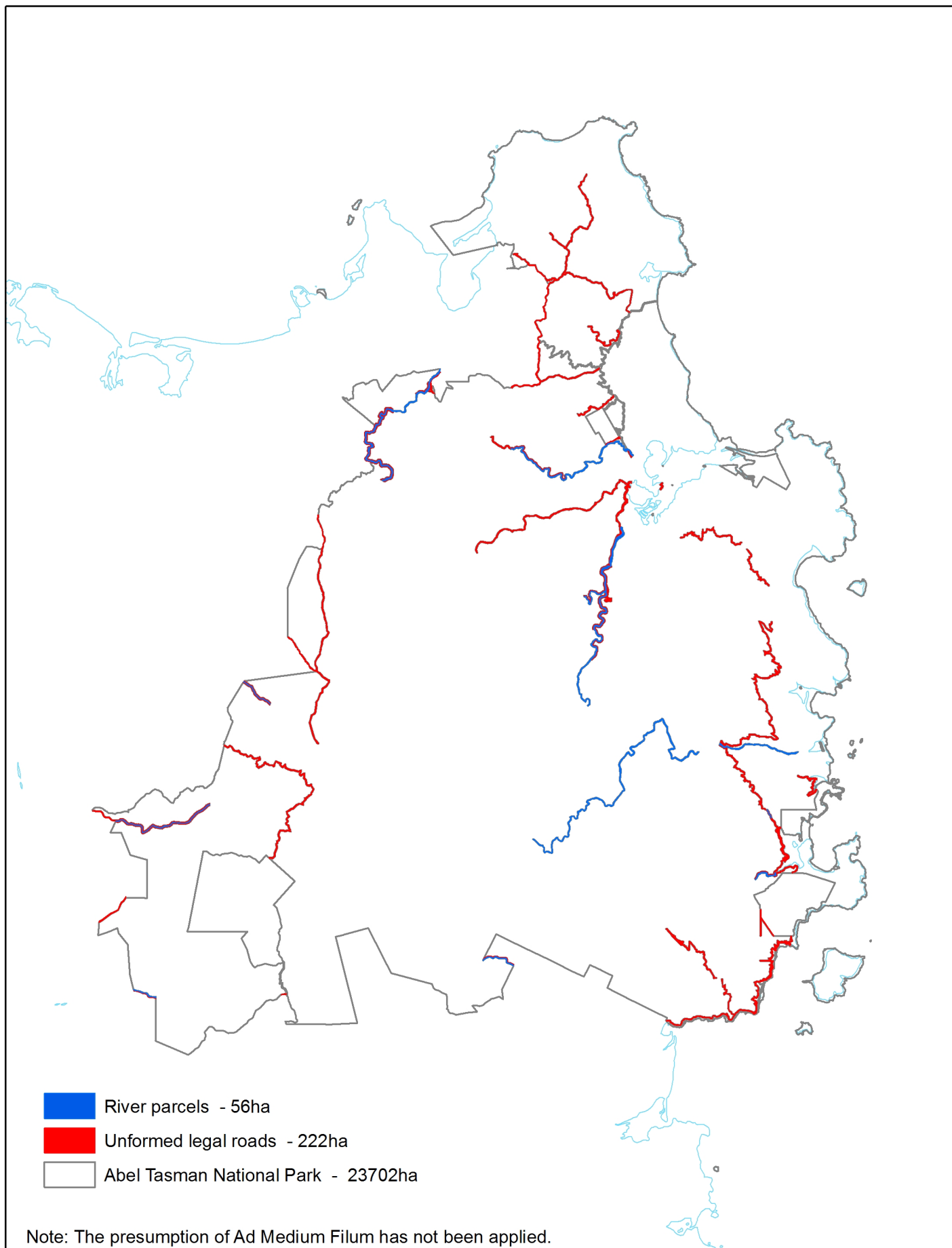
Re-categorisation should be avoided where:

- it will impede the Department (or administering body’s) ability to manage the area;
- it would raise significant iwi concerns which cannot be resolved⁴;
- the costs of re-categorisation are not justified by the benefits; or
- there are lower cost ways to achieve the same result (e.g. management plan zoning);
- it will change public expectations about outcomes, public access or public facilities in a way that is contrary to the desired outcomes.

In addition, in deciding whether and when a re-categorisation process should be initiated, regard should be given to capacity issues, including (but not limited to):

- the ability of iwi to respond to proposals;
- potential conflicts between this process and other processes currently operating;
- available resources to operate the process.

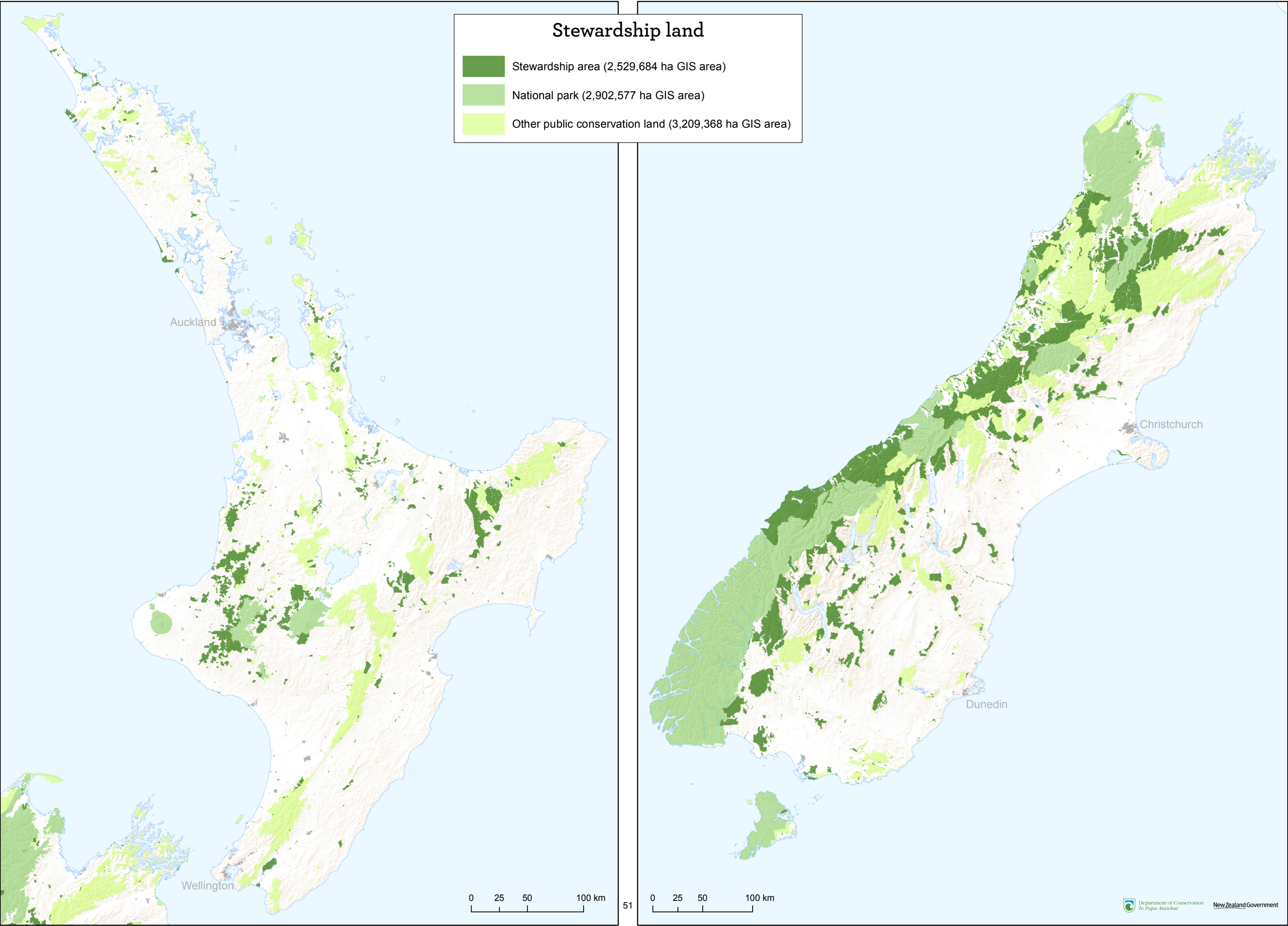
⁴ [The iwi concerns must be relevant to the purpose for which the land is held e.g. a concern that a change of status would adversely affect cultural/historical values.](#)



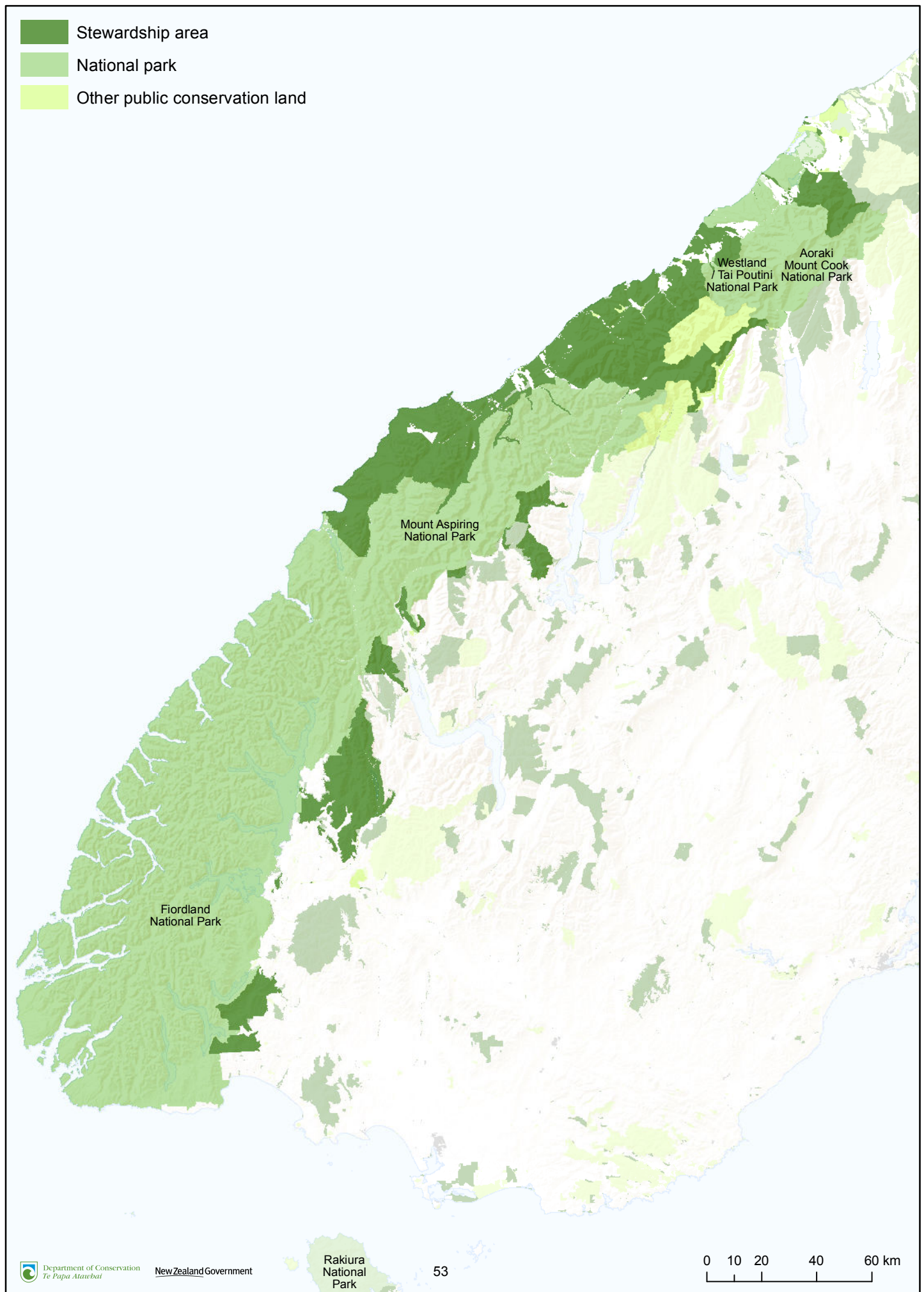
Abel Tasman National Park

Indicative unformed legal roads and rivers within or adjoining ATNP





Stewardship land within Te Wahipounamu - South West New Zealand World Heritage Area



REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Marie Long, Director Planning Permissions and Land

Subject: **Reclassification of conservation land (including stewardship land)**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	NZCA Priority C: Land Status Change Stewardship land reclassification is a priority for the Department of Conservation (DOC) in 2015/16 and out-years
Recommendation or Action Required	It is recommended that the NZ Conservation Authority (NZCA): a) Note the contents of this paper.
Context	The Parliamentary Commissioner for the Environment's (PCE's) report highlighted stewardship land as being in need of reviewing and reclassifying. DOC has a number of different pieces of work underway and planned for 2015/16. These were outlined to the NZ Conservation Authority in a report which was considered at its meeting on 2 & 3 June 2015. There were a number of queries arising from the discussion of the report which this report addresses. This report also updates the NZCA on the proposed five year plan and outlines how the NZCA and conservation boards are involved in the development of the plan.

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Marie Long, Director Planning Permissions and Land

Subject: **Reclassification of conservation land (including stewardship land)**

Background

1. The queries related to specific details about the land blocks, identified in the previous paper, as additions to Kahurangi, Abel Tasman and Fiordland national parks as well as the three other areas earmarked for addition to existing conservation parks.
2. Clarification was requested on the processes to add these areas to national parks and conservation parks.
3. Information was requested on Te Tai Tapu and the possible addition of this area to Kahurangi National Park.
4. An overview of the estimated additional costs to the Department of Conservation (DOC) of adding the six areas to national parks (refer to map 1) or some other better suited classification was requested.
5. Further details about the development of a five year plan for reclassification work are provided including NZCA and conservation boards involvement in the process.

Introduction

6. It is important to acknowledge that reclassification of land (including stewardship land) is a work area that DOC has been progressing since the early 2000s as initially part of a Government programme of gradually developing a network of parks and reserves for the public throughout the South Island High Country.
7. More recently the Government following on from the report of the Parliament Commissioner for the Environment in August 2013, which recommended a review of the legal status of higher value stewardship land, established the Aotea Conservation Park. The establishment of this park involved the reclassification of eighteen different blocks of stewardship land.
8. Over the last thirteen years a total of eleven conservation parks comprising 626,960 hectares (approx.) have been created from land obtained via tenure review, Nature Heritage Fund (NHF) purchases and the reclassification of existing stewardship land.

Additions to Kahurangi National Park (refer to map 2)

9. You asked DOC to provide an outline of the sites and their values to help NZCA consider whether to support an investigation under section 7 or section 8.
10. DOC is currently progressing all these additions via section 7 on the basis of a procedure adopted for NHF acquisitions of land for national park purposes by the NZ Conservation Authority at its meeting on 12 October 2010. This procedure was designed to speed up the process of adding these areas to national parks. It avoids Section 8 investigations on the basis that a thorough investigation and assessment of the values of the land against

the national park criteria had already been made prior to the purchase of the land by the NHF.

11. These three properties were purchased by the Nature Heritage Fund over the past decade. The most recent property was purchased in October 2011 with the other two properties being acquired in 2005 and 2003.
12. When they were purchased it was with the clear intention that they be added to the adjacent Kahurangi National Park. This was included as a condition of approval of funds for two of the purchases and included in the sale and purchase agreement of the other.
13. They have all held scenic reserve status since their purchase and DOC is now working through the statutory process, set out in section 7 of the National Parks Act 1980, to add these areas to Kahurangi National Park.
14. The addition of these areas to Kahurangi National Park is likely to be completed by the end of October 2015 and in this regard there is a submission on the NZCA agenda for your consideration.
15. Specific details are as follows:

Gavin purchase (Westhaven – Whanganui Inlet, North-west Nelson)

16. This 204 hectare property containing tall coastal and lowland forest was purchased by NHF in 2005.
17. The coastal forest found on the land is considered nationally rare. Its purchase enabled the protection of coastal forest that remains around the shores of Whanganui Inlet. The vista of estuary and verdant coastal forest is considered to be spectacular.
18. The property contains a tall canopy of trees including northern rata, pukatea, hard beech and rimu with numerous other podocarps such as miro, kahikatea and Hall's totara. Populations of North Island species such as northern cedar and tanekaha, both of which are near their southern limit in New Zealand, are also present. There are dense stands of the distinctive nikau, toro and hutu, characteristic of such wet western sites.
19. Some large trees, including pukatea and rata, are hundreds of years old. Their boughs support an abundance of "hanging gardens" made up of perching lilies, orchids, climbing and hanging ferns and club mosses. These, with the profusion of rata, supplejack and kiekie vines, give the forest a lush sub-tropical feel.
20. The block provides valuable links between areas of protected land and sea. It connects the existing Kahurangi National Park to the Westhaven Inlet-Te Tai Tapu Marine Reserve, and is therefore a logical addition to the park.

Harwood block purchase (south of Kahurangi Point, North-west Nelson)

21. This 68 hectare property was purchased by NHF in 2003.
22. Much of the property is unconsolidated and semi-mobile sand dunes, with evidence of recent blows and expansion of the open areas.
23. There are small patches of secondary mixed broadleaf coastal forest fringing most of the block as well as an extensive and well developed range of salt turf communities.
24. The exposed nature of the property and its previous burning/clearing /grazing history has allowed for extensive on-shore sand blow from the south and the development of some of the more extensive sand dunes in Nelson outside of Farewell Spit.
25. The native sandbinder, pingao, is well established and there are more plants present within this block than in the whole of the rest of Nelson province put together, including Farewell Spit. The dunes are also in good condition with very little introduced marram being present.

26. The main components of the coastal forest are kaikomako and rohotu (*Lophomyrtus obcordata*), but include many associate species that are uncommon on this northwest coast such as *Pellaea aff rotundifolia*, jointed fern *Arthopteris tenella* here near its southern limit, scrambling fuschia (*Fuchsia perscandens*). The forest also supports a broadleaved variety of *Rubus schmeilioides*, which elsewhere is confined to limestone sites and which is at its southern limit here.
27. The extreme northeast of the property comprises limestone (the same as most of the Kahurangi Point itself) but there are also exposures of the underlying very infertile coal measures. The exposed nature and range in substrates has resulted in a large contrast in vegetation types with well developed turf communities. These are nationally rare communities and support numerous range-restricted and threatened plants and invertebrate species.
28. There are healthy populations of the nationally threatened sand buttercup (*Ranunculus recens*), coastal forget-me-not (*Myosotis pygmaea*) as well as range restricted coastal myrrh (*Oreomyrrhus 'minutifolia'*), pygmy harebell (*Wahlenbergia congesta*), sand gunnera (*Gunnera arenaria*) and coastal porcupine shrub (*Melicytus crassifolius*), here at its west coast southern limit.
29. It is considered the diversity and range of contrasting community types present on this property gave it conservation significance far in excess of its size.
30. The property is completely surrounded by the Kahurangi National Park so it is a logical addition to the park.

Kahurangi Holdings Limited purchase (between Big River and Kahurangi Point)

31. The 330-hectare property was purchased by NHF in September 2011. Until the NHF purchase it was an enclave of private land surrounded on three sides by protected land administered by DOC (i.e., Te Tai Tapu/ North West Nelson Conservation Park and Kahurangi National Park), and it was the only private area between Big River and Kohaihai at the start of the Heaphy track.
32. The property contains primarily podocarp forest that importantly is part of the habitat of one of the last remaining lowland coastal populations of great spotted kiwi in the top of the South Island. The land is also home to endangered *Powelliphanta gilliesi kahurangica* giant snails that are unique to the Kahurangi Point area.
33. The geology along this stretch of coast is a complex mix of coal measures, old conglomerates, tertiary sandstones and limestones as well as extensive dunelands. All these geologies support a similarly complex mosaic of vegetation types. This Big River block is part of this Te Tai Tapu geology/vegetation complex.
34. The property adjoins Kahurangi National Park and contains values deserving of national park status so it is a logical addition to the park.

Addition to Abel Tasman National Park (refer to map 3)

Canaan Downs Farm purchase (Takaka Hill)

35. This 758 hectare property is known as Canaan Downs Farm and was purchased by the NHF in 2004. At the time of purchase it was set apart as a scenic reserve with the intention to add it later to Abel Tasman National Park. It is now known as the Canaan Downs Scenic Reserve.
36. The property was specifically recognised in the Abel Tasman National Park Management Plan as a possible addition to the park. The plan provides for areas of existing conservation lands adjacent to the park that meet the national park criteria to be added to the park within the lifetime of the plan (i.e., 2008-2018). These existing areas include

those areas of the Canaan Downs Scenic Reserve that meet the national park criteria and where existing recreational use (such as mountain biking) can continue.

37. It is proposed that an assessment of Canaan Downs Scenic Reserve be undertaken by DOC with areas, which meet the national park criteria and where the existing recreational use can continue, being added to Abel Tasman National Park. This assessment will be completed by the end of June 2016 and if any areas are identified for addition to Abel Tasman National Park then it is anticipated that these areas will be formally added to the park by the end of March 2017, subject to funding being available for any necessary survey work. These additions will be undertaken in terms of the process set out in section 7 of the National Parks Act 1980.

Additions to Fiordland National Park (refer to maps 4 & 5)

38. Funding was provided by NHF (formerly known as the Forest Heritage Fund) for the purchase by the Crown of private land in the Township of Cromarty (2001); Borland Mire (1995); and Borland Valley, Monowai (2000) for national park purposes. The intention has always been to formally add this land to Fiordland National Park. In all cases the land adjoins or is adjacent to the park and contains values consistent with those in the park.
39. The Minister gave a clear direction and undertaking when the purchases were approved that they were to be added to Fiordland National Park and the current process (i.e., section 7) provides for this to happen.
40. The NZCA requested an assessment of the suitability of these three areas for adding to the national park; change to another status; treat as if they were national park; and changes to the National Parks Act.
41. It is important to note that these areas are currently vested in Her Majesty for national park purposes, subject to the National Parks Act 1980 – refer to section 9 (2) of the National Parks Act. They are however not part of Fiordland National Park.
42. These areas have a national park status and it is considered that there is a no alternative higher status. There is however a need to add them into Fiordland National Park so management tools such as the Fiordland National Park Management Plan and Bylaws apply.
43. There is no plan to change the National Parks Act as it is felt there is adequate protection under the Act when an initial purchase is made up to when the purchase area is added to the park.
44. The addition of these areas to Fiordland National Park is likely to be completed by the end of June 2016. DOC is currently consulting with iwi about these additions.
45. Specific details are as follows:

King purchase (Borland Mire – Western Southland)

46. This 187 hectare property contains tussock, manuka and bogpine adjacent to Fiordland National Park.
47. The Borland Mire is recognised as the most intact and extensive lowland mire left in the Southern New Zealand. It is a site of national significance and unique also in that it is embedded in the adjacent short tussock grassland and associated bog pine-manuka ecosystem that remains on the southern and eastern boundary.
48. This surrounding tussock ecosystem is important to the mire, has intrinsic values and is equally poorly represented in reserves nationally.

49. This inclusion into the park represents a mosaic of vegetation communities which are poorly represented and protected elsewhere in Southland and indeed New Zealand.

O'Brien purchase (Westend Station, Borland Valley – Monowai)

50. This 401 hectare property contains lichenfield, peatland, manuka shrubland, swamp, red tussock and beech forest. It consists of two blocks adjacent to Fiordland National Park.

51. These two blocks contain vegetation communities found only in the Borland area of the Te Anau Ecological District.

52. The area contains the most extensive and best condition of known lichenfield in the Southern Region. The size, intactness, diversity and patterning of these ecological units are considered nationally important as they are not known elsewhere in such an extent or an unmodified condition.

Wang (Johnstone)/Morgan purchase (Township of Cromarty – Preservation Inlet)

53. Over the years the Crown has purchased a number of freehold sections in the former Township of Cromarty – the township is surrounded by the park, being one of the most intact and natural parts of mainland New Zealand.

54. This purchase brings into public ownership a further three sections, comprising 4047 square metres. These sections are covered in regenerating silver beech/podocarp forest.

55. These sections although modified are regenerating rapidly. Development of these sections for purposes other than conservation would result in a significant impact on the integrity of this landscape.

56. The proposal for purchase received support by the only Cromarty residents at Kisbee Lodge and conditional support by Ōraka Aparima Rūnaka during preliminary consultation.

Process to add purchased areas to national parks (including NHF purchase areas)

57. The process under Section 7 is as follows:

- Conservation board advised of purchase once finalised – 1 to 2 days
- Consultation with the Ministry of Business, Innovation and Employment (MBIE) and relevant iwi – two months
- Submission to conservation board – two months
- Submission to the NZ Conservation Authority (NZCA) – two months
- Submission to the Minister of Conservation (MOC) and Order in Council for the Governor – General to sign – two months (including the 28 day rule)
- NaPALIS updates – 1 to 2 days.

58. The timings mentioned above are ideal and do not allow for complications or complexities which might arise with a particular case.

Additions to conservation parks (refer to maps 6, 7 & 8)

59. The NHF purchase areas are located within catchments where additional public conservation land via tenure reviews was likely so DOC made the decision to wait until these reviews were completed (rather than carry out two separate processes) prior to formally adding these areas and any land gained via tenure review to the conservation parks. The desirability of the additions was signalled in the CMS for Canterbury.

60. A good example of the benefits of this approach, in terms of the efficient use of resources, is additions to Hakatere Conservation Park where the results of tenure review over eight years will mean that around 71,000 hectares are added to the Park, as opposed to only adding the 9,791 hectares being the NHF purchase in 2009.

61. Specific details are as follows:

Tarnbrae, Mackenzie Basin - Canterbury (Ahuriri Conservation Park)

62. As well as the NHF purchase area (2044ha) we are proposing to add 2452ha obtained via the tenure review of Ribbonwood pastoral lease – making a proposed reclassification of approx 4,500 hectares to be added to Ahuriri Conservation Park.

63. The above figures are preliminary at this stage until they have been the subject of further research and analysis by DOC.

64. These additions are likely to be completed by the end of March 2016.

Hakatere Station - Canterbury (Hakatere Conservation Park)

65. As well as the NHF purchase area (9,791ha) we are proposing to add the following areas obtained via the reviews of the following pastoral leases: Barossa (4,840ha); Mt Potts (9,230ha); Tenehaun (1,136ha); Glenrock (5,340ha); Double Hill (4,903ha); Redcliffe (7,731ha); and Mount Somers (2,841ha); and part of the Rangitata/Rakaia Head Waters Conservation Area – stewardship area (24,737ha) – making a proposed reclassification of approx 70,550 hectares to be added to Hakatere Conservation Park.

66. The above figures are preliminary at this stage until they have been the subject of further research and analysis by DOC.

67. These additions are likely to be completed by the end of June 2016.

Castle Hill, Craigieburn – Canterbury (Craigieburn & Korowai Torlesse Tussocklands conservation parks)

68. As well as the NHF purchase area (8,467ha) we are proposing to add approx 649ha obtained via the tenure review of Cora Lynn pastoral lease – making a proposed reclassification of approx 5,866 hectares to be added to Craigieburn Conservation Park and approx 3,250 hectares to be added to Korowai Torlesse Tussocklands Conservation Park.

69. The above figures are preliminary at this stage until they have been the subject of further research and analysis by DOC.

70. These additions are likely to be completed by the end of December 2016.

Process to add areas to conservation parks (including NHF purchase areas)

71. The process under section 18 of the Conservation Act is as follows:

- Determine areas for inclusion – 2 to 3 weeks (including compilation of land information, maps of proposal and discussions with district staff).
- Compile discussion document – 2 to 3 weeks (including land status research/3rd party interests and conservation values).
- Public Notice (including consultation with iwi and interest groups) – s.18 (2) Conservation Act, s.49 (1) Conservation Act – 40 working days (2 months).
- Hearings if required – s.49 (2) (c) Conservation Act – 2 to 3 weeks.
- Analysis of submissions – s.49 (2) (d) Conservation Act – 2 to 3 weeks.

- Submission to the Minister of Conservation (MOC) – s.49 (2) (e) Conservation Act -1 to 2 weeks.
- Gazettal – s.18 (1) Conservation Act – 1 to 2 weeks (for publication once signed notice received from MOC).
- NaPALIS updates – 1 to 2 days.

72. The timings mentioned above are ideal and do not allow for complications or complexities which might arise with a particular case.

Te Tai Tapu (refer to map 2)

73. Te Tai Tapu comprising 28,600 hectares approx. was purchased in 1985 by the former NZ Forest Service as state forest land and added to North-West Nelson State Forest Park.
74. This Park became a conservation park by virtue of section 61 of the Conservation Act 1987.
75. The treaty settlement legislation (i.e., Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014 and Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014) provided on the settlement date for fee simple estate in Te Tai Tapu to be vested jointly in the Ngāti Rārua Settlement trustees; the Te Ātiawa o Te Waka-a-Māui Trust; the Ngāti Tama ki Te Waipounamu Trust; and the Ngāti Apa ki te Rā Tō Trust and on the seventh day after the settlement date for the fee simple estate in Te Tai Tapu to vest in the Crown as a gift back to the people of New Zealand.
76. The four settlement deeds stated that Te Tai Tapu would remain as part of the North-west Nelson Forest Park under the Conservation Act.
77. In three of the four settlements deeds, it was signalled that Te Ātiawa o Te Waka-a-Māui; Ngāti Apa ki te Rā Tō; Ngāti Rārua; and Ngāti Tama ki Te Tau Ihu wish to be closely engaged as early as possible in any proposal of the Crown to change the conservation status of Te Tai Tapu (including classification of the land as reserve, national park or other form of special protected area under the Conservation Act 1987) and to explore with the Department of Conservation meaningful engagement in the future management of wāhi tapu in Te Tai Tapu.
78. The remaining deed of settlement for Ngāti Apa however provided for the Crown to consider initiating a process under the National Parks Act 1980 to add Te Tai Tapu to the Kahurangi National Park.
79. No engagement with iwi has occurred about the possible addition of Te Tai Tapu into Kahurangi National Park and there has been no attempt to calculate the associated costs with such a reclassification. This is a matter which has been signalled for inclusion in the process for developing the five year plan for reclassification work.

Overview of costs

80. The NZCA requested that DOC provide an overview of the estimated additional costs (direct operating and those related to asset replacement or upgrade) to DOC of adding the six areas outlined above to the national parks.
81. Costs, such as gazettal, are minimal (i.e., less than \$2000) as the additions are being undertaken as part of business as normal within existing DOC budgets.
82. Direct operating costs, including any asset changes, once the areas are reclassified, are unknown at this stage.

Development of a five year plan

83. As indicated in the previous paper, DOC proposes to prepare over the next five months a five year plan to outline the reclassification work which will be scheduled over the next five years.
84. This plan will include the existing work on NHF additions as outlined in this paper as well as the new reclassification work involving the Mokihinui River catchment; St James Station and The Poplars; and Te Waahipounamu – South west New Zealand World Heritage Area.
85. The process to develop the plan will include areas as outlined in CMSs and NPMP as well as other suggestions by conservation boards.
86. Criteria will be developed as part of the plan to allow for the areas identified to be ranked in terms of priority. This criteria is likely to include such factors as significance in terms of size; economies of scale (i.e., geographic packages to streamline consultation); and ecological/recreational/historic values.
87. When developing this initial plan DOC will be mindful of the discussion at the NZCA meeting in June 2015 about criteria for prioritising the reclassification of stewardship land.
88. The NZ Conservation Authority and conservation boards will have an opportunity to comment on this plan in draft form. This is likely to be prior to the end of December 2015.

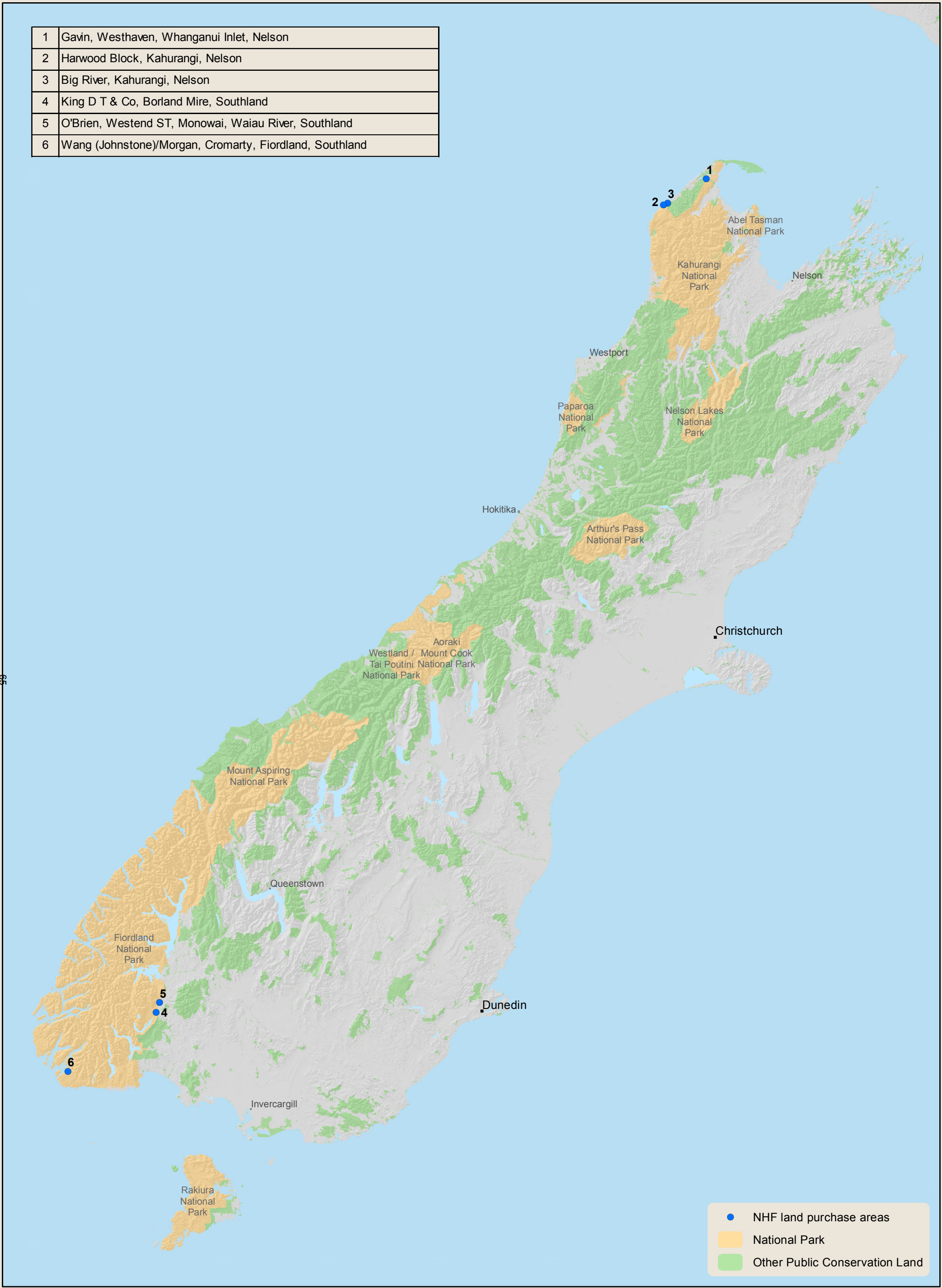
Section 4 Conservation Act

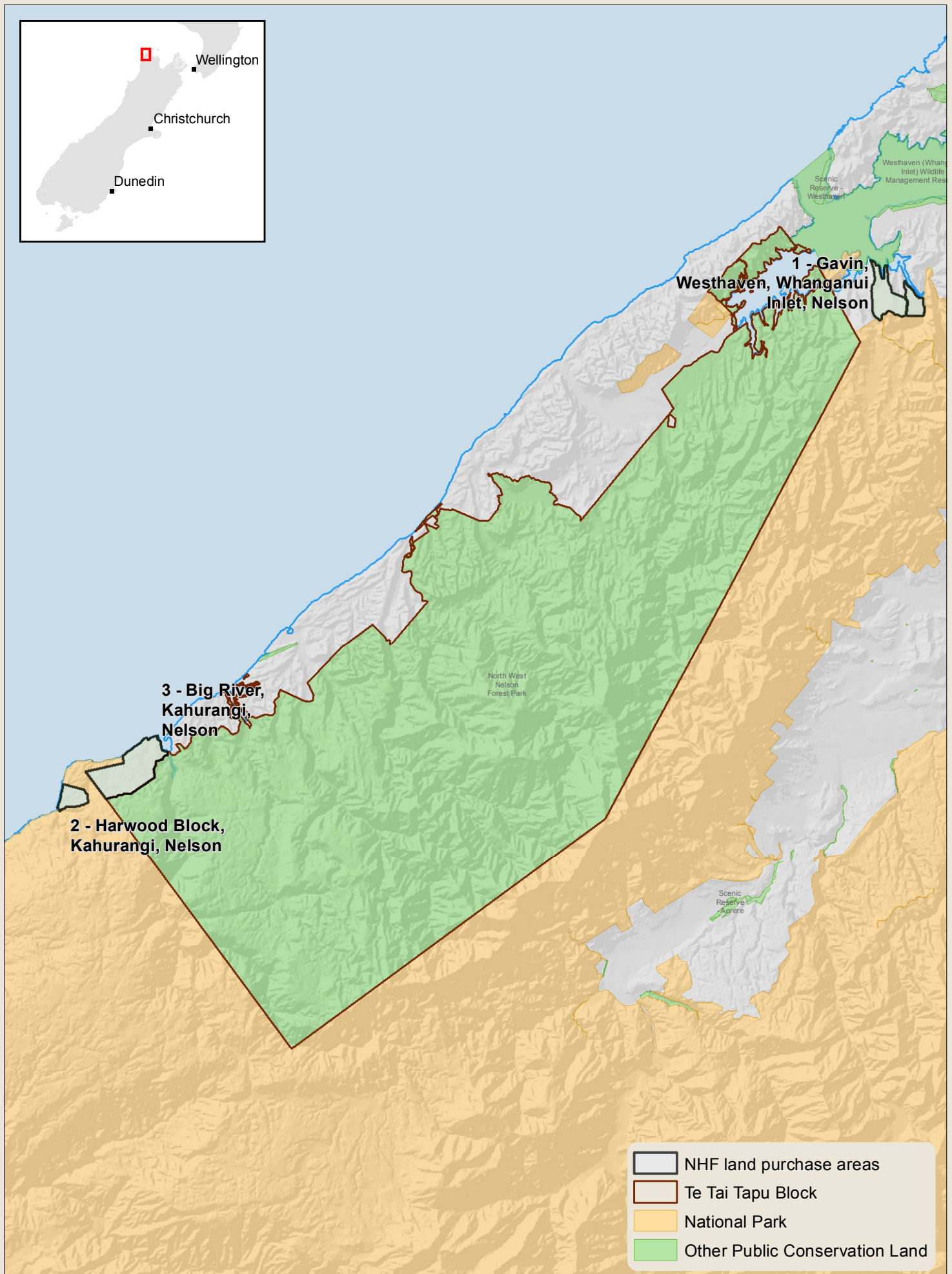
89. Consultation with relevant iwi is an important part of any process involving the reclassification of conservation land.

Maps

90. See attached.

1	Gavin, Westhaven, Whanganui Inlet, Nelson
2	Harwood Block, Kahurangi, Nelson
3	Big River, Kahurangi, Nelson
4	King D T & Co, Borland Mire, Southland
5	O'Brien, Westend ST, Monowai, Waiau River, Southland
6	Wang (Johnstone)/Morgan, Cromarty, Fiordland, Southland





3 Kilometres

NZGD 2000 New Zealand Transverse Mercator
Not for navigation
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Date Produced: 9/07/2015
DOC, Geospatial Services, Christchurch
File Ref:
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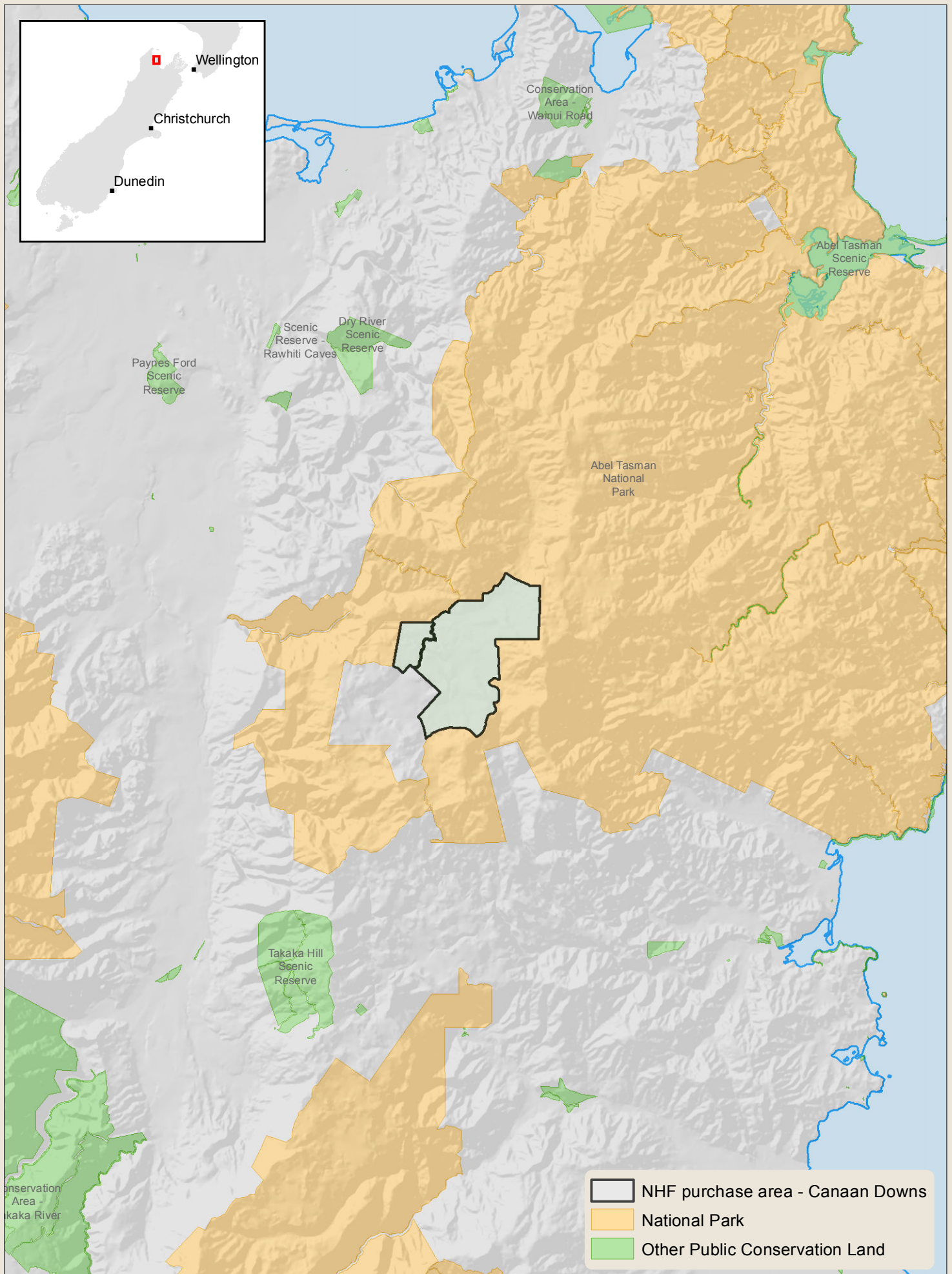
Land purchase for addition to Kahurangi National Park

Map 2



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2 Kilometres

NZGD 2000 New Zealand Transverse Mercator
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File Ref:
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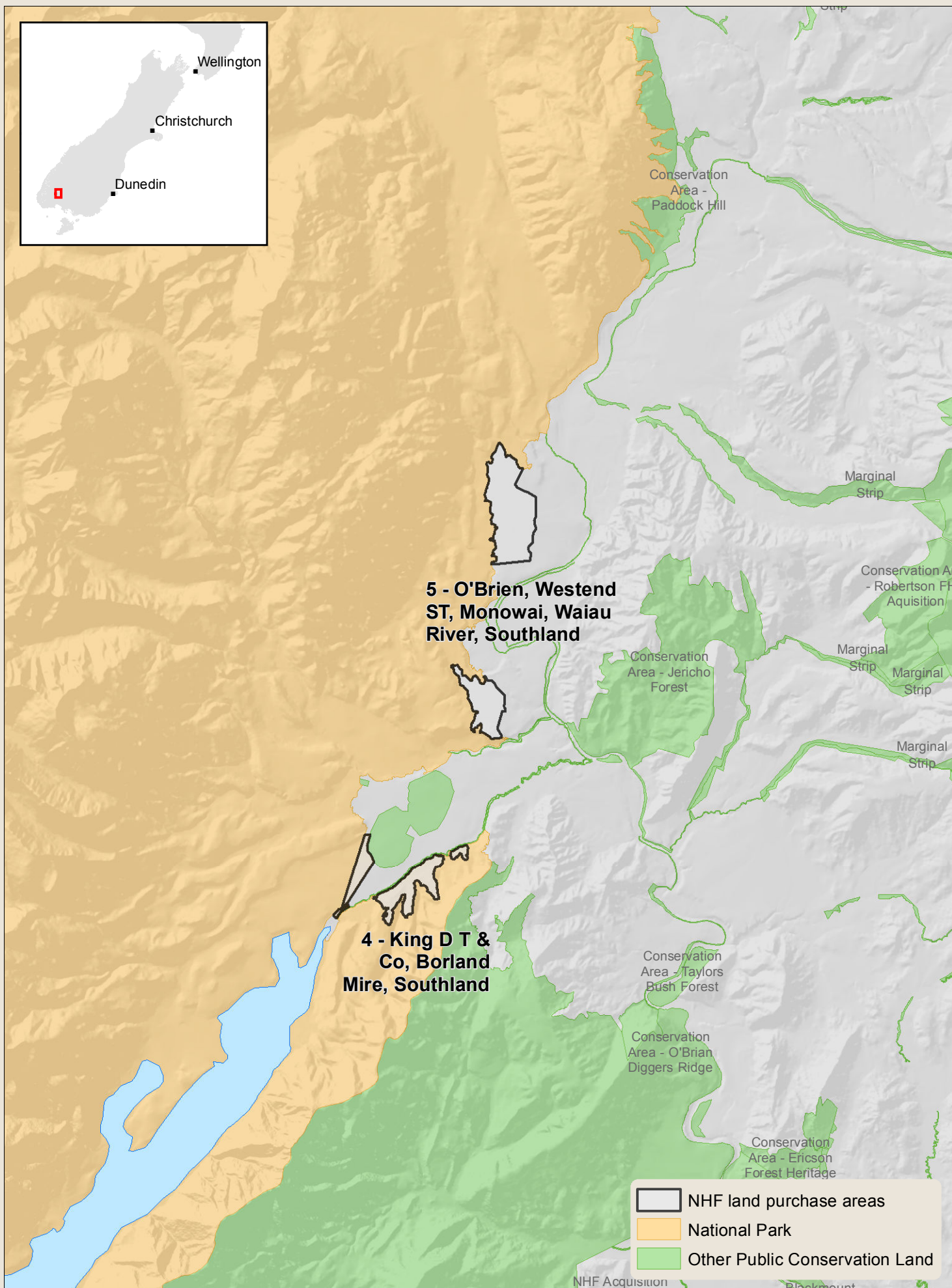
Canaan Downs Farm purchase

Map 3



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2 Kilometres

NZGD 2000 New Zealand Transverse Mercator
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Land purchase for addition to Fiordland National Park

Map 4



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500 Meters

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Land purchase for addition to Fiordland National Park

Map 5



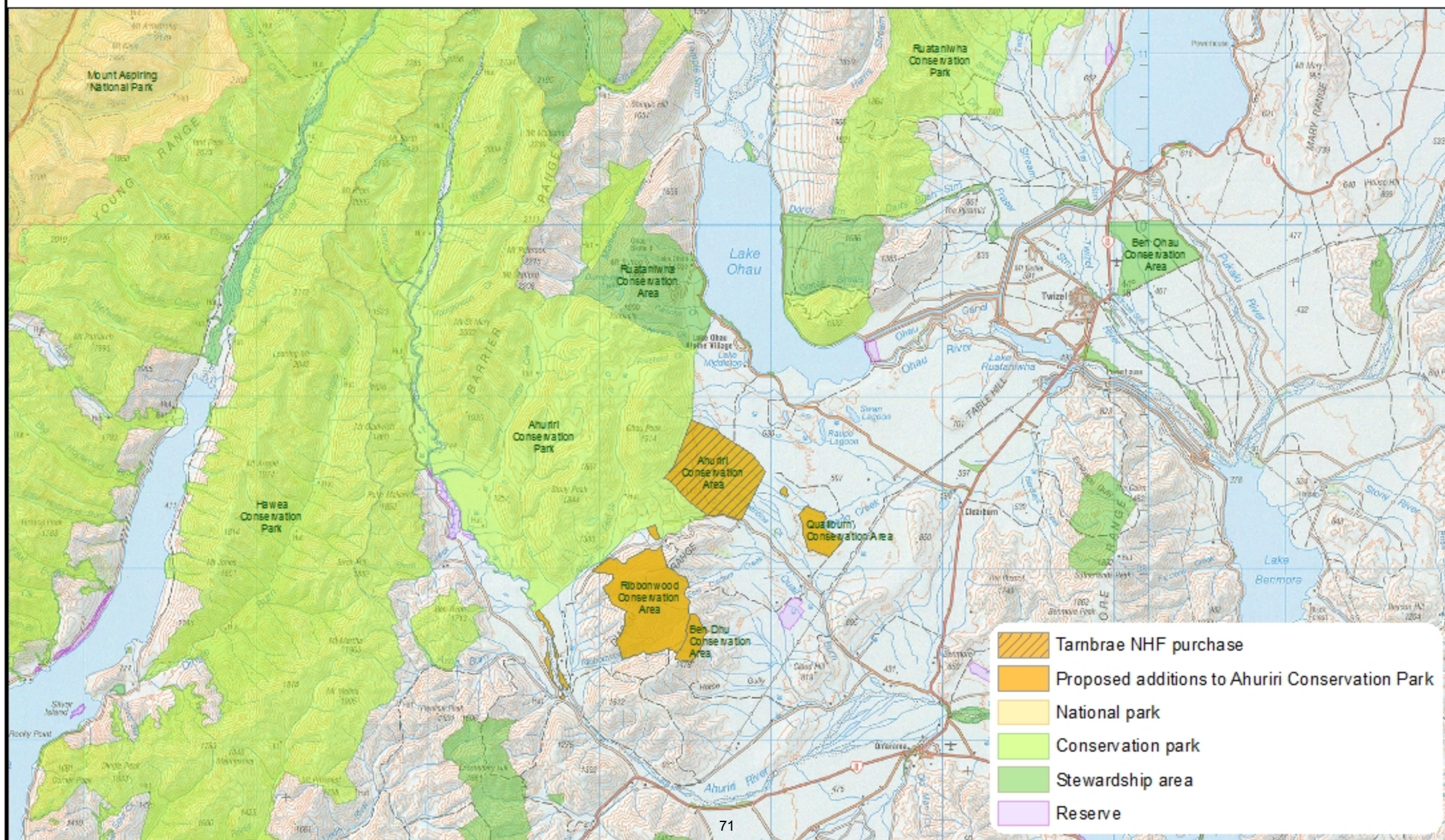
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Map 6 - Proposed Additions to Ahuriri Conservation Park

N
10 km
Projection: New Zealand Transverse Mercator
Datum: NZGD2000

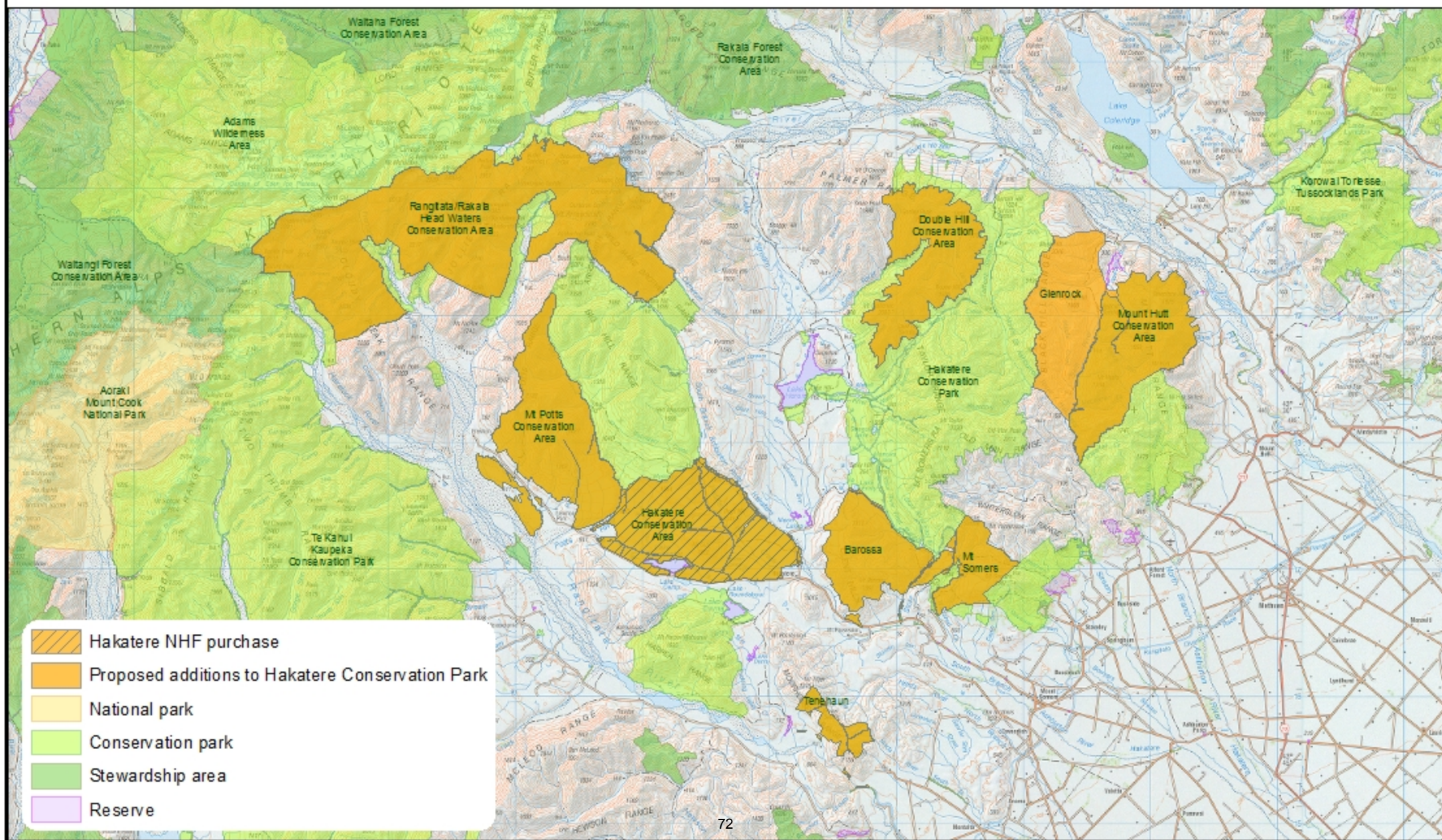
This map is for informational purposes and may not have been prepared for or be suitable for engineering or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the data.



Map 7 - Proposed Additions to Hakatere Conservation Park

N
10 km
Projection: New Zealand Transverse Mercator
Datum: NZGD2000

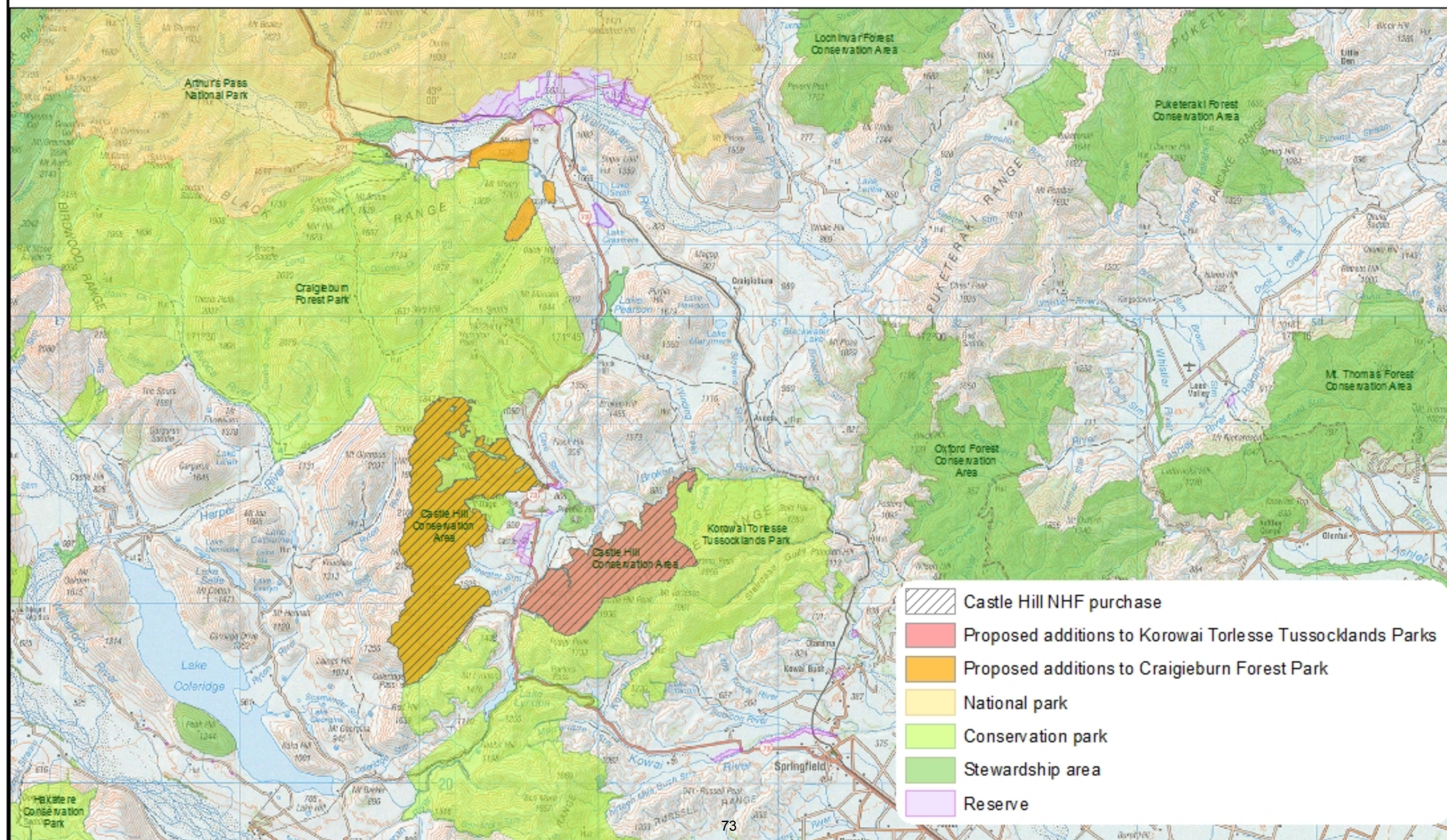
This map is for informational purposes and may not have been prepared for or suitable for engineering or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the data.



Map 8 - Proposed Additions to Craigieburn and Korowai Torlesse Conservation Park

N
10 km
Projection: New Zealand Transverse Mercator
Datum: NZGD2000

This map is for informational purposes and may not have been prepared for or be suitable for engineering or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the data.



REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Marie Long – Director: Planning, Permissions and Land

Subject: **Adding Land to Kahurangi National Park**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	NZCA Priority C: Land Status Change
Recommendation or Action Required	It is recommended that the Authority: a) Note the contents of this paper b) Recommend to the Minister that the land referred to in the schedule be added to Kahurangi National Park
Context	The purpose of this paper is to advise on the values of three sections of land on the north west coast of the South Island. These blocks of land were purchased by the Nature Heritage Fund. It is proposed that the Authority recommend to the Minister that the land be added to the Kahurangi National Park as a consequence of having values assessed as suitable for additions to the national park.

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Marie Long – Director: Planning, Permissions and Land

Subject: **Adding Land to Kahurangi National Park**

Background/Introduction

1. The three properties proposed for additions to Kahurangi National Park were all acquired by the Nature Heritage Fund over the past decade. The most recent property was acquired in October 2011 with the other two properties being acquired in 2005 and 2003. The location of the three properties is shown on the map attached as Appendix 1.
2. When the Nature Heritage Fund acquired the three respective properties, it was the intention of their purchase that they be added to the adjacent Kahurangi National Park. This was included as a condition of approval of funds by the Minister of Conservation for two of the purchases and included in the sale and purchase agreement of the other.
3. The properties transferred to the Department and have been held as scenic reserve since their purchase, with the expectation that a formal process under section 7 of the National Parks Act 1980 would be undertaken to add the land to Kahurangi National Park.
4. The Department is now promoting elevation of all three blocks to National Park status under section 7 of the National Parks Act 1980 as intended.

Schedule of Lands

5. Westhaven Inlet Addition
204 ha, being Section 10, Block V Pakawau Survey District, CFR NL43/212
6. Big River Addition
330 ha, being Lots 1 & 2 DP 2946, CFRs NL 86/4 (148.1149 ha) and NL 86/5 (182.1085 ha)
7. Harwood Block Addition
68 ha, being Section 2, Block II Kahurangi Survey District, CFR NL61/201

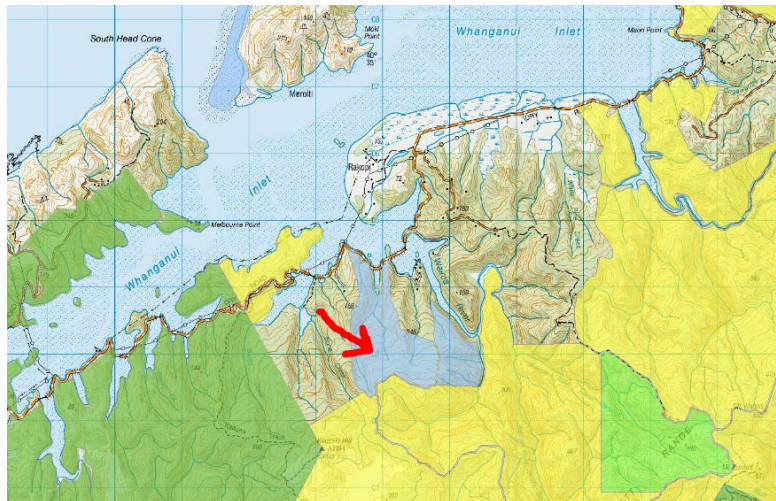
Ecological Assessment

8. Westhaven Inlet Addition

Brief land description

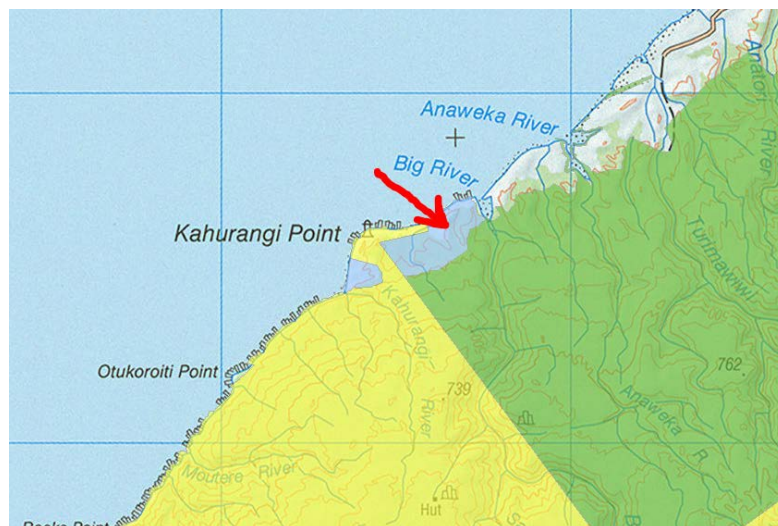
This 204 hectare block of tall coastal and lowland forest at Whanganui Inlet, in north-west Nelson was purchased by the Nature Heritage Fund in 2005.

The coastal forest found on the land is considered nationally rare. The site retains a tall canopy of trees, including populations of North Island species which are near their southern limit in New Zealand, with some large trees being hundreds of years old and supporting 'hanging gardens' from their boughs. There are dense stands of the distinctive nikau, toro and hutu, characteristic of wet western sites.



The block provides valuable links between areas of protected land and sea. It connects the existing Kahurangi National Park to the Westhaven Inlet-Te Tai Tapu Marine Reserve, and is therefore a logical addition to the park.

9. Big River Addition



Brief land description

The 330-hectare property between Big River and Kahurangi Point was purchased in September 2011.

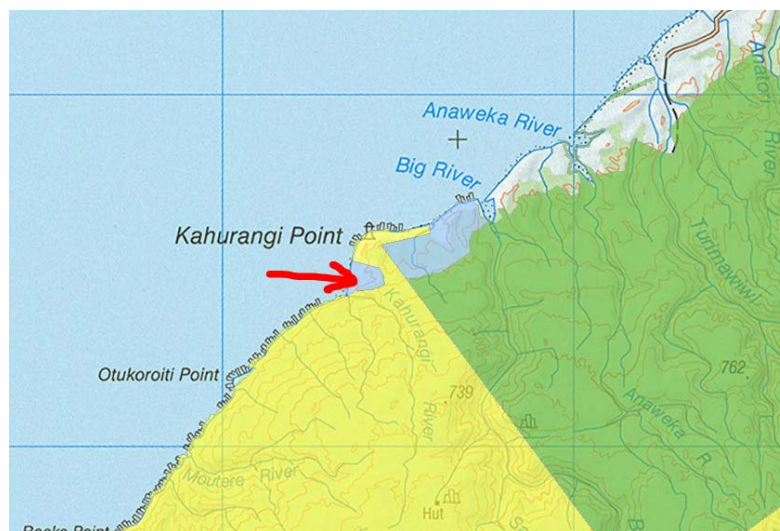
The land contains primarily podocarp forest which is part of the Te Tai Tapu geology/vegetation complex. Importantly it is part of the habitat of one of the last

remaining lowland coastal populations of great spotted kiwi in the top of the South Island. The land is home to endangered *Powelliphanta gilliesi kahurangica* giant snails that are unique to the Kahurangi Point area.

The block is bordered by Kahurangi National Park and North-West Nelson Conservation Park land.



10. Harwood Block Addition



Brief land description

The Harwood Block on the south side of Kahurangi Point was purchased in 2003.

Much of the block is an unconsolidated and semi-mobile sand dune being some of the more extensive sand dunes in Nelson outside of Farewell Spit. The exposed nature and range in substrates has resulted in a large contrast in vegetation types with well developed turf communities. These are nationally rare

communities and support numerous range-restricted and threatened plants and invertebrate species.

There are small patches of secondary mixed broadleaf coastal forest fringing most of the block as well as an extensive and well developed range of salt turf communities. The native sandbinder, Pingao, is well established and there are more Pingao plants present within this block than in the whole of the rest of Nelson province put together.

It is considered the diversity and range of contrasting community types present on this block gave it conservation significance far in excess of its size.



Legislation

11. Section 7(2) of the National Parks Act 1980 stipulates that the Minister shall not make any recommendation to the Governor-General under section 7(1) of the Act except on the recommendation of the New Zealand Conservation Authority after consultation with the appropriate Conservation Board.

General Policy for National Parks

12. Boundary adjustments and additions to national parks are covered by Section 6(h) of the General Policy for National Parks.
13. Section 6(h) states;

The Authority may recommend additions or boundary adjustments to a national park without requesting a formal investigation, when the land to be added has been specifically acquired for national park purposes, and in other circumstances, including one or more of the following:

- i) the addition or adjustment would create a boundary that more closely follows natural features;
- ii) the land to be added is contiguous with the national park or largely surrounded by the national park, with the same, or complementary, natural values;

- iii) the national park values have already been investigated or are already well documented;
- iv) there are no significant adverse effects on tangata whenua values;
- v) the land does not contain significant known mineral deposits with commercial potential which are economically viable for extraction;
- vi) the addition is considered unlikely to have significant adverse effects on communities beyond the boundaries of the national park.

14. The proposed Westhaven Inlet addition, Big River addition and Harwood Block addition are all considered to be consistent with this policy.

Nelson Marlborough Conservation Board

15. The Nelson Marlborough Conservation Board gave support to the proposed additions to Kahurangi National Park in August 2014 subject to iwi support of the proposal. The Board was happy to confirm its full support without further discussion if iwi were in support. Iwi support has been received and the Nelson Marlborough Conservation Board has been advised. The Board's letter of support is attached as Appendix 2.

Ministry of Economic Development

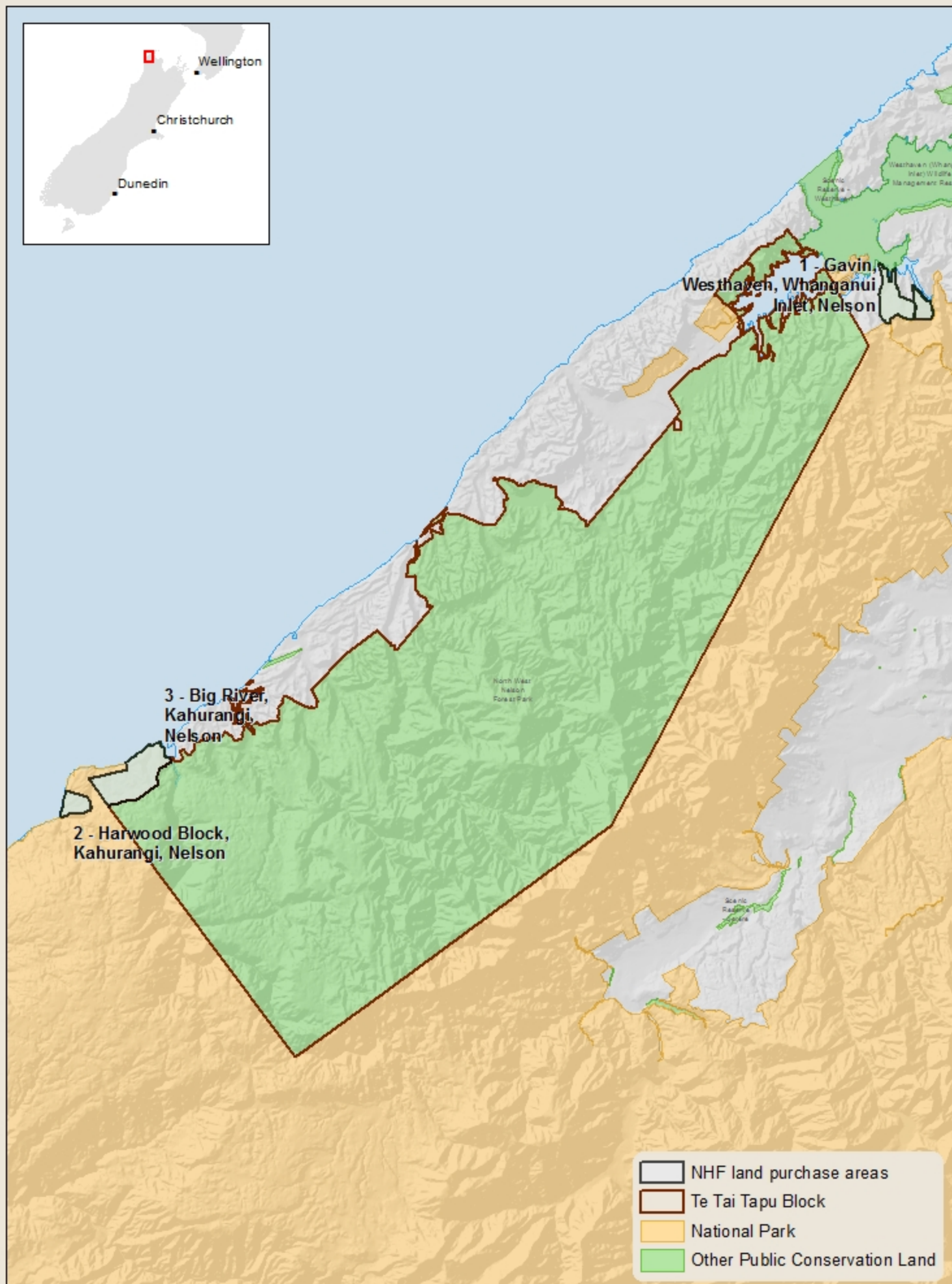
16. The Ministry of Economic Development advised in November 2011 that they had no objection to this reclassification proposal proceeding.

Section 4 Implications

- 17. The affected iwi, being Manawhenua ki Mohua, Te Runanga o Ngati Waewae and Ngati Apa ki te Ra To, were all consulted.
- 18. Manwhenua ki Mohua supported the re-classification of the Nature Heritage Fund purchases from scenic reserve to Kahurangi National Park at their meeting in August 2014, which also included representation from Ngati Rarua.
- 19. Te Runanga o Ngati Waewae gave support to the three additions being added to Kahurangi National Park in August 2014.
- 20. Ngati Apa ki te Ra To responded in June 2015 that they have no objection to the transfer of the three scenic reserves into Kahurangi National Park. They did ask that it is ensured their history and relationship to the whenua be acknowledged and that their continued right of access to the land where their tupuna resided is upheld.
- 21. National Park status provides access to the land to Ngati Apa ki te Ra To, as well as access to any member of the general public. The Department is considering the best way to practically acknowledge Ngati Apa ki te Ra To's relationship to the area.

Summary

- 22. The additions of these areas of land to Kahurangi National Park are logical additions to the Park and will complete the intent of the Nature Heritage Fund when they purchased the land.



3 Kilometres

NZGD 2000 New Zealand Transverse Mercator
Not for navigation
Crown Copyright Reserved
Data Produced: 14/07/2015
DOC, Geospatial Services, Christchurch

File Ref:
RT1024_NHP_individual_areas_A4_Kahurangi_NP.mxd
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APPENDIX 1.

Nature Heritage Fund purchases for addition to Kahurangi National Park



Department of
Conservation
Te Papa Atahuri

newzealand.govt.nz

APPENDIX 2.



Te Rūnanga Whakauka o Kahurangi ki Kaikōura
NELSON MARLBOROUGH CONSERVATION BOARD

Herea kia Kōtahi - Working Together

Mary-Anne Baxter
Department of Conservation
Otautahi Christchurch Office
Private Bag 4715
Christchurch Mail Centre
Christchurch 8140

21 August 2014

Dear Mary-Anne,

PROPOSED NATURE HERITAGE FUND ADDITIONS TO KAHURANGI NATIONAL PARK

Thank you for your paper to the Nelson Marlborough Conservation Board seeking support to elevate the status of several land parcels from Scenic Reserve to National Park.

The Nelson Marlborough Conservation Board discussed the issue at its meeting of 31 July 2014, and resolved:

That the Board supports the gazettal of the land parcels described in Board Paper 14/87/01 for addition to Kahurangi National Park pursuant to Section 7 of the National Parks Act 1980, subject to feedback from Manawhenua Ki Mohua and Ngati Waewae.

You will note from the resolution that the Board is in support subject to feedback from Manawhenua Ki Mohua and Ngati Waewae. It was noted in the meeting that the Harwood Block, being south of Kahurangi Point, is within the Ngati Waewae rohe.

Could you please advise once these discussions have taken place. The Board is happy to confirm its full support without further discussion if Manawhenua Ki Mohua and Ngati Waewae are in support.

We thank you for the opportunity to provide feedback.

Yours sincerely,

Bob Dickinson
Chairperson

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Mark Christensen

Subject: **Net Conservation Benefit – response to Minister and PCE**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	(C) Land status change e.g. Stewardship Land (E) Strategic advice to the Minister and DG in the context of conservation in today's economy, and strategic advice on public policy documents and legislation
Recommendation or Action Required	It is recommended that the Authority: a) Discuss 'guidance on the principles and processes that should be used when making decisions on net conservation benefit' in relation to the Minister's letter of 2 April 2015; and b) And Provide advice to the Minister of Conservation and the Parliamentary Commissioner for the Environment.
Context	The Minister of Conservation has sought the Authority's advice on 'net conservation benefit' matters in relation to Stewardship Land, as recommended by the Parliamentary Commissioner for the Environment (the letter from the Minister is attached). I have drafted the attached memorandum to start the discussion. In order to provide the advice requested I propose that the Authority: a) Discuss a definition of net conservation gain and its measurement; b) Seek to understand what work the Department of Conservation has done in relation to Section 16A of the Conservation Act 1987, and whether or not there is some relevance of the 'Biodiversity Offsets Guidance' in this area; and c) Agree on advice to be provided to the Minister of Conservation, including its view on prioritisation for stewardship land reclassification. I think the overall question here in terms of the attached memorandum is about prioritisation. What do we collectively think about the importance of DoC resourcing both science and policy on net conservation gain relative to other priorities the department has? That is, while I am of the view that a complete assessment of the 'fitness for purpose' of both the Reserves Act

	and the Conservation Act in relation to the outcomes desired for concessions, exchanges, disposals and access arrangements is warranted, is such a comprehensive review as well as the development of specific policy on net conservation gain under section 16A of high enough priority to warrant resourcing it at present? While the PCE and the Minister have asked for NZCA's advice, it might be that NZCA's recommendation is that in terms of the stewardship land issue generally, most benefit can be gained over the short to medium term by ensuring that all future tenure review land goes straight to a 'specially protected' status rather than stewardship land, and that the Department prioritises the change in status of the large areas of stewardship land and those areas that have been purchased for inclusion in parks (possibly also land alongside rivers?). In my view, dealing with the remainder of stewardship land can await a more overarching review of policy generally about net conservation gain/offsets across all classes of conservation and reserve land. Alternatively, NZCA might also suggest that in the meantime there should be some general high level guidance on what is to be achieved for exchanges under section 16A. <u>See also</u> NZCA advice to D-G on a proposed combined process when considering concessions and resource consents for major projects. http://www.doc.govt.nz/about-us/statutory-and-advisory-bodies/nz-conservation-authority/advice-to-the-minister-and-or-director-general/resource-consents-and-doc-concessions-combined-process/ NZCA Stewardship land media release http://www.doc.govt.nz/about-us/statutory-and-advisory-bodies/nz-conservation-authority/media-releases/nzca-welcomes-pce-report-on-stewardship-land/
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TO Warren Parker
FROM Mark Christensen
SUBJECT Stewardship land and related issues

DATE 26 May 2015

Dear Warren,

1. I refer to the Minister's letter of 2 April 2015. Here is a memo in draft which sets out my thoughts in relation to her request and the work which I think needs to be undertaken to respond to that request. It also summarises the wider issues which I think must realistically be addressed at the same time. I've done it in draft so we can amend/adapt as necessary before circulation to the NZCA members if you think that is appropriate.

Summary

2. In summary:
 - (a) The issue of 'net conservation gain' for exchanges under section 16A cannot be considered in isolation from a suite of issues which arise from concessions, exchanges, disposals and land classification. To consider a policy on land exchanges in isolation risks losing an opportunity to obtain the maximum conservation benefit from the overall statutory regime.
 - (b) In my view, having flexibility to achieve conservation gains is required from any regime. There is no flexibility with the current concessions regime. The access arrangement process under the Crown Minerals Act is a possible model for improvement of the concessions regime. I agree that the land exchange process is opaque and lacks strategic direction.
 - (c) I question the PCE's conclusion that stewardship land actually means that class of land is 'less protected' than 'specially protected areas'. This raises the question of the 'fitness for purpose' of the various land classifications in both the Conservation Act and the Reserves Act. I think those classifications need to be revisited.
 - (d) As the Minister identifies, there needs to be a consistent (and transparent) way in which exchanges of stewardship land are dealt with. For this to occur, it is my view that there need to be understandable (and publicly available) conservation priorities and objectives in place at both the national and local levels within which net conservation gain policies can fit.
 - (e) The development of any policy on net conservation gain for exchanges should be policy led, rather than led by individual scientists within or advising the Department (as happened with the development of biodiversity offsets 'guidance'). The policy development must include real engagement with a range of stakeholders (which did not happen with the biodiversity offsets policy). Any policy on net conservation gain for land exchanges should be consistent with a biodiversity offsets policy. The existing biodiversity offsets policy requires re-examination in light of progressed thinking. Whether or not there is a policy and legislative role for 'biobanking' (which is currently being pushed by EDS) should also be considered.
 - (f) It makes sense for land exchanges to be a public process. Consideration should be given, however, to whether only 'significant' proposals should be publicly notified (similar to access arrangements for 'significant' mining activities).

- (g) A overall review of the effectiveness and efficiency of the concessions regime process (and the legal tests under section 17U) should be undertaken, including whether efficiencies can be gained (without losing the ability to rigorously test applications) by the adoption of some sort of integrated process in the situation where resource consents are required as well as a concession or land exchange.
- 3. My comments do not apply to national parks. I think they are in a separate category. I have not considered the implications of all this (though there are no doubt some) for national parks.

The Minister's letter

- 4. The Minister requests the NZCA's views on any matters relating to the PCE's recommendation that the NZCA provide to the Minister "guidance on the principles and processes that should be used when making decisions on net conservation benefit". The Minister's letter notes that the PCE's report highlights a number of matters under the heading of 'net conservation benefit'. They include:
 - (a) How to consistently assess the values of land to be exchanged, to facilitate evaluation of the net conservation value of proposals;
 - (b) Whether this calculation should address the benefits to conservation, rather than to the public conservation estate managed by the Department of Conservation;
 - (c) Whether there should be public consultation on significant land exchanges.

PCE's reports

- 5. The 2013 PCE report on stewardship land states:

But unlike other categories of conservation land, stewardship land is not held for specific purposes. For instance, the specific purpose for which conservation parks are held is the enjoyment of recreation. However, stewardship land is only held for the generic purpose of protecting natural and historic resources.

This vagueness about the purpose for holding stewardship land must make it easier to gain concessions for commercial activities on this category of conservation land. Indeed, it is certainly perceived to be so. (Page 33)

Putting a parcel of stewardship land into another category gives it greater protection under the law for two reasons.

First, as discussed in Section 4.2, all conservation land categories other than stewardship land are held for explicit and specific purposes. Stewardship land is simply held for the vague purpose of protecting natural and historic resources, meaning that it is easier to get permission for commercial activities.

Second, the protection of stewardship land is much less 'permanent' than the protection of other categories of conservation land. This is because, as discussed in section 4.3, it is only stewardship land that can be sold or swapped. For other conservation categories to be taken out of the conservation estate they must first be reclassified as stewardship land, which requires public consultation.

The intended programme of systematic assessment of stewardship land and reclassification or disposal of stewardship land has not taken place. (Page 37)

The relatively weak legal protection of stewardship land quite naturally signals to the private sector that this part of the conservation estate is 'open for business'. Yet both the Conservation Act and departmental policy provide little direction or guidance for considering applications for proposed commercial uses of stewardship land. The law states only that its 'natural and historic resources' are to be protected but gives no indication why. (Page 57)

Net conservation benefit is a relatively new but promising concept in conservation. But there is work to be done to develop the concept into better law and policy before the public can have confidence that major land swaps can mean a good deal for conservation. (Page 58).

Using a legal provision designed for small non-controversial land swaps for taking large and valuable tracts of land in and out of the conservation estate is not good practice and will continue to attract controversy.

6. The PCE's 2015 Update Report states:

Compared with other categories of conservation land, the legal protection of stewardship land is weak. There are two reasons for this.

First, areas of stewardship land can be swapped for areas of private land, subject only to the vague proviso that the land swap will "*enhance the conservation values*" of the conservation estate. The Commissioner's report described two controversial land swaps that illustrate the inadequacy of this law and policy.

Second, stewardship land is only to be managed so that its "*natural and historic resources are protected*", whereas other categories of conservation land have more specific management criteria. (Section 1)

The land swap provision in the Conservation Act was intended to provide a simple way for the Department of Conservation to adjust boundaries and rationalise small areas of conservation land. However, it has been used to swap large areas of land with significant conservation value, creating controversy. But all have the same legal status – the weakest protection of all categories of conservation land. The envisaged systematic assessment of conservation value and reclassification or sale of the many areas of stewardship land has never been done. (Section 4)

(Section 3)

7. There are two initial questions which arise from the PCE's reports, the answers to which, I believe, impact on the PCE's conclusions and recommendations:

- (a) Is it correct that stewardship land is 'less protected' than other categories of conservation land?
- (b) Is it correct that it is easier to gain concessions on stewardship land than other conservation land?

The categories of land held for conservation purposes

8. The following table sets out the various classes of conservation land (other than national parks).

Classification of land	Purpose for which the land is held (emphasis added)
Stewardship land	So that its natural and historic resources are protected (section 25)
Conservation park	(a) that its natural and historic resources are protected ; and (b) subject to paragraph (a) to facilitate public recreation and enjoyment (section 19)
Wilderness area	So that its indigenous natural resources

	shall be preserved .
Ecological area	So managed as to protect the value for which it is held (section 21)
Sanctuary area	To preserve in their natural state the indigenous plants and animals in it, and for scientific and other similar purposes.
Watercourse area	So as to protect the wild, scenic, and other natural characteristics that it has when considered with the river, lake, or stream, concerned (section 23)
Amenity area	(a) that its indigenous natural resources and its historic resources are protected ; and (b) subject to paragraph (a) to contribute to and facilitate peoples' appreciation of its indigenous natural resources and its historic resources; and c) subject to paragraphs (a) and (b) to foster the recreational attributes of the area (section 23A)
Wildlife management area	(a) that its wildlife and wildlife habitat values... are protected ; and (b) that its indigenous natural resources and its historic resources are protected (section 23B)
Scenic reserve under the Reserves Act	Except where the Minister determines , the indigenous flora and fauna...and natural environment and beauty shall as far as possible be preserved (section 19 RA)
Nature reserve under the Reserves Act	(a) It should be preserved as far as possible in its natural state: (b) except where the Minister otherwise determines the indigenous flora and fauna and national environment shall as far as possible be preserved (section 20 RA)
Scientific reserve under the Reserves Act	Except where the Minister otherwise determines , the indigenous flora and fauna shall as far as possible be preserved (section 21 RA)

9. I do not know how much of the 'non stewardship land' administered by DoC falls within each category, but I suspect that other than stewardship land the other major category is conservation park.
10. I have not considered any Standard Operating Procedure (if there are any) about how it is determined which is the appropriate category to classify a particular area of land.
11. In light of these various purposes, it is my view that stewardship land has no less protection than conservation parks, ecological areas, watercourse areas, amenity areas, wildlife management areas and scenic reserves. Indeed, I think it is possible to argue that it has greater protection than some of these categories because while the natural resources are to be protected in all of the categories, the purposes of some of these other categories includes recreation and public enjoyment. Recreation and public enjoyment purposes are absent from the purpose of stewardship land. I think it can also be argued that there is no substantive difference between any of the classes of land that look to 'protect' natural resources. At the end of the day, it is the values in question that are important for all of these classes, not the classification itself.
12. If that is the case, it is not correct to say that stewardship land is 'less protected' than other categories. The consequence of that is to raise the question of the importance or necessity of reclassifying stewardship land to any one of these categories if the purpose is to achieve a 'higher level of protection'.
13. All of this analysis raises the following questions;
 - (a) Rather than the critical issue being the classification of the land concerned, the various purposes all point to the importance of the values present. There are two approaches to determining the relevant values. First, a comprehensive process could be undertaken for identifying the values on all land (not just stewardship land, although that would be the obvious place to start). Or secondly, to ensure that the consideration when considering how to manage the land is focussed on the values present rather than the classification itself. This further raises the issue of the relevance and importance of policy about how the area is to be managed by way of CMSs and CMPs.
 - (b) Fundamentally, this analysis raises the issue of the validity and appropriateness of the various categories of conservation land. Are they still 'fit for purpose', given that they were established and categorised at various times between 1977 and 1996? (I'm not suggesting that this analysis should consider the appropriateness of a national park status).
 - (c) While it is probably the case that it is for historical reasons that some land administered by DOC is held under the Reserves Act and other land held under the Conservation Act, it is not clear if this is useful, neutral, or a disadvantage. I am not aware if there is an analysis of the benefits and disadvantages of land being held under one or other of the two statutes. Are the Reserves Act classifications also 'fit for purpose'?
14. Rather than DoC having gone through an exercise of choosing parcels of land to manage as stewardship land, most of this land 'turned up' as stewardship land by virtue of being State forest or Crown land prior to the Conservation Act coming into force (CA, section 62). The implication is that any particular piece of deemed stewardship land cannot be assumed to have values which make it appropriate to be managed for the protection of its natural and historic resources.
15. Those decisions cannot be made without investing the resources into investigation, reclassification and disposal processes. As the Office of the Auditor General's recent report states:

Information on the origin of properties

5.14 The Department does not actively gather information on the origin of the properties that it inherited from former organisations. When the Department was formed in 1987, most of the land that came under its administration was derived from reserves, national parks, and other Crown land allocated from former organisations such as the Department of Lands and Survey and New Zealand Forest Service. The Department has a standard operating procedure that identifies external sources of data that can be used to determine the origin of this land.

5.15 In processing applications to exchange, dispose of, or change the classification of land it manages, the Department must gather information about how the land came under its administration. This information will affect whether the land can be exchanged, disposed of, or have its classification changed, and the uses to which the land may be put.

5.16 In the strategic planning documents we looked at, the extent to which the Department intends to engage in these activities was not clear. In our view, if the Department plans to engage in land transactions or review classification status, it should proactively document when properties were acquired and how they were acquired. Given the number of individual properties managed by the Department, we appreciate it would be a significant undertaking to identify when and how all the land it manages was acquired. However, we recommend the Department consider the usefulness of gathering this information.

Recommendation 6

We recommend that the Department of Conservation consider the usefulness of gathering information on the origin of all the individual properties it manages.

Ease of obtaining approvals on stewardship land

16. The PCE's report states that it is easier to gain concessions on stewardship land and it is perceived to be so. Is that the case?
17. Section 17U(3) of the Conservation Act states that the Minister cannot grant a concession "if the proposed activity is contrary to the purpose for which the land concerned is held".
18. I think it is critical to understand that DOC's internal legal advice (most recently expressed publicly in the context of the Ruataniwha proposal to inundate an area of the Ruahine State Forest Park). While this specific advice relates to a Forest Park, the important aspect is that it refers to the Minister's powers in relation to the management of the land so that its "natural and historic resources are protected". DoC's legal position must therefore equally apply to stewardship land where the same purpose applies.
19. DoC's legal position is that:
 - (a) The natural resources to be protected are those within the footprint of a proposed activity. Unless those effects are "truly minor" the resources cannot be protected (because they will necessarily be removed by the track, the road, the building, the lake or whatever); and
 - (b) An offset or mitigation (no matter how useful or how much it results in a net gain in conservation values) cannot be considered if the mitigation/offset occurs outside that footprint.
20. Under this interpretation, the loss of a single tree cannot be mitigated if that tree is within the footprint of the activity proposed. It is not possible to plant another (or even ten) trees elsewhere to mitigate the loss of that tree because mitigation 'off site' cannot be considered.

21. The result of this interpretation (of which DoC is advising potential applicants for concessions) is that virtually **no** activity which involves a substantive footprint resulting in a loss of any natural resources (which are very widely defined) in a stewardship area can be granted a concession. Exceptions may be for recreation type activities which involve very little or no footprint, so that the effect on natural resources is "truly minor".
22. Thus, even if it is perceived to be easier to obtain a concession on stewardship land compared with other land, under DoC's interpretation of the Conservation Act, it is simply not the case. Without exception, major development proposals on stewardship land are subject to rigorous assessment of actual conservation values and effects by applicants – they have to be for concession applications to be complete.
23. Contrast the position of a mining activity under the Crown Minerals Act 1991 where an access arrangement under the Crown Minerals is required for a mining activity on conservation land rather than a concession. In this situation, an access arrangement is 'easier' to obtain because there are wider considerations. Section 61(2) of the Crown Minerals act states:

In considering whether to agree to an access arrangement... the Minister ... shall have regard to—

- (a) the objectives of any Act under which the land is administered; and
- (b) any purpose for which the land is held by the Crown; and
- (c) any policy statement or management plan of the Crown in relation to the land; and
- (d) the safeguards against any potential adverse effects of carrying out the proposed programme of work; and
- (da) the direct net economic and other benefits of the proposed activity in relation to which the access arrangement is sought; and
- (db) if section 61C (3) applies, the recommendation of the Director-General of Conservation and summary referred to in that subsection; and
- (e) such other matters as the appropriate Minister considers, or the Minister and the appropriate Minister, as the case may be, consider relevant.

24. Clause (e) enables the Minister to consider an offset or compensation and whether or not a 'net conservation' results (interestingly it is not stated whether the net gain is to be within the conservation area in question, the conservation estate generally, or even on private land).
25. This raises the question why mining activities are treated differently to all other activities in terms of how 'difficult' in legal terms it is to get an approval within a stewardship area. It might be perceived that mining activities have some sort of 'advantage' over other activities. In a sense they do because in considering access arrangements the Minister can consider net conservation gain. Under the Conservation Act, she cannot. In terms of maximising conservation benefit/outcome is the legal test in the Crown Minerals Act to be preferred over the legal test in the Conservation Act? Should the Conservation Act be revisited in this regard?

Land exchanges and net conservation gain

26. Stewardship land may be exchanged for other land but only if the Minister is satisfied the exchange will enhance the conservation values of land managed by DoC and promote the purposes of the Act (CA, section 16A)
27. Land exchange has the potential to facilitate overall conservation gain (through the creative use of offsetting and compensation) currently unavailable through the concessions regime. Land exchange is not available for other categories of conservation land, irrespective of the values concerned.
28. If all stewardship land were reclassified then:

- (a) Almost no concessions can be granted (because of DoC's interpretation of what 'protected' means).
 - (b) There is no opportunity to achieve net gains because offsets and compensation are not able to be considered by the Minister on a concession application; and
 - (c) No land swaps are lawful.
29. Is this what we want? If this is not a deliberate policy choice, then the effect of reclassification of stewardship land is that classifications drive the outcome rather than the conservation values, or indeed any policy objective (other than almost no activities on conservation land irrespective of the values concerned or the opportunities for net conservation benefit.)
30. Assuming the policy is to allow land exchanges for the remaining stewardship areas at least in the meantime, the first question is whether 'net conservation benefit' is the same as the current legal test with is that the proposed exchange "enhances the conservation value of land managed by the Department; and promotes the purposes of the Conservation Act". I think that is likely to be the case, but it points to the necessity of some criteria or guidelines.
31. One reason land exchanges are criticised is that the science/thinking behind the calculation of net conservation gain is not seen as being robust, and perhaps based on 'deals' rather than policy or science. There are broadly two possible solutions. First, to develop a more robust internal evaluation process by DoC, perhaps including more transparent conservation priorities in CMSs or elsewhere so that people wanting to undertake exchanges can see where/what is important to DoC. I think it is very important to understand conservation priorities at both the national and local levels to provide the context within which a robust process would take place.
32. In my view the Conservation General Policies should also be amended to set out whether exchanges have to be like for like or not. In my view, the better outcome would be that exchanges need not be like for like (even if the default consideration should be to that effect) – so s16A can be used to achieve net gains.
33. Secondly, I don't see why the exchange process should not involve public participation. I think they should be dealt with in the same way that concessions are. Alternatively, it is possible to have a 'halfway house' like mining activities under the Crown Minerals Act so that notification only occurs for 'significant' proposals – again a definition of this would need to be clear.
34. However, public participation does little in itself to ensure a robust process. Without proper guidance and coherent policy in place, it just provides a forum for positional play and people shouting at one another.
35. Most importantly, the development of policy around net conservation gain needs to be undertaken in a significantly better way than the biodiversity offset 'guidance'. That was driven by (some) scientists rather than by policy. In light of the fact DoC's legal position is that offsets are unavailable for concessions I remain sceptical of the validity and usefulness of the biodiversity 'guidelines'. Guidelines or policy around net conservation gain need to be developed with a proper and real engagement of relevant stakeholders.

The concessions regime generally

36. I think all of this raises issues for the concessions process generally. Why is it different to the access arrangement process? I don't see why it should be. If an activity is required to be located within public conservation land (and I think that should remain a relevant test) , the issues should be what are the effects of that activity on the values identified, not what is the classification of the land? Equally, the emphasis should be on the effects on the values identified and it should not matter what the activity is - mining activities should not be dealt with differently to say irrigation storage facilities or hydro schemes.

37. Is it appropriate that there is no right of appeal on a concession or a land swap, unlike for a resource consent application under the RMA?
38. Consideration also needs to be given to streamlining the concessions process, similar to the way RMA processes are being streamlined.
39. In addition, I think there needs to be consideration of some sort of joint or integrated process when both a concession (or land exchange) and a resource consent are required.

DRAFT



Office of Hon Maggie Barry ONZM

MP for North Shore

Minister for Arts, Culture and Heritage

Minister of Conservation

Minister for Senior Citizens

RECEIVED
18/4/15

- 2 APR 2015

Dr Warren Parker
Chair, New Zealand Conservation Authority
Box 10-420
WELLINGTON 6011

NZCA

File Reference:

SBA-10-03

Dear Warren

In August 2013, the Parliamentary Commissioner for the Environment released a report entitled "Investigating the future of conservation: The case of stewardship land."

In this report, the Commissioner found shortcomings in the way the Conservation Act and the Conservation General Policy address the exchange of stewardship land. The Commissioner recommends that I seek the Authority's advice to provide "guidance on the principles and processes that should be used when making decisions on net conservation benefit."

The report highlights a number of matters under this heading. They include:

- how to consistently assess the values of land to be exchanged, to facilitate evaluation of the net conservation value of proposals
- whether this calculation should address the benefits to conservation, rather than to the public conservation estate managed by the Department of Conservation
- whether there should be public consultation on significant land exchanges.

The report raises some interesting issues and I would welcome the Authority's views on any matters relating to the Parliamentary Commissioner's recommendation.

I look forward to your response.

Yours sincerely

Honourable Maggie Barry ONZM
Minister of Conservation

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Lou Sanson (Director-General)

Subject: **Director-General's Report**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	Strategic advice to the Minister and DG in the context of conservation in today's economy, and strategic advice on public policy documents and legislation
Recommendation	It is recommended that the Authority: a) Note this report by the Director-General
Context	This report by the Director-General brings to the Authority's attention a range of operational matters that have occurred in the June – July 2015 period. Topics discussed include: • Kauri dieback • Pukaha Mt Bruce predator control • Safety issues • Freshwater ecosystems • Marine reserves • Fire services • National Historic Landmarks • Tuwharetoa settlement • Whanganui District flooding • Wasp control • Environmental education

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Lou Sanson (Director-General)

Subject: **Director-General's Report**

Environmental education	Kids Greening Taupo A new environmental education project started in Taupo this year, led by the same kids it will be educating and empowering. Kids Greening Taupo is an 18 month pilot project involving five local schools (one secondary, two primary and two early childhood). It is based on the very successful Kids Restore the Kepler project in Fiordland. The Taupo pilot applies the key ingredients of <i>Kids Restore the Kepler</i> to retro-fit biodiversity into the local Taupo urban setting. It will piggyback on the new community conservation initiative, <i>Greening Taupo</i>; a collaboration between the community, Ngāti Tūwharetoa, the Department of Conservation, local schools, businesses and the district council. The objective is to improve the Taupo environment for people and native wildlife. It involves restoration planting and pest control to create ecological corridors that allow the number of native birds to flourish. The pilot is being measured and monitored by a Waikato University Masters of Education student to ensure that its lessons can be used in similar programmes around the country. The main launch for this pilot will be a daylong event in Taupo in Term 3 (<u>between 14 – 25 September</u>), where elements of the pilot will be demonstrated by each of the schools.
Cumberworth Deer Farm	Allan Cumberworth is the occupier of a 41ha property at Waitaanga in Northern Taranaki, which backs onto the Waitaanga Conservation Area. Mr Cumberworth farms fallow deer and undertakes safari park activities on his property in a regulated deer farming area. His property does not meet the required fencing standards under the Wild Animal Control (WAC) Act 1977. The Department has repeatedly attempted to work with Mr Cumberworth since 2007 to get the fencing up to standard, but has not been successful. On 28 April 2015, correspondence was sent to Mr Cumberworth confirming the Department's intention to begin a process to have the deer removed under Section 16 of the WAC Act as his fences still did not meet the required standards. Mr Alan Cumberworth was issued a letter on 2 June requesting entry to his property for the purposes of removing or controlling his illegal deer. He has formally notified the Department of his refusal. The Department will now prepare a letter authorising entry to Mr Cumberworth's property (pursuant to section 16(2) of the Wild Animal Control

	Act) for the purposes of controlling the deer. This power is a Ministerial power but has been delegated. Mr Cumberworth was a member of the Taranaki/Whanganui Conservation Board. Separate legal advice was obtained regarding the removal of Mr Cumberworth from the Board Membership. The Department briefed the Chair of the Board, who spoke directly to Mr Cumberworth regarding his resignation. Associate Minister Wagner also spoke to Mr Cumberworth regarding his position on the Conservation Board and, as a result, Mr Cumberworth agreed to stand down from the Board until the fencing issue is resolved. If he resolves that matter, and there is still time left in his three-year appointment, he can be co-opted back on to the Board. The Department identified Don Robinson as a replacement candidate. His appointment was approved by APH and Cabinet within the broader conservation board appointment process.
Kauri dieback	Summary of 2015/16 work programme for the Kauri Dieback Recreation Project The Kauri Dieback Recreation Project is the key body of work the Department is undertaking to reduce the spread of kauri dieback by visitors to tracks on conservation lands. We need to ensure our DOC tracks are not stressing kauri roots by compacting them or altering natural drainage patterns, and leaving kauri susceptible to infected soil transfer by mud on people's shoes. In this first year of the Department's three year Kauri Dieback Recreation Project (started on 1 July 2015 – 30 June 2018), 30+ high priority tracks have been identified for upgrade, as well as 10 associated roads, camps and amenity areas. The tracks have been chosen due to their significant ancient kauri presence, high visitation, immediate risk of spread of kauri dieback, and the chances of success of full track upgrade preventing further spread. The Department is currently tendering for engineering, track design and construction project management services. Contracts for track construction will then be let, with on the ground work proposed for the dry summer months to avoid muddy conditions. The Department is also seeking proposals to re-design kauri dieback hygiene / cleaning stations. Different designs will be needed for high use, boardwalked sites such as Tane Mahuta versus back country tramping tracks, where we'd aim to keep maintenance of the stations to a minimum. Once prototypes have been approved, mass construction for cleaning stations for kauri tracks will begin in early 2016. It is recognised that the success of the Project hinges on communicating the outcomes well. We are recruiting a dedicated Communications and Engagement advisor to coordinate the significant community and tangata whenua engagement programme planned for October and November. An inclusive engagement process will be developed to ensure the best chance of success of kauri dieback protections by site, promoting buy in to the measures. Funding in year 1 of the Project has also been dedicated to a behaviour change campaign. Infrastructure upgrades will not solely protect kauri from people spreading the disease, and more creative grass-roots changes in the

	way people behave in kauri forests is needed. We want to ensure we are reaching all the main users of kauri conservation lands, and taking opportunities to promote action in communities. The joint agency Kauri Dieback Programme is undertaking a workshop in July with agency and iwi partners to offer strategic guidance as to how we respond to kauri dieback in the best operational way. Coupled with the track information gathered through our kauri dieback inspections (750+km surveyed and mapped from January – August 2015), this guidance will help the Department to prioritise how we will treat the full suite of 300+ tracks (i.e. where track closures would be most appropriate). Decision-making on mitigation solutions for the full track network will take place in January 2016 after we have engaged with the Kauri Dieback Programme partners, iwi and communities. This will build the years 2 and 3 capital works programme and identify where we will be closing access. The Department continues it's 'business as usual' kauri dieback work programme, which includes PTA sampling, input into the Kauri Dieback Programme's science and research priorities, advocacy and events, maintenance of tracks and kauri dieback infrastructure. Staff are also working with councils to build on the Department's pig control programme. Attached is the list of the 20 largest known remaining "giant" kauri on public conservation land. These trees were named by the Forest Service and ranked solely according to their timber volume. The exact locations have not been mapped and, in many cases, there is no formed public access to them. This has possibly had a positive impact on their health. All of the "giant" kauri with public walking tracks to them will be upgraded through the project to ensure their protection from kauri dieback.
Bulk fuel storage review	Journalist Liz Brooker wrote an article for the "Sunday Star Times" on 24 May, on DOC's bulk fuel management. It followed the leakage of fuel from a concessionaire's diesel tank near the Turoa ski field in October 2003 and drew on two recent OIA requests. DOC has removed 19 of its tanks and fully completed upgrade work on 10 more. Projects are underway to complete work on 18 other tanks and the bulk of this work was expected to be completed by the end of June. DOC has informed all other storage facility owners of the requirements to upgrade their facilities. A total of 54 private or community-owned facilities still require upgrading. DOC is working with these groups to progress this programme and has offered to provide specialist HSNO support and advice where required. The risk assessment by an independent test certifier has concluded that none of the identified non-compliant facilities posed an immediate or serious risk, and that the issues identified could be managed through upgrade or removal plans. DOC expects all work on private or community owned facilities to be completed by the end of 2016.
Safety issues	The Department has decided to replace quad bikes with light utility vehicles By the end of May, staff had been briefed on the phasing out of our fleet of about 200 quad bikes, which will be replaced with 80 light utility vehicles. A decision was made in early 2015 to replace the quad bike fleet with fewer

	light utility vehicles. This reflected safety concerns. On average, between 5 and 7 people are killed in quad bike accidents in NZ annually (MBIE data). In DOC over the previous 5 years, between 7 and 11 staff have been injured each year. On average in DOC there have been 5 quad bike incidents annually that had the potential to be fatal accidents. As part of the changeover, a new standard operating procedure and training and competency programme are being developed. The Department will be spending up to \$1M of its capital allocation on this replacement and aims to secure a good deal through the procurement process. We expect to complete our operational work programme with a reduced, but fit for purpose and safer, fleet of light utility vehicles. The phase out and replacement programme should be completed by the end of December 2015. A communication plan is being developed, which includes a proactive media release to highlight DOC's focus on staff safety. Coroner's inquest into the death of Yessica Asmin. The inquest into the death of Yessica Asmin, who drowned at Poppelona Creek on the Milford Track on 19 May 2014, three weeks after the summer Great Walks season ended, occurred in late May, in Queenstown. Yessica was an Indonesian student studying at the University of New South Wales and travelling in the company of her boyfriend, Australian Sean McNabb, and a young German man, Sebastian Keilholz. Sean and Sebastian will attend. DOC's representation was led by a Senior Solicitor and a number of DOC staff were called to give evidence. A major focus was on DOC's decision to remove some bridges at the end of the summer season to avoid their destruction by avalanches. This practice (also followed for other Great Walks Tracks where avalanches are a risk) has occurred since the late 1960s. Information is made available on these changes on the external DOC site on the internet. Our key message is that walkers must at all times make their own good decisions around the conditions and events that confront them on any walking track. The Department has undertaken two reviews that resulted in reports and recommendations. An independent report was also done, at the Coroner's request, by the Mountain Safety Council. We will present the Coroner with the facts of what happened, communicate the reasons for why the Department manages the Milford Track as it does, and the changes made as a result of the Department's reports into this sad event. We will be open to suggestions as to how we can do things better, and will await the Coroner's findings and recommendations before commenting further.
Freshwater ecosystems	Manawatu Estuary, new Ramsar management plan A new management plan for the Manawatu Estuary was approved by the Management Group on 11 May and is now on the DOC website. The Plan sets out a vision with supporting objectives and actions for the period 2015-2025. It was drafted with extensive consultation with iwi, regional and district councils and community groups, including the Manawatu Estuary Trust. This is the second management plan since the site received Ramsar status in 2005.

	DOC's actions for 2015/16 included increased weed control activity in partnership with volunteers; increased awareness and promotion through signage and events; and increased research and education including wise recreational use. The Management Group intends to engage with media when specific action is undertaken. This Ramsar site is, however, the subject of public submissions to the Horizons Regional Council Long Term Plan and, as a result, may receive media attention.
Marine reserves	Community Initiative, Marine Protection, Wairarapa Coast Unusually strong community support is being expressed for addressing the absence of coastal marine protection over the large section of coastline between the Taputaranga Marine Reserve (south Wellington coast) and Te Angiangi marine Reserve east of Waipawa. The Wairarapa Community has, for some time, expressed interest in establishing appropriate marine protection for parts of the Wairarapa Coast. The topic has been discussed in several community meetings and, more recently, the three District Mayors have collaborated to lead the initiative on behalf of the wider Wairarapa community. Mayor Lynn Patterson (Masterton District) has committed to continuing the consultative process with the intent to establish a Community Forum to advocate for the initiative. Coastal hapu (Kahungunu ki Wairarapa) has expressed considerable interest and support. Rangitane o Wairarapa iwi representatives also expressed interest in the context of the Conservation Management Strategy review. Members of the Wellington Conservation Board have received community submissions favouring the investigation of opportunities to establish appropriate protection for parts of this coastline. The Board is supportive of the Community Forum process. Doc's role is to provide support (with the Ministry for Primary Industries) to the Community Forum process through the provision of technical support and information. DOC has provided guidance and process explanations to a number of Community meetings.
Fire services	Release of the 'Review of Fire Services Discussion Document' The Minister of Internal Affairs released the Review of Fire Services Discussion Document for public consultation on 27 May. The Authority should note that: • DOC supports the review and endorses the need for modernising the fire services. • The document includes options for changes to the organisational structure of fire services, ranging from an enhanced status quo option through to amalgamating the fire services into one national fire service. • As a key stakeholder, DOC has been widely involved in developing the discussion document. DOC is the largest rural fire authority in New Zealand and will be affected by the results of the review. • The next step is for the public to comment on the options being put forward and make submissions to the Department of Internal Affairs.

	DOC will not comment on the options during the consultation phase and will not make a submission on the document. Officials will continue to work with the Department of Internal Affairs after the public consultation period finishes, to make input into the draft report to Cabinet. In terms of the governance options contained in the discussion document, DOC remains strongly in support of option 2 (coordinated service delivery), with the longer term aim of achieving option 3 (amalgamating the fire services into one national fire service).
Pukaha Mount Bruce	Kiwi predation at Pukaha Mount Bruce Context Pukaha Mount Bruce Reserve (900 ha) is a large scale integrated restoration project. On site there is advocacy, education, captive breeding and visitor facilities. Internally within the reserve there is an extensive trapping grid network to maintain predators to very low density. The reserve is surrounded on all sides with a trapping grid as a buffer zone. The kiwi population in the Pukaha Reserve was estimated to be approximately 100 birds in March this year. The largest translocation occurred in 2010 when thirty kiwi were translocated from Hauturu Little Barrier Island. Since the Hauturu translocation the Department has maintained approximately ten translocated male birds to harvest their eggs for the on site Operation Nest Egg (O.N.E) programme. The Department commenced chick survival monitoring in 2014 when O.N.E chicks started being released at hatch weight. No losses had occurred until the first white chick was predated on 10 March 2015. The second white chick was killed on 26 March and a brown chick was killed on 29 March. The remaining four monitored chicks were lifted from the reserve and returned to captivity on 30 March. All indications were that the predator(s) were stoats. The first two pathology reports were inconclusive but the third confirmed a stoat was responsible. After putting fresh rabbit into targeted areas, seven stoats were caught over the following three weeks. The animals responsible for the chick deaths may have been amongst those trapped. On 22 April a mortality signal was detected on an adult male bird. An un-monitored female was found in the same burrow, also predated. The pathologists confirmed that a ferret was responsible for both deaths. Since then six more monitored adult males have been killed, with the last death occurring on 20 May. Seven ferrets were caught during May and a further seven were caught during June 2015. On 12 June a large male ferret was caught in kiwi territory and the pathology report confirmed that kiwi feathers were present in ferret's stomach contents. Local response to kiwi predation event The local team engaged members of the Technical Advisory Group, the Regional Biodiversity Planners and technical advisors in discussions about the predations immediately after the second predation event. Those discussions and meetings confirmed that the local response had been

	appropriate. A short, medium and long term plan was developed, taking into account their advice as well as the knowledge and experience of the local team. Short term plan (1 – 14 June) • Use a kiwi dog to find and transmitter male kiwi. • Work with GWRC and Horizons to identify any gaps in the buffer. • Work with GWRC and Horizons to increase checks to weekly if possible or find a way to resource this. • Maintain live traps in easy to access places. • Increase frequency of kill trap checks. This will require support from other Districts and / or contractors. Medium term plan (15 June to 26 July) • Use a kiwi dog to find and transmitter more male kiwi. • Maintain live traps in easy to access places. • Maintain increased frequency of kill trap checks. • Apply 1080 aerially* • Continue developing “live bait” concept and trial (not at the expense of kill trapping) Long term plan (following months) • Strengthen the buffer. Engage technical advisers, PMB Board, GWRC, Horizons RC and neighbouring landowners in discussion & decision. Consider utilising volunteers to support trapping in the buffer. • Consider another translocation of kiwi from Hauturu Little Barrier Island The short and medium term plans were implemented and concluded with the aerial application of 1080 in the reserve on 11 July. The stakeholders (the Pukaha Mount Bruce Board, iwi, Greater Wellington and Horizons Regional Councils and DOC) will now move to engage in discussions about strengthening the buffer.
National Historic Landmarks	DOC met with the Ministry for Arts, Culture and Heritage and Heritage New Zealand on 9 June to progress work on the National Historic Landmarks programme. Key items progressed are: • Heritage New Zealand is revising the General Policy Statement for National Historic Landmarks in light of public submissions on the policy. The Heritage New Zealand Board will consider approving the General Policy Statement on 25 June. This statement is required under the Heritage New Zealand Pouhere Taonga Act 2014, and needs to be finalised before the National Historic Landmarks list is established. • Heritage New Zealand has engaged the creative agency Designworks to provide advice on engagement options for the Landmarks programme and to formulate a potential brand / logo for Landmarks. DOC is an active part of the working group developing these engagement options.

	• Heritage New Zealand proposes to list the Waitangi Treaty grounds as a wāhi tupuna on the NZ Heritage List. This is an important step towards the proposed Waitangi National Historic Landmark recommendation. The Māori Heritage Council considered the report for the wāhi tupuna proposal at its meeting on 24 June. • DOC, MCH and Heritage New Zealand are reviewing the themes that may be used to help decide which places should be listed as Landmarks. This thematic framework will help to identify the top 20 potential Landmarks that you have requested. DOC has worked with the Ministry for Culture & Heritage and Heritage New Zealand officials to identify six National Historic Landmark sites, in accordance with the Minister's most recent letter of expectation to Heritage New Zealand. This included two DOC Historic Icon sites, as requested. The Heritage New Zealand Board and the Maori Heritage Council have elected to recommend three sites from that list. DOC awaits clarity on whether six or three sites are to be delivered this year.
Tuwharetoa Settlement	Trout Centre Redress Public interest in this issue arose after DOC sent a letter, on behalf of the Office of Treaty Settlements, to the Tongariro National Trout Society, inviting the Society to meet negotiators to discuss proposals in the Tuwharetoa Agreement in Principle relating to the Tongariro National Trout Centre. The New Zealand Fish and Game Council was alerted to the proposals. It made media releases and was interviewed on Radio live voicing its objections to the proposals and questioning their equity and legality. This issue is primarily a matter for the Office of Treaty Settlements to respond to as it relates to a Treaty grievance. The letter was sent on OTS's behalf and the discussions will be led by OTS/Chief Crown Negotiator. DOC and OTS media staff are liaising over media interest in this issue. OTS will speak for the Crown where required and DOC will keep your Press Secretary advised of any media messages or developments on the issue. Fish and Game also objected that it was not consulted prior to the Crown entering an Agreement in Principle (AIP) in March this year. Prior to signing an AIP, negotiations are confidential. After the AIP is signed, the proposals enter the public domain and consultations on the proposals with interested parties take place. Tuwharetoa traditionally provided native freshwater fish for all guests at tangi, hui etc. Trout have largely supplanted native fish in the lake so they are seeking additional sources of trout as a substitute to enable them to maintain their traditions. In 2004, Tuwharetoa was allocated 200 free fishing licences but these aren't sufficient for its needs. The Crown has agreed in its AIP that trout at the Centre could be allowed to mature for Tuwharetoa cultural events. This is consistent with the Taupo Fishing Regulations that permit pisciculture (artificial rearing of fish) for any purpose. The redress is not inconsistent with the 1998 Court of Appeal case <i>McRitchie v Tauranga Fish and Game</i>, as Fish & Game has asserted. That case ruled that, as trout is not an indigenous species, it cannot give rise to a customary right to fish. The proposed redress provides trout to fulfil a customary

	purpose but does not recognise a right to fish. DOC is required to breed trout smelt as a resource in case a volcanic eruption destroys trout stocks in Lake Taupo and its tributaries. The trout would be grown in a raceway that is not required for angler purposes. Tuwharetoa would be responsible for maintaining the raceway. The AIP also provides that DOC would train a Tuwharetoa cadet to undertake the work at Tuwharetoa's expense. The Office of Treaty Settlements met Bryce Johnson on 16 June and is also trying to arrange for Fish and Game and Ngati Tuwharetoa to meet and discuss the proposals.
Official visits	Vice-regal visit to Hawke's Bay – 9-12 June 2015 The Governor-General, Sir Jerry Mateparae, and his wife, Lady Janine, visited Hawke's Bay on 9-12 June 2015. On 10 June, His Excellency visited the 'Kiwis for Kiwi Trust' at Cape Kidnappers, followed by a visit to the Cape Sanctuary Wildlife Restoration Project. DOC staff discussed with His Excellency the background to the tuatara and fledgling populations, and also the strong relationship between the Department and the Cape Sanctuary trustees and staff. Following the visit, His Excellency then meet Fenton Wilson, chair of the Hawke's Bay Regional Council for a briefing on the Ruataniwha Dam project.
Waituna Lagoon	DOC has finalised its position on the opening of Waituna Lagoon this winter, spring and summer 2015/16 while the current resource consent situation is being resolved. The resource consent held by the Lake Waituna Control Association has expired. A renewal has been requested, which enables the current consent conditions to be "rolled over". DOC's position is based on the "Ecological Guidelines for Waituna Lagoon" published December 2013 and recently released by Environment Southland. These state that, if the lagoon reaches the 2m threshold currently within the resource consent during June and July, DOC will support the artificial opening of the lagoon. The lagoon is currently around the 1.8m mark. DOC is in ongoing discussions with the consent holders, Ngai Tahu, Environment Southland and Fish and Game over the long term consent. The recent heavy rains in early June in Southland resulted in a rapid rise of the level of the Waituna Lagoon. The lagoon was opened by the consent-holders, Lake Waituna Control Association, on 17 June. The consent-holders did not notify DOC or Ngai Tahu. The ecological impact caused by the association's actions is not significant. The consent-holder did not have a concession to operate on public conservation land (Scientific Reserve) despite being offered support to get this in place. The Department is working with the applicant to gain the required concessions. On 18 June, the Waituna partners (DOC, Southland District Council, Environment Southland and Ngai Tahu) were informed.
Great white shark cage diving - update	The Great White Shark cage diving season has finished with most sharks migrating from the area. On 25 June, DOC ran an internal review of the permit system. The aim is to refine our management approach under the new permit requirements. DOC held a public meeting on Stewart Island on July 17 to engage with the

	local community over the first season of shark cage diving permits. The meeting offered a chance to explain the role the permits play in setting controls on a previously unrestricted activity and also to outline the process for setting permit conditions for the coming season. DOC is developing a pro-active media statement and question and answer material for release in association with the meeting.
Wasps	DOC scientist Eric Edwards is presenting results of a successful summer trial of the wasp control agent, fipronil, to the NZ Beekeepers Association conference in Auckland on Sunday 21 June. DOC has been working with the manufacturer of fipronil, BASF, on an agreed pro-active media release outlining the success of the trial which was publically launched in February.
Flooding in Whanganui/Taranaki district	The Whanganui/Taranaki districts suffered major damage as a result of the storm event in late June. There was some relatively minor flood damage to the Whanganui office, located close to the river in the CBD. Fortunately, no local staff had their homes damaged in the recent events. DOC offered its support to the Whanganui Civil Defence efforts. Initial aerial inspections were carried out on DOC facilities on 23 June 2015. There is extensive damage to the nationally-significant Whanganui Journey Walk, the Mangapurua Track, and the Mountains to Sea cycle trail which provides access to the Bridge to Nowhere. Further detailed inspections will be carried out in due course. Whanganui District remains in the planning and assessment phase for rebuilding damaged assets and infrastructure on public conservation lands. Signage has been installed on all DOC tracks notifying the public that the tracks and facilities are currently closed. This information is also on the DOC website and a media release has been distributed. Our priorities are to re-open those tracks that support local tourism business operators as soon as possible. Pipiriki Base Pipiriki staff up the Whanganui River were cut off from all access. They are linked into the Civil Defence co-ordinated effort, and are in regular contact with Whanganui office. Whanganui River Flood Damage Information on track and structure damage in the Whanganui District has been collated and a plan is in place around repair and reopening of assets. • Natural Heritage priority is to complete the Mangapurua aerial 1080 operation pest operation. • Recreation priorities are: - o Priority 1 is to have the Whanganui Journey and Bridge to Nowhere track open by the start of the Great Walk season (1st October). - o Priority 2 is to reopen the Mangapurua cycle trail by the end of October. • Extra assistance from staff outside the District is being requested to help with reopening other tracks of lower priority.

Endangered species	Kaki/black stilt aviary collapse at Twizel A captive-rearing operation from two stilt aviaries is run by the Department at Twizel as part of the kaki/black stilt recovery programme. The aviaries are 28 years old. In 2010, a bid for capital replacement (c\$300K) was approved in principle subject to review. The review has not been completed and the capital allocation has since been applied to other priorities. On 19 June, following a very heavy snowfall, one of the aviaries suffered a total collapse. The other aviary has suffered severe damage to several of the laminated beams, and staff are unable to enter it. Of the twelve birds in the aviary, one breeding pair and three juveniles have been rescued. The other breeding pair and two juveniles are enjoying freedom but we expect to capture some of them. Three other birds are unaccounted for and may have died. There are 19 kaki in the damaged aviary, and staff are able to feed those birds without entering the aviary. Staff are managing the surviving kaki at the one remaining, more modern aviary and at a facility in Christchurch. Staff will start work on scoping a review of the kaki programme so that an informed decision can be made on a new captive facility for the kaki recovery programme.
Nga Whenua Rahui	25-year celebrations On 27 August, following its meeting in Gisborne, the Nga Whenua Rahui Committee will mark 25 years of Nga Whenua Rahui. On 14 October, in Association with Sir Tumu te Heuheu, the Associate Minister of Conservation, will host a reception in the Parliament Buildings to celebrate 25 years of achievements by Nga Whenua Rahui.

Attachment 1 – 20 largest known remaining 'giant' kauri on public conservation land

These trees were named by the Forest Service and ranked according to their timber volume. The list is not definitive and does not take into account other factors that might deem a kauri tree to be 'iconic'.

Referenced in: John Halkett and EV Sale *'The World of the Kauri'* (1986) Chapter 12 'The Great Trees' P 170

Name of giant kauri	Forest location	Public access	Girth (m)	Trunk height (m)	Total height (m)	Volume (m3)
Tane Mahuta	Waipoua Forest Sanctuary	Yes	13.77	17.68	51.5	244.5
Te Matua Ngahere	Waipoua Forest Sanctuary	Yes	16.41	10.21	29.9	208.1
McGregor Kauri	Waipoua Forest Sanctuary (no public access)	No formed access	13.69	12.25	40.8	170.6
Te Tangi o te Tui	Puketi State Forest	Yes	12.38	13.10	50.9	155.1
Ward Kauri	Warawara State Forest	No formed access	11.21	20.03	49.0	149.0
Tanenui	Manaia Sanctuary, Coromandel Forest Park	No formed access, proposed for formal closure	10.8	18.29	47.2	135.7
Yakas Kauri	Waipoua Forest Sanctuary	Track currently closed	12.29	12.04	43.9	134.2
Hokianga	Omahuta Forest Sanctuary	Yes	9.58	20.73	53.3	131.1
Tairua Kauri	Kauaeranga Valley, Coromandel Forest Park	No formed access	9.788	22.86	49.7	128.3
Moetangi Kauri	Warawara State Forest	No formed access	10.62	11.44	Unknown	118.5
Moetangi No. 3	Warawara State Forest	No formed access	10.10	10.6	Unknown	117.8
Taniwha	Omahuta Sanctuary	Yes	9.7	17.07	44.2	113.0
Otamakite	Tairua, Coromandel State Forest Park	No formal access, go through private land	10.54	13.82	41.7	110.6
Devicich Kauri	Coromandel State Forest Park	Yes	10.54	12.55	46.5	101.6
Takapau No. 2	Puketi State Forest	Yes	10.59	12.39	39.9	101.1
Opitonui Kauri	Whangapoua State Forest	No formed access	9.68	15.14	41.4	100.7
Merumeru Kauri	Puketi State Forest	No formed access	12.78	7.01	28.9	99.9
Tairua No. 3	Coromandel State Forest Park	No formed access	9.68	12.5	56.3	99.2
Cockayne Kauri	Waipoua Sanctuary	No formed access	10.03	16.33	46.6	99.1
Takapau No. 1	Puketi State Forest	Yes	9.63	14.99	39.9	98.5

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Rick McGovern-Wilson, Executive Officer

Subject: **DOC's risk management framework**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	Effectiveness of the Department's conservation management (I)
Recommendation or Action Required	It is recommended that the Authority: a) Discuss DOC's risk management framework with Christeen Mackenzie at the August 2015 meeting b) Provide feedback on the risk management framework
Context	Christeen Mackenzie, Deputy Director-General, Corporate Services/CFO, will report to the Authority at the August 2015 meeting on DOC's risk management framework. Note item 12 in the Status report. At the August 2014 the Authority was advised that the Performance Improvement Framework (PIF) report (an SSC-led external review) highlighted that DOC can improve its risk management, and at that time the Department was working with an external consultant to address the issue. As a result of discussion at that meeting, the Authority made a request for the Director-General to report on DOC's risk management framework in response to random events and the effects on the budget.

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Rick McGovern-Wilson, Executive Officer

Subject: **Establishment of an NZCA science committee**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	Strategic advice to the Director-General (E)
Recommendation or Action Required	It is recommended that the Authority: a) Note the attached Template on Committee Structure b) Establish a science committee and delegate specific powers to that committee
Context	Ken Hughey, the Chief Science Advisor for the Department, is keen to utilise a Science Committee, established by the Authority, to provide external oversight of the Department's research. This is supported in principle by Lou Sanson and Warren Parker. Ken will be seeking support for this proposal from the Department's Senior Leadership Team at its meeting on 28 July (after Authority agenda papers are printed). The Authority has a current template on committee structure (attached). The Authority can establish a committee, appoint people to that committee (they do not need to be Authority members to be on an Authority committee) and delegate powers to that Committee. Any Committee 'decision' will need to be made/ratified by the full Authority at a formal meeting.

New Zealand Conservation Authority
Ratified at meeting on 14 and 15 June 2000

Template on Committee Structure
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At its meeting on 12/13 April 2000 the NZCA discussed the role which committees should have in the work of the Authority. It agreed to record its views on the constitution, structure and function of Authority committees in the form of a template to be prepared by the chairperson and manager of the NZCA unit. This paper endeavours to set out in an appropriate form such a template expressing the Authority's views on the committee structure.

1. The Authority affirmed that it will have no standing committees which remain in office during the life of the Authority.
2. The Authority recognised that in order to accomplish its role it will be necessary or desirable from time to time to appoint committees for specific purposes. Before deciding to appoint any such committees, the Authority will discuss all matters of principle involved in the matter before it, and satisfy itself that delegation to a committee is justified. In this regard the Authority notes that the process and basis of appointment of its members, as set out in section 6 D of the Conservation Act, is such as to ensure that the Authority still has a sufficiently wide and representative body of knowledge enabling it to deal with all matters of principle.
3. Where a committee is appointed by the Authority and the specific purpose for which it is appointed, any limitations on its role will be established by the Authority. When that purpose has been fulfilled the committee will cease to function and the delegation will be at an end.
4. Where any such committee has been established by the Authority, the Authority will remain in control of the matter delegated to the committee and may recall that matter from the committee at any time and terminate or modify the committee's role or activities.
5. The membership and ownership of any committee will be determined by the Authority. Any member of the Authority who is absent from any meeting at which a committee is appointed shall have the right at a later date to ask the Authority to consider the inclusion of that member in the committee.
6. All members of the Authority have the right to attend the meetings of any committee and, with the leave of the convenor, to speak to matters before the committee, but only members of the committee will have the right to vote. The convenor should be informed of their intention to attend the meeting prior to the meeting itself, and they should note that, in general, their expenses will not be paid.
7. A copy of the agreed template will be issued to all new members of the Authority.

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Nicola Douglas, Director Conservation Partnerships Nthn Nth Is

Subject: **CMS Implementation Monitoring Template**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	NZCA strategic priority A: Conservation Management Strategies. NZCA strategic priority I: Effectiveness of Department's conservation management. DOC SOI 3.7: Policy advice, statutory planning and services to ministers and statutory bodies. Covers all DOC Intermediate Outcomes.
Recommendation or Action Required	It is recommended that the Authority: a) Note the contents of this paper; b) Provide feedback on the contents of this paper.
Context	The three northern CMSs became operative in late 2014. The Department has worked with the three northern conservation boards to design a simple framework for reporting to the boards on progress towards achievement of CMS milestones. The Authority is invited to provide feedback and comment on the reporting framework. As the Authority is aware, second generation CMSs are being developed using a standard template and each CMS contains milestones at years 3, 5 and 10 which identify significant pieces of work that mark progress towards achieving the outcomes and objectives set out in the CMS. A reporting framework has been developed in discussion which meets the needs of the boards. Boards will in turn use this information to report to the Authority. The intention is to roll out the framework nationally for reporting on other CMSs. As approving authority for CMSs, the Authority's advice and feedback on the reporting framework is sought.

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Nicola Douglas, Director Conservation Partnerships Nthn Nth Is

Subject: **CMS Implementation Monitoring Framework**

Background/Introduction

1. The three northern North Island CMSs became operative in late 2014. It is a function of Conservation Boards under section 6M(1)(c) of the Conservation Act 1987 to advise the NZ Conservation Authority and Director-General of Conservation on the implementation of CMS.
2. All second generation CMSs are being developed in a consistent way following a standard template. Each CMS contains milestones which identify significant pieces of work that mark progress towards achieving the outcomes and objectives set out in the CMS.
3. The milestones create a framework for conservation boards to monitor implementation of the CMS achievements in years 3, 5 and 10 of each CMS (2017, 2019 and 2024) and report progress on these in a consistent way.
4. The department has worked with the three northern conservation boards to design a simple process for reporting to them on progress towards achievement of the milestones.

Details/Comment

5. The essential elements of the template include:
 - quarterly reporting to each board meeting;
 - a traffic light status code so those milestones with which the department is facing challenges can be easily highlighted – these will be the focus for discussion with boards;
 - detailed reporting through the year being required only for those milestones with such challenges; and
 - the end of year report for May/June board meetings being more comprehensive with comment for all those milestones being progressed.
6. The three conservation boards requested that all milestones be included (Years 3, 5 and 10). The coverage of the reports will be kept under review to ensure that only information of value to boards is being compiled.
7. The template front page containing the key with explanations of the traffic light status colour codes and headings, and an example page from a template report, are attached. The colour code attributed a milestone may change from meeting to meeting, depending on how any relevant issues might have changed in the intervening period.
8. For each meeting of the boards those milestones which are “status red” will be the primary focus for discussion. The department will explain why the milestone will not be achieved by the target year and what it proposes to do. This could involve a discussion

with boards about agreeing to “re-set” the milestone to a later target year (eg. if the work has been deferred due to competing priorities), or if insurmountable issues have arisen which means the work cannot be progressed further, or if due to changing circumstances the work is no longer seen as necessary or appropriate.

9. Each meeting of the boards will receive a brief summary of issues for “status amber” milestones, which are those where the department has to manage significant issues or risks to keep achievement on track, and/or which are particularly complex milestones to implement. The purpose of this status is to ensure early notice to boards of such milestones and allow discussion.
10. Those milestones which are “status green” have been programmed and are being worked on. These are on track to be achieved by the target year, and do not have any particularly significant risks or complexity at the time of reporting. These are fully reported on only for the year-end May/June meetings of boards.
11. “Status white” milestones are those which have not yet been programmed or resourced for work.
12. There is scope to add notes about any significant achievements within a place or work activity area, which is not tied to a milestone.
13. The reports can be used by boards as the basis for their annual reporting to the Authority. They provide an opportunity for the department and boards to also report on significant new work or actions supporting CMS outcomes and policies that are not captured by CMS milestones.
14. The CMSs are designed with explicit links to the Department’s Statement of Intent. The nationally consistent objectives in Part One of each CMS are paraphrases of the department’s Intermediate Outcomes, and the department must also report to the Minister and Parliament on their achievement. Wherever possible, information collected for reporting will be utilised for both reporting systems. The department will look at building on these links in its internal systems.

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15. The template is specifically for the use of conservation boards and tangata whenua were not directly consulted in its preparation.
16. Each CMS has been developed with the input of relevant iwi authorities and tangata whenua, and relationships with tangata whenua groups, including settlement of claims under the Treaty of Waitangi, are addressed in each CMS. Each CMS contains milestones that cover the health of relationships with tangata whenua.

Conclusion

17. The CMS implementation monitoring framework has the support of the three northern conservation boards involved in its development. Its adoption will enable efficient and consistent reporting on the implementation of each CMS. The template can readily be applied to other CMS’s as they become operative.
18. The Authority’s feedback on the reporting framework is sought.

Example template front page:

Auckland CMS Implementation Monitoring Framework

Column heading explanations:

Milestone number: Number from Auckland CMS 2014-2024.

Description: The milestone as set out in the CMS.

Status: Green: Underway in current business plan and on track to achieve by target date.

Amber: Underway but either very complex, or has significant issues that may affect achievement by target date if not managed well.

Red: Will not meet target date as work has either come to a halt, or will take longer than expected, or where it is proposed to seek agreement with the Board to drop the milestone and not proceed with the work.

White: Not started and not yet programmed for work.

Progress: Progress report on achievement of the milestone.

Reporting required every quarter on status red and amber milestones. Reporting required every quarter only for especially significant achievements for status green milestones. Report required at end of year on progress of all milestones except those with status white.

Changes to milestone target date

Note should be made of any changes to the target date for a milestone, only where agreement has firstly been reached between the Board and the Department. The milestone should then revert to status green or amber.

Achievement of milestone

Where a milestone has been fully achieved it will be removed from the list at the end of the reporting year.

Removal of milestone

Where it has been agreed between the Board and the Department that the milestone is no longer attainable, it will not be pursued and potentially will be removed from the list at the end of the reporting year.

Other achievements

If required add a new row to briefly describe any significant achievements that advance CMS outcomes and objectives for a place or function, but which are not tied to a milestone.

Template example:

Milestones for Kermadec Islands Place – Completed end of Year 3 (2017)			
<i>Milestone</i>	<i>Description</i>	<i>Status</i>	<i>Progress</i>
12.2.3.1	Identification of scheduled outputs in approved work plans for the following priority ecosystem units located in this Place: Macauley Island and Raoul Island Group.		
12.2.3.2	Heritage assessments for actively managed historic sites on Raoul Island.		
12.2.3.3	Investigation to increase involvement of non-governmental organisations in outcomes for Kermadec Islands.		
Milestones for Kermadec Islands Place – Completed end of Year 5 (2019)			
<i>Milestone</i>	<i>Description</i>	<i>Status</i>	<i>Progress</i>
12.2.3.4	Review of plant pest control programme.		
Milestones for Kermadec Islands Place – Completed end of Year 10 (2024)			
<i>Milestone</i>	<i>Description</i>	<i>Status</i>	<i>Progress</i>
12.2.3.5	Review of plant pest control programme.		
12.2.3.6	Sustained control of plant pests that disrupt ecosystem processes and threaten indigenous species.		

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Andrew J. Wright, Marine Advisor, Marine Species & Threats, DOC

Subject: **Seismic Survey Code of Conduct Review**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	• NZCA Strategic Priority (G) – Marine • DOC IO1 – Natural Heritage: The diversity of our natural heritage is maintained and restored
Recommendation or Action Required	It is recommended that the Authority: a) Note the contents of this paper b) Provide feedback the contents of this paper
Context	The department is considering areas of the Code of Conduct for marine seismic surveys that need to be addressed in the review. The department seeks to obtain advice/input from the Authority on any such areas where improvement can be made.

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Andrew J. Wright, Marine Advisor, Marine Species & Threats, DOC

Subject: **Seismic Survey Code of Conduct Review**

Background/Introduction

1. In 2012 the Department of Conservation (DOC) released the *2012 Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Surveying Operations* (the Code). The Code was developed by DOC in consultation with a broad range of stakeholders in marine seismic survey operations in New Zealand.
2. In 2013, minor updates to the Code were made to address issues discovered during the first year of its implementation, resulting in a new version of the Code which currently remains in force.
3. The Code is a regulatory requirement under the Exclusive Economic Zone and Continental Shelf (Environmental effects – Permitted Activities) Regulations 2013, but remains voluntary within territorial seas (<12 nautical miles from shore).
4. When the Code was released in 2012, DOC stated an intention to review and revise the Code after three years of implementation. This review is intended to be the core of an adaptive management process, where the experiences of all stakeholders with the current Code can be discussed and addressed to improve operational implementation and conservation value of the Code in the future.
5. DOC also seeks to facilitate discussions on any emerging detection and surveying technologies that could be deployed in New Zealand waters over the coming years.
6. In addition to the Authority, DOC is actively soliciting additional input into the review from other government agencies, iwi, industry, scientists, ENGOs and other interested parties.

Details/Comment including implications

7. DOC will convene the review, with the input of the Ministry of Business, Innovation and Employment (MBIE), the Environmental Protection Authority (EPA), the Ministry for the Environment (MfE), and (in an advisory role) the Petroleum Exploration & Production Association of New Zealand (PEPANZ). The review will focus on revising and improving the 2013 Code and related documents and processes.
8. The structure for the review will be as follows:
 - a) A Steering Group (SG), comprised of DOC with other government agencies, will, with the assistance of PEPANZ, identify current issues with the Code and propose potential text to address these issues;
 - b) The Seismic Code Review Group (SCRG), comprised of a broad range of stakeholders, will support the SG by reviewing the 2013 Code to identify areas where improvements could be made. Similarly, the SCRG will review the revised Code to assess the improvements that have been incorporated.

- c) A number of Technical Working Groups (TWGs), comprised of technical experts, will provide focused advice to address issues on specific topic areas related to their expertise that were identified in the SCRG review and by other sources. This advice will be considered by DOC and the SG for incorporation into the revised Code.
9. DOC will engage with the offshore petroleum health, safety and environmental (HS&E) panel group twice during the review process: 1) early in the process to report on procedures and 2) following completion of the Technical Working Group work to report on potential Code revisions. SG members can also, at any point during the process, request that an ad-hoc Director-Level Group be engaged regarding specific issues that have arisen.
10. The Process:
- a) The SCRG reviews the 2013 Code and adds to existing areas of discussion for the TWGs, with expected completion by 10 August 2015.
 - b) The TWGs then try to find solutions to the issues raised, with expected completion by December 2015.
 - c) DOC takes all input into consideration and, following discussions with the Steering Group, drafts a Revised Code, with expected completion by March 2016.
 - d) The SCRG reviews the Revised Code, with expected completion by April 2016.
 - e) DOC takes new comments into consideration and, following discussions with the SG (including PEPANZ), finalises the Revised Code, with expected completion by May 2016.
11. As the review progresses DOC will, through a separate process, seek to implement a programme of work to explore the potential costs and benefits of implementing the Code under the Marine Mammals Protection Act 1978 (MMPA). This follows direction in 2013 from the then-Minister of Conservation to this effect. Details of this process, including opportunities for engagement by stakeholders, will be established in due course.
12. As part of the review process, DOC is seeking feedback from the Authority on any areas of the 2013 Code (Appendix 1) or associated reference document (Appendix 2) that should be considered by the TWGs during their work program.

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- 13. Even though this is not a formal consultation process, DOC has reached out to iwi partners, through its network of Pou, to notify them of the review and asking for input areas of the Code that could be improved as part of, and in addition to, the SCRG.
- 14. DOC has, and continues to, reach out to iwi partners to incorporate them in the TWG process discussing future consultation requirements for seismic surveying permit holders.
- 15. If it is determined that regulatory changes are needed, a formal consultation process will be undertaken.

Conclusion

- 16. As part of the review of the Code, and the associated community outreach, DOC requests the Authority provide suggestions on where there may be room for improvement to help task the TWGs and their work over the upcoming six-month period.



2013 Code of Conduct

for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations



Cover image: Seismic survey vessel *Polarcus Alima* entering Wellington Harbour 2012. *Photo: Polarcus Ltd.*

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1. Introduction

The *2013 Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations* (the Code) has been developed by the Department of Conservation in consultation with a broad range of stakeholders in marine seismic survey operations in New Zealand.

The Code replaces the *2012 Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations* and comes into effect on 29 November 2013, and will remain in effect until superseded. It is open for adoption by any organisation engaged in seismic survey activities in New Zealand continental waters.

The Code must be read in conjunction with the *2012 Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations: Reference Document* (the Reference Document), which provides background information and guidance to assist with interpretation.

The Department of Conservation administers the Marine Mammals Protection Act 1978 (MMPA), which makes provision for the protection, conservation, and management of marine mammals within New Zealand and within New Zealand fisheries waters. Under section 3A of that Act, the Department is mandated to administer and manage marine mammals and this Code has been developed under that mandate.

1.1 Application

The MMPA's application offshore extends to New Zealand fisheries waters (which includes the territorial sea and exclusive economic zone), the Code applies to New Zealand continental waters (which includes the waters beyond the outer limits of the exclusive economic zone but over the continental shelf).

Regulations created under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 allow seismic surveying as a permitted activity, as long as the proponent complies with the conditions of the Code.

In the territorial sea and in waters outside the exclusive economic zone but over the continental shelf, compliance with the Code remains voluntary and is neither legally binding nor enforceable under the MMPA. Persons who intend to adopt the Code while conducting seismic surveys should follow the steps outlined in Appendix 5 to confirm such intention to the Director-General of Conservation.

2. Definitions

Acoustic source means a source of acoustic pressure waves used, or intended to be used, for the purpose of an acoustic seismic survey; and in relation to a source vessel, means an acoustic source on or controlled from the vessel.

Activate means powering up the acoustic source, and includes reactivate.

Adaptive management means a systematic, iterative decision-making process enabling continuous improvement through flexible decision making that can be adjusted in the face of uncertainties and natural variability as outcomes from management actions and other events become better understood.

Areas of Ecological Importance (AEI) means any of the areas defined in Schedule 1.

Borehole seismic surveying means check-shot and all types of vertical seismic profile surveying.

Calf/calves means a smaller animal (less than two-thirds the body size of an adult) travelling in close association with an adult.

Cetacean means an animal that is a whale or dolphin within the meaning of the Marine Mammals Protection Regulations 1992.

Check-shot surveying is a form of seismic surveying used for correlation of well data with conventional surface seismic data. A receiver (hydrophone or clamped geophone) is progressively positioned at a succession of depths in a borehole and records a series of sound waves emanating from an acoustic source at a fixed point at the surface. Check-shot surveying differs from vertical seismic profile surveying in that a check-shot survey involves a small number of hydrophone depth positions of the order of 100 metres apart, whereas a vertical seismic profile survey often involves a larger number of depth positions of the order of 20 metres apart.

Day or daylight hours means between sunrise and sunset at any given location, and includes the twilight hours of dawn and dusk where there is sufficient light to make effective observations, in the opinion of the qualified marine mammal observer.

Director-General means the Director-General of Conservation.

Explosive means a material (usually chemical), either as a pure single substance or mixture of substances, which is capable of producing a sudden release of gas, heat and pressure by its own energy in the form of an explosion.

Generator-Injector (GI) airgun means a seismic source consisting of two chambers: the generator (G) chamber which creates a sound wave and bubble as in a standard air gun, and an injector (I) chamber that is triggered immediately after the generator into the first bubble to control bubble oscillation.

Good sighting conditions means in daylight hours, during visibility of more than 1.5 km, and in a sea state of less than or equal to Beaufort 3.

Level 1 survey means any marine seismic survey using an acoustic source with a total combined operational capacity exceeding 7 litres/427 cubic inches.

Level 2 survey means any marine seismic survey using an acoustic source with a total combined operational capacity of between 2.50–6.99 litres/151–426 cubic inches capacity.

Level 3 survey means any marine seismic survey using low-energy, high-resolution electro-mechanical sources. These may include small seismic sources of less than 2.49 litres/150 cubic inches capacity, sparkers, pingers and boomers. Level 3 surveys are exempt from the provisions of the Code.

Line turn means the interval between active survey lines where the vessel manoeuvres into position for the next survey line and acquisition of seismic data ceases.

Marine mammal means any cetacean or pinniped species.

Marine Mammal Impact Assessment (MMIA) is a process through which the range of impacts on marine mammals associated with seismic survey activities are determined and steps identified to avoid, remedy or mitigate negative effects and coordinate research activities, as outlined in Appendix 1. Alternatively referred to as environmental impact assessment (EIA) in other legislation.

Marine Mammal Sanctuary (MMS) means any Marine Mammal Sanctuary as defined in section 22 of the Marine Mammals Protection Act 1978.

Marine seismic survey is a method of exploration geophysics that uses active acoustic sources to estimate the structure, stratigraphy and properties beneath the sea floor. The method generates a controlled sound wave from an acoustic source, and detects returned sound energy through an array of acoustic receivers that may either be towed behind a vessel or combined with seismographs placed upon the sea floor.

Mitigation zone a circle with a horizontal radius set at varying distances from the centre of the acoustic source array, not the survey vessel, specified relative to the sensitivity of the marine mammal group concerned.

New Zealand continental waters means the territorial sea; the waters of the exclusive economic zone; and, the waters beyond the outer limits of the exclusive economic zone but over the continental shelf, of New Zealand.

Night or night-time hours means between sunset and sunrise at any given location

Offset vertical seismic profiling (Offset VSP) is similar to a standard VSP, but uses a stationary acoustic source positioned at a fixed distance from the borehole.

Operational area means the entire geographical area potentially used for acoustic source activation throughout the proposed marine survey, including seismic data acquisition lines, acoustic source testing and soft start initiation.

Operational capacity (of the acoustic source) means the cumulative internal volume of all operational acoustic devices within an acoustic source array, including the active generator volume of GI airguns, measured in litres or cubic inches and notified in the Marine Mammal Impact Assessment. Operational capacity does not include redundant acoustic devices that are mounted within the acoustic source array for back-up purposes or the injector volume of GI airguns. Notified operational capacity should not be exceeded during the survey, except where unavoidable for source testing and calibration purposes only. All occasions where activated source volume exceeds notified operational capacity must be fully documented in observer reports.

Operator means the party conducting the marine seismic survey operations.

Other Marine Mammals (as applicable to the 200 m mitigation zones for Level 1 and 2 surveys) means a marine mammal not designated as a Species of Concern in Schedule 2. In New Zealand waters this would most frequently mean New Zealand fur seal (*Arctocephalus forsteri*), common dolphin (*Delphinus delphis*) and dusky dolphin (*Lagenorhynchus obscurus*).

Passive Acoustic Monitoring (PAM) means the use of calibrated hydrophone arrays with full system redundancy to estimate bearing and distance of vocalising cetaceans to at least 1.5 km for Level 1 surveys or at least 1 km for Level 2 surveys. The arrays incorporate appropriate hydrophone elements (1 Hz–180 kHz range) and [sound] data acquisition card technology for sampling relevant frequencies (to 360 kHz) used by New Zealand cetacean species, and are coupled with appropriate observations by software-aided monitoring and listening by a qualified PAM operator skilled in bioacoustic analysis, and computer system specifications capable of running appropriate PAM software effectively.

Pinniped means an animal that is a seal or sea lion within the meaning of the Marine Mammals Protection Regulations 1992.

Poor sighting conditions means either at night, or during daylight visibility of 1.5 km or less, or in a sea state of greater than or equal to Beaufort 4.

Proponent means the party responsible for planning the marine seismic survey, usually the prospecting/exploration/mining permit holder.

Qualified marine mammal observer (MMO) means an observer trained and qualified in accordance with DOC standards and experienced in visual whale and dolphin identification and behaviour, and distance/direction of travel estimations.

Qualified observer means either a qualified marine mammal observer or a qualified PAM operator, having successfully completed the relevant training course recognised by the Department of Conservation and logged a minimum of twelve weeks' sea-time observing in that capacity in New Zealand continental waters.

Qualified PAM operator means an observer trained and qualified in accordance with DOC standards and experienced in whale and dolphin detection using Passive Acoustic Monitoring equipment and techniques.

Shutdown means stopping an active marine seismic survey by immediately turning off power to the acoustic source.

Soft start, in relation to an acoustic source, means the gradual increase of the source's power to the operational power requirement over a period of at least 20 minutes and no more than 40 minutes, starting with the lowest capacity/power acoustic source.

Sound exposure level means a measure of the received energy in the sound source pulse and represents the sound pressure level that would be measured if the pulse energy were spread evenly across a 1-s period.

Sound transmission loss modelling means the process carried out during the environmental impact assessment stage, in advance of a marine seismic survey in an Area of Ecological Importance or Marine Mammal Sanctuary, where acoustic propagation is modelled to predict the received sound levels at various distances, based on the specific configuration of the acoustic source and environmental conditions in the operational survey area.

Source (of acoustic pressure waves) includes any device used to create a pulse of acoustic energy in the ocean and includes airgun, boomer, electromechanical, or chemical device.

Source vessel means a vessel from which an acoustic source is being or is to be deployed for the purposes of a marine seismic survey.

Source vessel observer means a qualified marine mammal observer on board the source vessel.

Species of Concern (SOC) means any individual of the species listed in Schedule 2.

Trained observer means either a marine mammal observer or PAM operator who has successfully completed an appropriate training course recognised by the Department of Conservation or demonstrated competence in observational standards to the satisfaction of the Director-General.

Vertical seismic profiling (VSP) is a form of marine seismic surveying used for correlation of well data with conventional surface seismic data, whereby a receiver (hydrophone or clamped geophone) is progressively positioned at a succession of depths in a borehole, and records a series of sound waves emanating from an acoustic source at a fixed point at the surface near the borehole. VSP surveying differs from check-shot surveying in that a VSP survey involves a large number of depth points of the order of 20 metres apart, whereas a check-shot survey involves a smaller number of depth positions of the order of 100 metres apart.

Walkaway vertical seismic profiling (Walkaway VSP) is similar to a standard VSP, but uses a moving acoustic source at the surface.

3. Part 1: Marine seismic surveys in New Zealand continental waters

This section details the common requirements applicable to all marine seismic survey operations recognised in New Zealand continental waters as being subject to the Code.

Level 1 surveys (>427 cubic inches) primarily include large-scale geophysical investigations that would routinely be employed in oil and gas exploration activities with dedicated marine seismic survey vessels, but may also apply to other studies using high-power acoustic sources. This level features the most stringent requirements for marine mammal protection, and is the main focus of the Code.

Level 2 (151–426 cubic inches) provides for lower scale seismic investigations often associated with scientific research. As these survey programmes are normally conducted from smaller, sometimes multi-mode platforms using moderate power seismic sources or smaller seismic source arrays, the risks to marine mammals are decreased. Therefore the mitigation procedures are reduced accordingly.

Level 3 surveys (<150 cubic inches) include all other small scale seismic survey technologies, and are considered to be of such low impact and risk—with nominal noise levels lower than commercial shipping—that they are not subject to the provisions of the Code.

Borehole seismic surveying (also referred to as vertical seismic profiling) is a specific survey activity related to offshore oil and gas well-bore investigations. Such operations are by necessity limited to a small geographic area and may be conducted from static platforms. Borehole seismic surveys may be determined to be within any of the above levels according to the acoustic source power employed.

In addition to the common provisions detailed in this section, further specific measures related to each specific level are outlined in the relevant sections in Part 2.

3.1 Notification

No person may carry out a marine seismic survey from a vessel in New Zealand continental waters, except a Level 3 survey as identified above, unless he or she has, at the earliest opportunity but not less than three months before commencing the survey, notified the Director-General in writing¹ that such a survey is being planned. Notification does not require provision of all required information; it may simply be to indicate potential intent to the Director-General in order to initiate the communication process. The proponents may meet with relevant departmental staff to discuss aspects of survey planning, and are encouraged to seek advice on possible mitigation options at an early stage.

In the event of exceptional circumstances or an opportunistic survey arising within the three-month notification period, the proponent will notify the Director-General at the earliest opportunity but not less than two weeks before commencing the survey. The notification will be supported by:

- Evidence, to the satisfaction of the Director-General, of the exceptional or opportunistic nature of the survey, and
- A written Marine Mammal Impact Assessment (MMIA).

¹ Can include email notification.

3.2 Pre-survey planning and the MMIA process

The fundamental component of the planning process for Level 1 and 2 surveys is the preparation of the MMIA, which must be made available to any personnel involved in observational capacities. Further specific details can be found in Appendix 1 to guide this process.

Particular attention needs to be given to minimising effects where surveys are planned in any of the Areas of Ecological Importance (which includes the marine mammal sanctuaries) as detailed in Schedule 1. Under normal circumstances marine seismic surveys will not be planned in any sensitive, ecologically important areas or during key biological periods where Species of Concern are likely to be breeding, calving, resting, feeding or migrating, or where risks are particularly evident such as in confined waters (for example, embayments or channels). However, where conducting surveys in such areas and seasons is demonstrated to the satisfaction of the Director-General to be necessary and unavoidable, further measures² may be required to minimise potential impacts. In these instances, proponents will seek advice from the Director-General to develop and agree on mitigation strategies for implementation. This should lead to the development of an appropriate marine mammal mitigation plan for use by observers and crew to guide operations.

A core component of the planning process is for the exploration permit holder to determine the lowest practicable power levels for the acoustic source array that will achieve the geophysical objectives of the survey—and to limit operations to this maximum level.

While the Code is primarily concerned with protection of marine mammals, proponents are strongly encouraged to adopt whatever means are available to avoid or mitigate negative effects on other key species (such as turtles, penguins and seabirds) or key habitats identified in the planning stage as being potentially impacted.

Where Passive Acoustic Monitoring (PAM) is incorporated as a mitigation tool in the survey methodology, pre-survey planning should include input from the lead PAM operator, where possible, to ensure appropriate system specifications. Technical details of the PAM system will be provided to the Director-General in conjunction with the MMIA, along with a general description of proposed system deployment. Further information related to PAM operations can be found in the Reference Document.

Proponents will work with the Department to develop and agree any necessary additional mitigation measures based on the risks identified and the advice of the Director-General, and incorporate them into the survey methodology. While there is no formal approval process resulting in a ‘consent’, in each case the Director-General will determine whether the MMIA is sufficient for the purposes of the Code.

² Further measures may include, for example, additional observers or observation platforms, aerial observation, acoustic source power restrictions, deployment of static PAM equipment in sensitive areas, incorporation of other supplementary detection methods, or designing the survey so as to avoid trapping marine mammals in confined areas such as narrow, constricted seaways.

3.3 Operational area

It is at the discretion of the proponent to specify the geographical extent of the area needed for their operational activities. This will include locations outside the areas targeted for seismic survey data acquisition where acoustic source equipment testing might need to occur, and where soft starts are initiated in the approach to a survey line. All such areas must be included in the MMIA process. Acoustic seismic sources will not be activated outside the specified operational areas at any time, including for any necessary seismic source testing.

3.4 Training and experience requirements of observers

To be a trained observer (either MMO or PAM³), a person will have:

- Successfully completed the respective marine mammal observation course or PAM operator course recognised by the Director-General as being consistent with DOC standards, or
- Demonstrated all required competencies through an assessment process recognised by the Director-General as being consistent with DOC standards.

To be a qualified observer, in addition to the above a person will have:

- Logged a minimum of 12 weeks' relevant sea-time engaged in marine seismic survey operations in New Zealand continental waters, either as an MMO or PAM operator under the supervision of an appropriately qualified observer.

It is important to ensure the independence of qualified observers engaged in Level 1 surveys. Therefore, seismic survey vessel crew cannot be considered as qualified observers irrespective of training or experience. However for Level 2 seismic survey vessels⁴, crew trained and experienced as outlined above may function as qualified observers for the purposes of the Code.

For the entire duration of the Code, PAM operators with 3 years' professional experience⁵ and a minimum of 12 weeks' relevant international sea-time may be engaged if no other suitable qualified observer is available.

Additional information related to the performance, standards and training of qualified observers, as well as the range of interim measures established to ensure a smooth transition into the new regime, can be found in the Reference Document.

³ To clarify, there can be no cross-over between MMO/PAM observer classes unless the relevant training and experience criteria have been met for each activity. A trained or qualified MMO cannot work as a PAM operator without the necessary training or experience, and vice versa.

⁴ Practical onboard limitations may exist on Level 2 surveys as smaller vessels are normally used with limited accommodation capacity for additional personnel.

⁵ Due to the relatively recent emergence of PAM technology, it may prove difficult to locate suitable operators with 3 years' experience. In such circumstances, the proponent should contact the Director-General to discuss potential alternative options.

3.5 Recording and reporting

All sightings of marine mammals during the survey period, including any beyond the maximum mitigation zone boundaries or while in transit, will be recorded in a standardised format (see Appendix 2). A written trip report shall be submitted by the proponent to the Director-General at the earliest opportunity but no longer than 60 days after completion of the survey.

Recording and reporting of observations of other marine species are also encouraged—noting whether opportunistic or systematic (during required observations)—especially where stakeholders have identified particular sensitivities or interests.

In addition to the above summary report, the qualified observers will submit all raw datasheets directly to the Director-General, at the earliest opportunity but no longer than 14 days after completion of each deployment. Proprietary information provided to the Director-General through these reporting processes will be treated in confidence. Only data on marine mammal detections will be made publicly available, primarily in summary form through updates to information resources for Areas of Ecological Importance, but potentially also for detailed analytical research.

The Director-General should be informed immediately if the qualified observers consider that higher numbers of cetaceans and/or Species of Concern than predicted in the MMIA are encountered at any time during the survey. In such instances where the Director-General determines that any additional measures are necessary, these will be implemented without delay. The Director-General should also be informed immediately about any instances of non-compliance with the Code.

The provisions outlined in this section are distinct from any reporting requirements that may apply under the Crown Minerals (Petroleum) Regulations 2007. These must be undertaken separately, and submitted to New Zealand Petroleum and Minerals.

3.6 Marine Mammal Sanctuaries

No person may carry out a marine seismic survey within a Marine Mammal Sanctuary (MMS) unless he or she has, at the earliest opportunity but not less than three months before commencing the survey:

- Notified the Director-General in writing of his or her intention to carry it out
- Submitted a written environmental impact assessment, and subsequently
- Agreed to comply with any additional conditions, such as increasing the mitigation zones or number of qualified observers required, imposed by the Director-General for operating in a MMS.

3.7 Explosives

No person can use explosives as an acoustic source in New Zealand continental waters.⁶

⁶ It should be noted that on occasion the NZ Defence Force is engaged in disposal of munitions, which may be scientifically monitored to derive seismic survey data. Since the primary focus is disposal of wastes, these activities are not covered by the provisions of the Code, but may be subject to other legislation.

3.8 Operational requirements

3.8.1 Observer effort

While two qualified MMO are required on board at all times, as a minimum one must be on watch during daylight hours while the acoustic source is in the water⁷ in the operational area. Of the two qualified PAM operators required on board at all times⁸, as a minimum one must be on watch while the acoustic source is in the water in the operational area.

It is acceptable for there to be one qualified observer and one trained observer in each observation role (MMO/PAM) on board, if an agreement is in place for an appropriately qualified observer to act in a mentoring capacity to a trained observer for the duration of a voyage.

If the acoustic source is in the water but inactive, such as while waiting for bad weather conditions to pass, the qualified observers have the discretion to stand down from active observational duties and resume at an appropriate time prior to recommencing seismic operations. This strictly limited exception must only be used for necessary meal or refreshment breaks or to attend to other duties directly tied to their observer role onboard the vessel, such as adjusting or maintaining PAM or other equipment, or to attend mandatory safety drills.

So long as it does not cause health and safety issues, it is recommended that both qualified MMO are on watch during pre-start observations during daylight hours, or at any other key times where practical and possible.

Furthermore, an MMO with adequate understanding of the PAM system in operation⁹, while not required for visual observation duties, may provide temporary cover in place of a qualified PAM operator to ensure continuation of 24-hour monitoring. This strictly limited exception is in order to allow for any necessary meal or refreshment breaks. A direct line of communication must be maintained between the MMO and the supervising PAM operator at all times. In such instances, the qualified PAM operator remains ultimately responsible for the duration of the duty watch.

The maximum on-duty shift duration for observers must not exceed 12 hours in any 24-hour period. Schedules must provide for completion of reporting requirements.

3.8.2 MMO duties

While acting in their designated role, MMOs will:

- Give effective briefings to crew members, and establish clear lines of communication and procedures for onboard operations
- Continually scan the water surface in all directions around the acoustic source (not the vessel) for presence of marine mammals, using a combination of the naked eye and high-quality binoculars, from optimum vantage points for unimpaired visual observations with minimum distractions
- Use GPS, sextant, reticle binoculars, compass, measuring sticks, angle boards, or any other appropriate tools to accurately determine distances/bearings and plot positions of marine mammals whenever possible throughout the duration of sightings

⁷ Even in periods of poor sighting conditions there can be intervals where improvements in sighting conditions allow valuable observations to be made.

⁸ If PAM is incorporated in the survey methodology.

⁹ As assessed by the relevant qualified PAM operator on duty in each instance.

- Record and report all marine mammal sightings, including species, group size, behaviour/activity, presence of calves, distance and direction of travel (if discernible)
- Record sighting conditions (Beaufort Sea State, swell height, visibility, fog/rain, and glare) at the beginning and end of the observation period, and whenever the weather conditions change significantly
- Record acoustic source power output while in operation, and any mitigation measures taken
- Communicate with the Director-General to clarify any uncertainty or ambiguity in application of the Code, and
- Record and report any instances of non-compliance with the Code.

3.8.3 PAM operator duties

While acting in their designated role, PAM operators will:

- Give effective briefings to crew members, and establish clear lines of communication and procedures for onboard operations
- Deploy, retrieve, test and optimise hydrophone arrays
- On duty watch, concentrate on continually listening to received signals and/or monitoring PAM display screens in order to detect vocalising cetaceans, except for when required to attend to PAM equipment¹⁰
- Use appropriate sample analysis and filtering techniques
- Record and report all cetacean detections, including, if discernible, identification of species or cetacean group, position, distance and bearing from vessel and acoustic source
- Record type and nature of sound, time and duration heard
- Record general environmental conditions
- Record acoustic source power output while in operation, and any mitigation measures taken
- Communicate with the Director-General to clarify any uncertainty or ambiguity in application of the Code, and
- Record and report any instances of non-compliance with the Code.

Further information related to the required performance standards of qualified observers can be found in Appendix 3.

3.8.4 Authority to shut down or delay start

Any qualified observer on duty has the authority to delay the start of operations or shut down an active survey according to the provisions of the Code.

Where MMO are supported by PAM or other alternative technology operators during surveys, marine mammal detections by any means should initiate a process of dialogue between the qualified observers on duty at the time. This is to ensure that decisions potentially affecting survey operations are made in a robust and mutually supportive manner, based on the skills, experience, capability and professional judgement of the observers. However, mitigation action is not dependent on marine mammals being detected by PAM and confirmed by a MMO—either qualified observer has the authority to act independently in each instance, if necessary.

¹⁰ Undertaking work-related tasks, such as completing reporting requirements, while monitoring equipment is allowed during duty watch, but PAM operators must not be distracted by non-work activities such as listening to music or watching TV/DVDs etc.

It should be noted that consistent with a precautionary approach, if operating in an area where calves are expected to be present or have been observed during the survey, that vocalising cetacean detections by PAM should be assumed to be emanating from a cow/calf pair. In this case the more stringent mitigation zone provisions should be applied, unless determined otherwise by the MMO during good sighting conditions.

Due to the limited detection range of current PAM technology for ultra-high frequency cetaceans¹¹ (<300 m), any such bioacoustic detections will require an immediate shutdown of an active survey or will delay the start of operations, regardless of signal strength or whether distance or bearing from the acoustic source has been determined. Shutdown of an activated acoustic source will not be required if visual observations by a qualified MMO confirm that the acoustic detection was of a species falling into the category of 'Other Marine Mammals'.

3.8.5 Observer deployment

The preference for operational deployment of observers is on the acoustic source vessel. However, if there are critical operational constraints in positioning observation teams on the source vessel, they may be redeployed onto chase or receiver vessels providing that their ability to perform in their specific roles is not compromised. The qualified observers affected must be involved in any discussions in this regard and agree to any redeployment arrangements.

Technology is currently emerging that allows remote monitoring of onboard PAM equipment. Where incorporated into survey methodology, remote monitoring can support, but not replace the minimum complement of two qualified PAM operators required onboard.

3.8.6 Crew observations

If a crew member onboard any vessel involved in survey operations (including chase or support vessels) observes what may be a marine mammal, he or she will promptly report the sighting to the qualified MMO, and the MMO will try to identify what was seen and determine their distance from the acoustic source.

In the event that the MMO is not able to view the animal, they will provide a sighting form to the crew member and instruct on how to complete the form. Vessel crew can relay either the form or basic information to the MMO. If the sighting was within the mitigation zones, it is at the discretion of the MMO whether to initiate mitigation action based on the information available.

Sightings made by members of the crew will be differentiated from those made by MMOs.

3.8.7 Acoustic source power output

The operator will ensure that information relating to the activation of an acoustic source and the power output levels employed throughout survey operations is readily available to support the activities of the qualified observers in real time by providing a display screen for acoustic source operations.

It is the responsibility of the operator to immediately notify the qualified observers if operational capacity is exceeded at any stage.

¹¹ For the purposes of the Code, ultra-high frequencies are defined as those between 30 and 180 kHz.

3.8.8 Acoustic source tests

Seismic source tests will be subject to the relevant soft start procedures for each survey level, though the 20-minute minimum duration does not apply. Where possible, power should be built up gradually to the required test level at a rate not exceeding that of a normal soft start. Level 1 and 2 seismic source tests with a maximum combined source capacity of <2.49 litres or 150 cubic inches do not require soft start procedures, and can be undertaken following relevant pre-start observations.

Acoustic source tests cannot be used for mitigation purposes, or to avoid implementation of soft start procedures.

3.8.9 Multiple acoustic sources

In specific instances where two acoustic sources of differing power outputs (that fall in different Levels under the Code) are employed simultaneously in a survey, the relevant provisions of the Code will be applied according to the combined operational capacities of the acoustic sources.

Where two acoustic sources of differing power outputs are employed at different times during a survey, the relevant requirements of the Code shall apply in each case according to the operational capacity of the specific acoustic source in use.

3.8.10 Soft starts

Level 1 or 2 acoustic sources will not be activated at any time except by soft start, unless the source is being reactivated after a single break in firing (not in response to a marine mammal observation within a mitigation zone) of less than 10 minutes immediately following normal operations at full power, and the qualified observers have not detected marine mammals in the relevant mitigation zones as outlined in section 4.1.4 (Level 1 surveys) or 4.2.4 (Level 2 surveys). This means a gradual increase of the source's power, starting with the lowest capacity gun, over a period of at least 20 minutes and no more than 40 minutes.

It is not permissible to repeat the 10-minute break exception from soft start requirements by sporadic activation of acoustic sources at full or reduced power within that time.

Soft starts will be scheduled so as to minimise, as far as possible, the interval between reaching full power operation and commencing a survey line.

3.8.11 Line turns

Operators are strongly encouraged to reduce unnecessary marine noise, if possible and practical, by shutting down at the end of a line and reactivating the acoustic source according to the applicable soft start procedures and pre-start observations.

However the use of acoustic sources for mitigation purposes during line turns immediately following normal full power operations is allowed, providing that the power output of the acoustic source during line turns is reduced to levels that limit effective ensonification to the maximum mitigation zone boundary. Use of acoustic sources for mitigation purposes should only be used in exceptional circumstances where demonstrated by the proponent to be necessary, and must be discussed and agreed with the Director-General as part of the MMIA process.

If mitigation acoustics are employed, they will be subject to the same shutdown provisions as normal seismic survey operations.

4. Part 2: Specific requirements for each level of marine seismic survey

4.1 Level 1 surveys

4.1.1 Pre-survey planning

No person may carry out a Level 1 marine seismic survey in New Zealand continental waters unless he or she has, at the earliest opportunity but not less than one month before commencing the survey, submitted to the Director-General a written MMIA (see Appendix 1).

When planning to operate in areas of identified sensitivity, proponents should develop adaptive management procedures to ensure that survey activities can be modified to respond to unforeseen circumstances and minimise risks of negative impacts by incorporating additional mitigative measures. In all circumstances, the provisions of the Code must be considered as the minimum required.

4.1.2 Observer requirements

For all Level 1 surveys the minimum qualified observer requirements are:

- **At all times there will be at least two qualified MMOs on board, and**
- **At all times there will be at least two qualified PAM operators on board**
- The qualified observers will be dedicated in that their roles on the vessel are strictly for the detection and data collection of marine mammal sightings, and instructing crew on their requirements when a marine mammal is detected within the relevant mitigation zone, and
- At all times while the acoustic source is in the water, at least one qualified MMO (during daylight hours) and at least one qualified PAM operator will maintain watches for marine mammals.

Observations by qualified observers are also encouraged at all other times where practical and possible.

If the PAM system has malfunctioned or become damaged, operations may continue for 20 minutes without PAM while the PAM operator diagnoses the issue. If the diagnosis indicates that the PAM gear must be repaired to solve the problem, operations may continue for an additional **2 hours** without PAM monitoring as long as all of the following conditions are met:

- It is daylight hours and the sea state is less than or equal to Beaufort 4
- No marine mammals were detected solely by PAM in the relevant mitigation zones in the previous 2 hours
- Two MMOs maintain watch at all times during operations when PAM is not operational
- DOC is notified via email as soon as practicable with the time and location in which operations began without an active PAM system
- Operations with an active source, but without an active PAM system, do not exceed a cumulative total of 4 hours in any 24 hour period.

4.1.3 Pre-start observations

Normal requirements

A Level 1 acoustic source can only be activated if it is within the specified operational area, and no marine mammals have been observed or detected in the relevant mitigation zones as outlined in section 4.1.4.

The source cannot be activated during daylight hours unless:

- At least one qualified MMO has continuously made visual observations all around the source for the presence of marine mammals, from the bridge (or preferably an even higher vantage point) using both binoculars and the naked eye, and no marine mammals (other than fur seals) have been observed in the relevant mitigation zone for at least 30 minutes, and no fur seals have been observed in the relevant mitigation zones for at least 10 minutes, and
- Passive Acoustic Monitoring for the presence of marine mammals has been carried out by a qualified PAM operator for at least 30 minutes before activation and no vocalising cetaceans have been detected in the relevant mitigation zones.

The source cannot be activated during night-time hours or poor sighting conditions unless:

- Passive Acoustic Monitoring for the presence of marine mammals has been carried out by a qualified PAM operator for at least 30 minutes before activation, and
- The qualified observer has not detected vocalising cetaceans in the relevant mitigation zones.

Additional requirements for start up in a new location in poor sighting conditions

In addition to the normal pre-start observation requirements outlined above, when arriving at a new location in the survey programme for the first time, the initial acoustic source activation must not be undertaken at night or during poor sighting conditions unless either:

- MMOs have undertaken observations within 20 nautical miles of the planned start up position for at least the last 2 hours of good sighting conditions preceding proposed operations, and no marine mammals have been detected; or
- Where there have been less than 2 hours of good sighting conditions preceding proposed operations (within 20 nautical miles of the planned start up position), the source may be activated if:
 - PAM monitoring has been conducted for 2 hours immediately preceding proposed operations, and
 - Two MMOs have conducted visual monitoring in the 2 hours immediately preceding proposed operations, and
 - No Species of Concern have been sighted during visual monitoring or detected during acoustic monitoring in the relevant mitigation zones in the 2 hours immediately preceding proposed operations, and
 - No fur seals have been sighted during visual monitoring in the relevant mitigation zone in the 10 minutes immediately preceding proposed operations, and
 - No other marine mammals have been sighted during visual monitoring or detected during acoustic monitoring in the relevant mitigation zones in the 30 minutes immediately preceding proposed operations.

4.1.4 Delayed starts and shutdowns

Species of Concern with calves within a mitigation zone of 1.5 km

If, during pre-start observations or while a Level 1 acoustic source is activated (which includes soft starts), a qualified observer detects at least one cetacean with a calf within 1.5 km of the source, start up will be delayed or the source will be shut down and not be reactivated until:

- A qualified observer confirms the group has moved to a point that is more than 1.5 km from the source, or
- Despite continuous observation, 30 minutes has elapsed since the last detection of the group within 1.5 km of the source, and the mitigation zone remains clear.

Species of Concern within a mitigation zone of 1 km

If, during pre-start observations or while a Level 1 acoustic source is activated (which includes soft starts), a qualified observer detects a Species of Concern within 1 km of the source, start up will be delayed or the source will be shut down and not reactivated until:

- A qualified observer confirms the Species of Concern has moved to a point that is more than 1 km from the source, or
- Despite continuous observation, 30 minutes has elapsed since the last detection of the Species of Concern within 1 km of the source, and the mitigation zone remains clear.

Other Marine Mammals within a mitigation zone of 200 m

If, during pre-start observations prior to initiation of a Level 1 acoustic source soft start, a qualified observer detects a marine mammal within 200 m of the source, start up will be delayed until:

- A qualified observer confirms the marine mammal has moved to a point that is more than 200 m from the source, or
- Despite continuous observation, 10 minutes has passed since the last detection of a New Zealand fur seal within 200 m of the source and 30 minutes has elapsed since the last detection of any other marine mammal within 200 m of the source, and the mitigation zone remains clear.

If all mammals detected within the relevant mitigation zones are observed moving beyond the respective areas, there will be no further delays to initiation of soft start.

4.2 Level 2 survey

4.2.1 Pre-survey planning

No person may carry out a Level 2 marine seismic survey in New Zealand continental waters unless he or she has, at the earliest opportunity but not less than one month before commencing the survey, submitted to the Director-General a written MMIA (see Appendix 1).

In the event of exceptional circumstances or an opportunistic survey arising that does not provide sufficient time to complete an MMIA, the proponent will provide evidence to that effect to the satisfaction of the Director-General at the earliest opportunity but not less than two weeks before commencing the survey. Though a full MMIA may not be required in such circumstances, high-level information on any potential marine mammal sensitivities in the operational area based on available data must be determined as a minimum.

4.2.2 Observer requirements

For all Level 2 surveys the minimum qualified observer requirements are:

- **At all times there will be at least two qualified MMO on board**
- The qualified observers will be dedicated in that their roles during the period of seismic surveying on the vessel are strictly for the detection and data collection of marine mammal sightings and instructing crew on their requirements when a marine mammal is detected within the relevant mitigation zone; and,
- At all times while the acoustic source is in the water (during daylight hours), at least one qualified MMO will maintain a watch for marine mammals.

PAM is likely to be a requirement for Level 2 surveys in the future when mandatory regulations are being considered. However, at this stage under the Code it remains an optional consideration for Level 2 surveys. Where PAM is incorporated, the additional minimum qualified observer requirements are:

- At all times there will be at least **two qualified PAM operators** on board the source vessel, and
- At all times while the acoustic source is in the water, at least one qualified PAM operator will maintain a watch for marine mammals.
- If the PAM system has malfunctioned or become damaged, operations may continue in the absence of PAM while repairs are conducted.

4.2.3 Pre-start observations

A Level 2 acoustic source can only be activated if it is within the specified operational area, and no marine mammals have been observed or detected in the respective mitigation zones.

The source cannot be activated during daylight hours unless:

- At least one qualified MMO has continuously made visual observations all around the source for the presence of marine mammals, from the bridge (or preferably an even higher vantage point) using both binoculars and the naked eye, and no marine mammals have been observed in the respective mitigation zones for at least 30 minutes, and
- If incorporated, Passive Acoustic Monitoring¹² for the presence of marine mammals has been carried out by a qualified PAM operator for at least 30 minutes before activation and no vocalising cetaceans have been detected in the respective mitigation zones.

The source cannot be activated during night-time hours or poor sighting conditions unless:

- Passive Acoustic Monitoring for the presence of marine mammals has been carried out by a qualified PAM operator for at least 30 minutes before activation and no vocalising cetaceans have been detected in the relevant mitigation zones.

Operations at night or during poor sighting conditions

If PAM or other alternative technologies acceptable to the Director-General are incorporated to support marine mammal observations and are fully operational, Level 2 acoustic sources may be activated and active surveys may proceed at night or during poor sighting conditions, according to the provisions of the Code, following pre-start observations detailed above.

¹² If PAM is in operation, all non-essential sources of marine noise (such as multi-beam sonar) should be switched off during pre-start observations to reduce interference.

However, when observations are limited to MMOs for Level 2 survey operations, start up can be initiated and active surveys may proceed at night or during poor sighting conditions only if:

- There have not been more than 3 marine mammal instigated shutdowns or delayed starts in the previous 24 hours of active survey operations in good sighting conditions, or
- If active survey operations were not conducted in the previous 24 hours, MMOs have undertaken observations within a radius of 20 nm of the proposed start-up position for at least the last 2 hours of good sighting conditions during the daylight hours preceding proposed operations and no marine mammals have been detected.

4.2.4 Delayed starts and shutdowns

Species of Concern with calves within a mitigation zone of 1 km

If, during pre-start observations or while a Level 2 acoustic source is activated (which includes soft starts), a qualified observer detects at least one cetacean with a calf within 1 km of the source, start up will be delayed or the source will be shut down and not be reactivated until:

- A qualified observer confirms the group has moved to a point that is more than 1 km from the source, or
- Despite continuous observation, 30 minutes has elapsed since the last detection of the group within 1 km of the source, and the mitigation zone remains clear.

Species of Concern within a mitigation zone of 600 m

If, during pre-start observations or while a Level 2 acoustic source is activated (which includes soft starts), a qualified observer detects a Species of Concern within 600 m of the source, start up will be delayed or the source will be shut down and not reactivated until:

- A qualified observer confirms the Species of Concern has moved to a point that is more than 600 m from the source, or
- Despite continuous observation, 30 minutes has elapsed since the last detection of a Species of Concern within 600 m of the source, and the mitigation zone remains clear.

Other Marine Mammals within a mitigation zone of 200 m

If, during pre-start observations prior to initiation of a Level 2 acoustic source soft start, a qualified observer detects a marine mammal within 200 m of the source, start up will be delayed until:

- A qualified observer confirms the marine mammal has moved to a point that is more than 200 m from the source, or
- Despite continuous observation, 10 minutes has passed since the last detection of a New Zealand fur seal within 200 m of the source and 30 minutes has elapsed since the last detection of any other marine mammal within 200 m of the source, and the mitigation zone remains clear.

If all mammals detected within the relevant mitigation zones are observed moving beyond the respective areas, there will be no further delays to initiation of soft start.

4.3 Borehole seismic surveys

4.3.1 Pre-survey planning

No person may carry out a borehole seismic survey in New Zealand continental waters unless he or she has, at the earliest opportunity but not less than one month before commencing the survey, submitted to the Director-General a written MMIA (see Appendix 1).

When planning to operate in areas of identified sensitivity, proponents should develop adaptive management procedures to ensure that borehole seismic survey activities can be modified to respond to unforeseen circumstances and minimise risks of negative impacts by incorporating additional mitigation measures. In all circumstances, the provisions of the Code must be considered as the minimum required.

4.3.2 Observer requirements

Observer requirements shall depend on the capacity of the acoustic source being used for the borehole seismic survey, and shall comply with the requirements for the applicable Level 1 or 2 survey.

4.3.3 Crew observations

If a crew member onboard any vessel or drilling rig involved in borehole seismic survey operations observes what may be a marine mammal, he or she will promptly report the sighting to the qualified MMO, and the MMO will try to identify what was seen and determine their distance from the acoustic source.

In the event that the MMO is not able to view the animal, they will provide a sighting form to the crew member and instruct on how to complete the form. Vessel or drilling rig crew can relay either the form or basic information to the MMO. If the sighting was within the mitigation zones, it is at the discretion of the MMO whether to initiate mitigation action based on the information available.

Sightings made by members of the crew will be differentiated from those made by qualified observers.

4.3.4 Pre-start observations

Pre-start observation requirements shall depend on the capacity of the acoustic source being used for the borehole seismic survey, and shall comply with the requirements for the applicable Level 1 or 2 survey.

4.3.5 Soft starts

It is recognised that alternative acoustic source technologies may be used for borehole seismic surveys, and that soft start may not be possible in the same manner as a conventional marine seismic source array. Where possible, initial activation of the acoustic source must involve the gradual increase of the source's power over a period of at least 20 minutes and no more than 40 minutes, unless the source is being reactivated after a break in firing less than 10 minutes before that time. In the case of borehole seismic surveying, activation of the acoustic source at least once within sequential 10 minute periods shall be regarded as continuous operation.

4.3.6 Delayed starts and shut downs

Delayed start and shutdown requirements shall depend on the capacity of the acoustic source being used for the borehole seismic survey, and shall comply with the requirements for the applicable Level 1 or 2 survey.

Appendix 1: Marine Mammal Impact Assessment

The purpose of the MMIA process is to ensure that the proponent has:

- Identified all potential effects of their activities on marine species and habitats in the receiving environment
- Provided an opportunity for appropriate expert technical advice to be considered
- Avoided, wherever possible, operating in sensitive, ecologically important areas or during key biological periods where Species of Concern are likely to be breeding, calving, resting, feeding or migrating, or where marine mammals are present in confined waters, and
- Implemented whatever measures may be necessary to minimise the identified impacts to acceptable levels.

An MMIA will contain sufficient information to enable the Director-General to understand the nature of the proposed marine seismic survey activities and their effects on the environment, in such detail as corresponds to the scale and significance of the effects that the activities may have. Information will be provided on risks of negative impacts on the particular environmental sensitivities of the proposed area of operations, and consideration will be given to the timing, duration and intensity of the survey. An MMIA will:

- Describe the activities related to the proposed marine seismic survey
- Describe the state of the local environment in relation to marine species and habitats, with particular focus on marine mammals, prior to the activities being undertaken
- Identify the actual and potential effects of the activities on the environment and existing interests, including any conflicts with existing interests
- Identify the significance (in terms of risk and consequence) of any potential negative impacts and define the criteria used in making each determination
- Identify persons, organisations or tangata whenua with specific interests or expertise relevant to the potential impacts on the environment
- Describe any consultation undertaken with persons described above and specify those who have provided written submissions on the proposed activities
- Include copies of any written submissions from the consultation process
- Specify any possible alternative methods for undertaking the activities to avoid, remedy, or mitigate any adverse effects
- Specify the measures that the operator intends to take to avoid, remedy, or mitigate the potential adverse effects identified
- Specify a monitoring and reporting plan, and
- Specify means of coordinating research opportunities, plans, and activities relating to reducing and evaluating environment effects.

For the purposes of the Code, the meaning of the word ‘effect’ includes:

- Any positive or adverse effect
- Any temporary or permanent effect
- Any past, present, or future effect
- Any cumulative effect that arises over time or in combination with other effects
- Any potential effect of high probability, and
- Any potential effect of low probability that has a high potential impact.

Where activities are planned in Areas of Ecological Importance or Marine Mammal Sanctuaries, sound transmission loss modelling will be incorporated into the MMIA methodology and ground-truthed during the course of the survey by appropriate means. Such modelling will indicate predicted sound levels within the various mitigation zones and potential impacts on species present. If sound levels are predicted to exceed either 171 dB re 1 $\mu\text{Pa}^2\text{-s}$ at distances corresponding to the relevant mitigation zones for Species of Concern or 186 dB re 1 $\mu\text{Pa}^2\text{-s}$ at 200 m, consideration will be given to either extending the radius of the mitigation zone or limiting acoustic source power accordingly.

While the focus of the MMIA will be on marine mammals, proponents should also identify broader effects on other significant species or habitats, and include consideration of options for mitigation of any negative impacts—such as incorporation of turtle exclusion devices to prevent entrapment within their distribution range.

An MMIA for the purposes of the Code could be one component of a larger Health Safety and Environment (HSE) plan governing operations, which are commonly employed in the oil and gas sector. In such instances submission of the HSE plan or its relevant parts will be acceptable, providing the details outlined above are included as a minimum. Similarly, where industry practice is to prepare a generic project environmental impact assessment (EIA) at the permit award stage, additional studies will be required to complete the MMIA submitted under the Code if information gaps are identified when specific details of the marine seismic survey are confirmed.

There is no formal approval issued by the Director-General. However, the MMIA review process provides for the Department of Conservation’s marine mammal specialist technical advisors to give appropriate guidance according to the relative impacts and risks of the proposed survey. The MMIA review will be coordinated by the National Office and will involve all relevant technical specialists from across the organisation, depending on the specific circumstances of the survey programme. The Director-General will endeavour to provide an initial response within 10 working days, and within 5 working days for any subsequent matters.

In each case, the Director-General will seek assurance that the measures provided for in the Code, or any additional measures proposed by the proponent, are appropriate to the risks identified. Where such assurance is not provided, the Director-General will advise on any further actions that are deemed necessary to minimise impacts. Proponents will work with the Department to develop and agree any necessary additional mitigation measures based on the advice of the Director-General, and incorporate them into the survey methodology.

The final MMIA must be made available to any personnel engaged in observational duties. Furthermore, where additional mitigation measures have been agreed, a specific marine mammal mitigation plan for the survey should be developed and circulated amongst observers and crew to guide offshore operations.

Appendix 2: Observer reporting

MMO and PAM operators are jointly responsible for recording observational data generated while on duty, and compiling a summary report. This report will detail:

- The identity, qualifications and experience of those involved in observations
- Observer effort, including totals for watch effort (hours and minutes)
- Observational methods employed
- Name of the operator and any vessels/aircraft used
- Specifications of the seismic source array, and PAM array (if included)
- Position, date, start/end of survey, GPS track logs of vessel movements
- Totals for seismic source operations (hours and minutes) indicating respective durations of full-power operation, soft starts and acoustic source testing, and power levels employed, plus at least one random soft start sample per swing
- Sighting/acoustic detection records indicating:
 1. method of detection
 2. position of vessel/acoustic source
 3. distance and bearing of marine mammals related to the acoustic source
 4. direction of travel of both vessel and marine mammals
 5. number, composition, behaviour/activity and response of the marine mammal group (plotted in relation to vessel throughout detection)
 6. confirmed identification keys for species or lowest taxonomic level
 7. confidence level of identification
 8. descriptions of distinguishing features of individuals where possible
 9. acoustic source activity and power at time of sighting
 10. environmental conditions
 11. water depth, and
 12. for PAM detections, time and duration heard, type and nature of sound
- General location, time, duration and reasons where observations were affected by poor sighting conditions
- Position, time and number of delays and shutdowns initiated in response to the presence of marine mammals
- Position, duration and maximum power attained where operational capacity is exceeded
- Any instances of non-compliance with the Code.

Differentiation should be made between data derived from:

- MMO and PAM operators
- qualified observers and others
- watches during survey operations (ON Survey) or at other times (OFF Survey).

Data must be recorded in a standardised format, which can be downloaded from the Department of Conservation website¹³ at <http://www.doc.govt.nz/notifications>.

¹³ It is critical for observers to ensure that the report form functions correctly on their computer system before going to sea. Ensuring access to spare computer capacity onboard is also highly recommended.

Appendix 3: MMO and PAM operator standards

MMO standards

The standards for being considered a trained marine mammal observer include demonstrating proficiency in the following areas as minimum requirements:

- Understanding mitigation and reporting requirements under the Code
- Measuring distance, true speed and direction of travel of marine mammals and vessel movement
- Navigation (e.g. true vs magnetic north, course vs heading)
- Plotting positions of marine mammals in relation to vessel and acoustic source
- Detection and identification of New Zealand marine mammal species, and behaviour/activity assessment
- Understanding relevant aspects of seismic survey operations.

While engaged in observation duties onboard seismic survey vessels, qualified marine mammal observers are expected to be able to use the following tools effectively:

- Reticle binoculars and/or sextant¹⁴ for medium- to long-range (>500 m) distance determinations
- Measuring sticks (in addition to reticle binoculars or sextant) for short-range distance determinations
- Angle boards and compass for bearing determinations from vessel
- GPS to record vessel coordinates accurately and download track logs.

‘Eye-estimations’ of distance are strongly discouraged, and may only be used when the horizon is not visible as a reference for distance calculations or where insufficient time is available to employ more accurate methods of measurement.

Alternative technologies for visual observations and distance determination, such as thermal imaging or high-definition photography systems, are being trialled and may prove to be more effective under certain conditions. Where demonstrated to be at least as good as, if not better than sextant or reticle binoculars, these may be used to supplement visual observations.

¹⁴ The sextant remains the most reliable and accurate instrument for determining distances at sea where the horizon is visible. However, despite its technological simplicity and long history of maritime use, its use by observers has been limited to date. Relatively inexpensive, lightweight plastic versions are widely available, and while it remains at the discretion of the MMO whether to use one in each specific circumstance, it is strongly encouraged that all MMO have a sextant available as a professional tool.

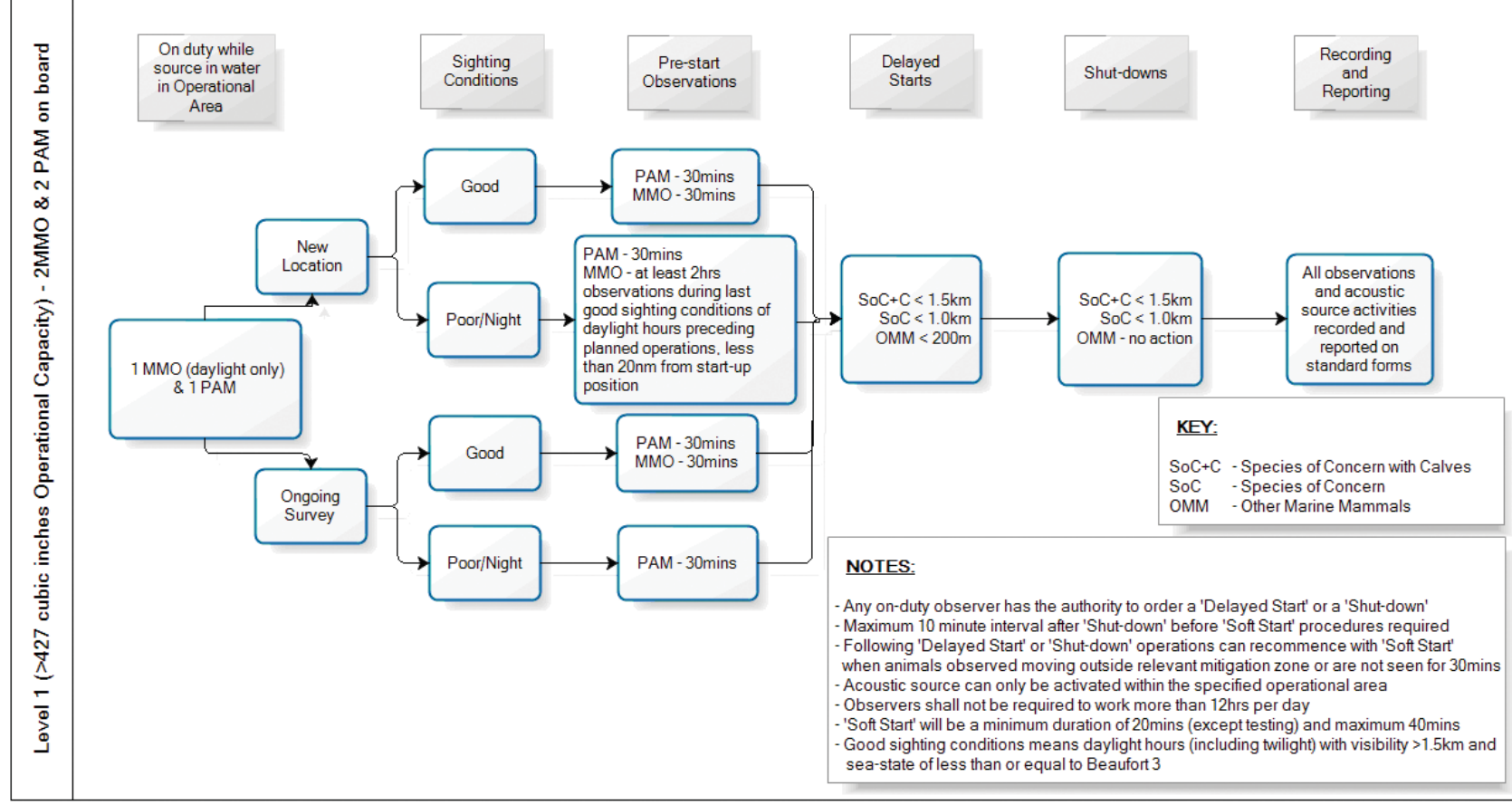
PAM operator standards

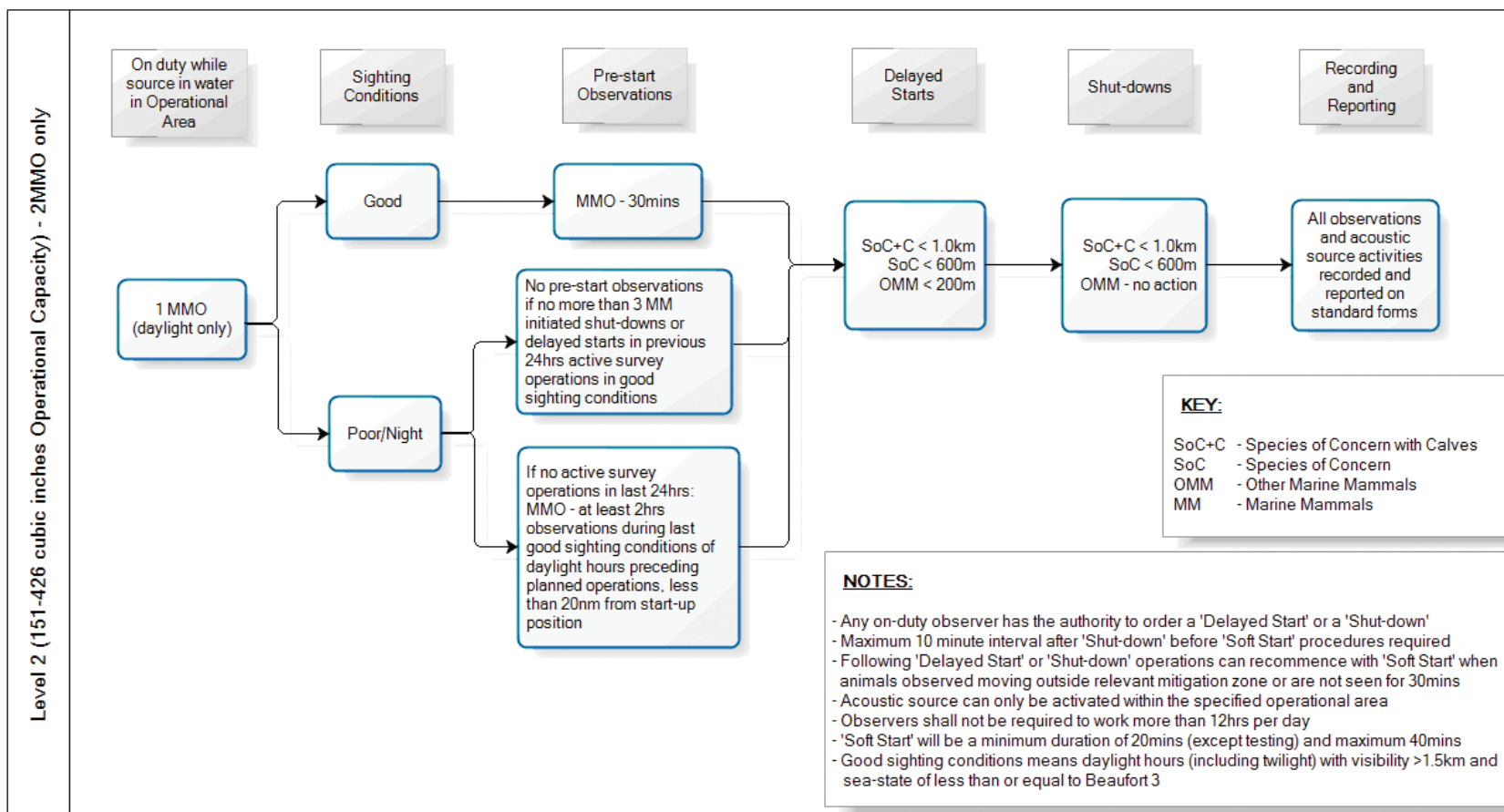
The standards for being considered a trained PAM operator include demonstrating proficiency in the following areas as minimum requirements:

- Understanding mitigation and reporting requirements under the Code
- Optimised deployment and configuration of PAM equipment to ensure effective detections of cetaceans for mitigation purposes
- Detection and identification of vocalising species or cetacean groups
- Measuring distance and bearing of vocalising cetaceans while accounting for vessel movement
- Navigation (e.g. true vs magnetic north, course vs heading)
- Plotting positions of cetaceans in relation to vessel and acoustic source
- Understanding relevant aspects of seismic survey operations.

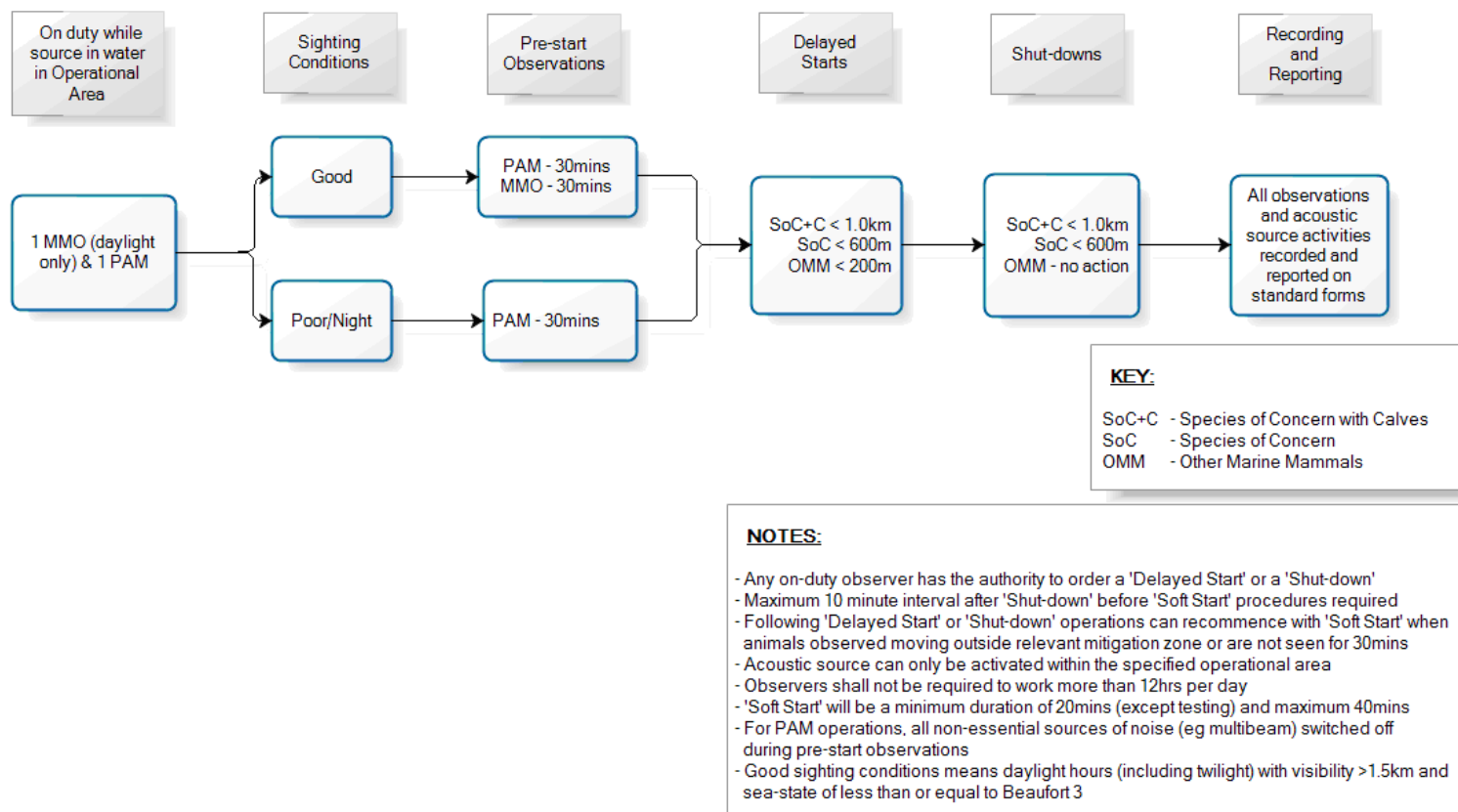
PAM operators should regularly refresh their detection skills through practice with simulation-modelling software, particularly with species relevant to the region of proposed operations (if available), in preparation for the start of the survey programme. Operators should keep up to date with training on the latest software/hardware advances.

Appendix 4: Operational flowcharts





Level 2 (151-426 cubic inches Operational Capacity) - 2MMO & 2 PAM on board



Appendix 5: Adoption

Acceptance of the 2013 Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations (the Code) and Agreement to Follow its Provisions

Persons who intend to follow the Code while conducting seismic surveys in New Zealand continental waters should take the following steps to confirm such intention—

- Download and print a copy of the code from www.doc.govt.nz
- Complete the following form with necessary details as indicated
- Send the signed copy of this page to the Director-General of Conservation at the address/email below.

Taking the above steps will ensure that the Director-General of Conservation is aware of the extent of uptake of the Code in industry practice. Acceptance of the Code and fulfilling its recommendations will also mean that the Director-General will be furnished with relevant reports from time to time. Such reports would assist in developing further knowledge about the relevant marine mammals, and in turn improve conservation work with respect to them.

I, (name) _____

of (address) _____,

being authorised by and on behalf of

(name of the company/body corporate) _____

accept the 2012 Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations and its supporting Reference Document and agree that its provisions will be followed in respect of seismic survey operations, conducted under the authority of

(name of the company/body corporate) _____

in New Zealand continental waters during the term of the Code.

I understand that following acceptance of the Code,

(name of the company/body corporate) _____

will provide all relevant notifications and reports to the Director-General as expected under the Code. I also understand that the Code is voluntary, and its acceptance and agreement to follow its provisions does not bind

(name of the company/body corporate) _____

in any way under the Marine Mammals Protection Act 1978.

Signature: _____

Date: _____

Send a copy of this form to:

Director-General,
Department of Conservation
PO Box 10420, Wellington 6143

OR marinemammals@doc.govt.nz

Schedule 1: Areas of Ecological Importance

As detailed in Part 1, seismic survey operations within any AEI (which includes the Marine Mammal Sanctuaries) have more comprehensive planning requirements and considerations, including specific additional measures in the MMIA process (see Appendix 1).

The locations and extent of AEI in New Zealand continental waters have been determined from the Department's database records for marine mammal sightings and strandings, as well as from fisheries-related data maintained by the Ministry for Primary Industries through the National Aquatic Biodiversity Information System (NABIS). In addition, technical input from marine mammal experts has been used to refine the AEI maps where data may be absent or incomplete.

The databases are continually evolving, so the AEI will be updated and refined as new information comes to light. To assist planning, online resources have been developed on the Department of Conservation website which will be subject to ongoing review.

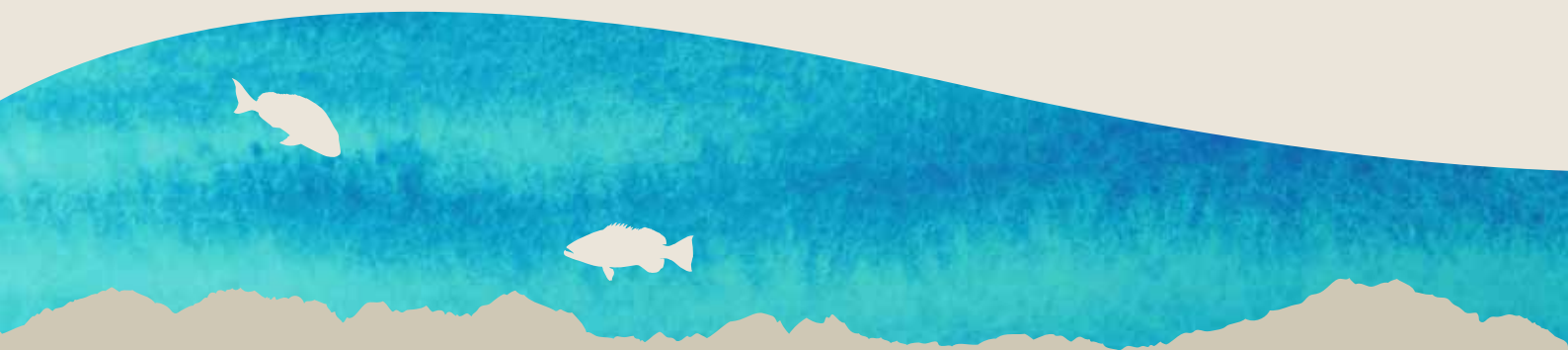
Information on AEI can be found at the following URL:

<http://www.doc.govt.nz/aei>

It must be remembered that since understanding about marine mammal distribution and life history is incomplete, the information related to an AEI should not be considered conclusive. There may be other areas beyond the identified AEI where particular sensitivities could exist. Where such areas are identified in the MMIA process, the proponent should discuss potential impacts and mitigation measures with the Director-General.

Schedule 2: Species of Concern

LATIN NAME	COMMON NAME
<i>Megaptera novaengliae</i>	Humpback Whale
<i>Balaenoptera borealis</i>	Sei Whale
<i>Balaenoptera edeni</i>	Bryde's Whale
<i>Balaenoptera bonaerensis</i>	Antarctic Minke Whale
<i>Balaenoptera acutorostrata subsp.</i>	Dwarf Minke Whale
<i>Balaenoptera musculus</i>	Blue Whale
<i>Balaenoptera physalus</i>	Fin Whale
<i>Balaenoptera musculus brevicauda</i>	Pygmy Blue Whale
<i>Eubalaena australis</i>	Southern Right Whale
<i>Caperea marginata</i>	Pygmy Right Whale
<i>Lissodelphis peronii</i>	Southern Right-whale Dolphin
<i>Globicephala melas</i>	Long-finned Pilot Whale
<i>Globicephala macrorhynchus</i>	Short-finned Pilot Whale
<i>Peponcephala electra</i>	Melon-headed Whale
<i>Physeter macrocephalus</i>	Sperm Whale
<i>Kogia sima</i>	Dwarf Sperm Whale
<i>Kogia breviceps</i>	Pygmy Sperm Whale
<i>Mesoplodon grayi</i>	Gray's Beaked Whale
<i>Berardius arnuxii</i>	Arnoux's Beaked Whale
<i>Ziphius cavirostris</i>	Cuvier's Beaked Whale
<i>Mesoplodon layardii</i>	Strap-toothed Whale
<i>Hyperoodon planifrons</i>	Southern Bottlenose Whale
<i>Mesoplodon bowdoini</i>	Andrew's Beaked Whale
<i>Mesoplodon mirus</i>	True's Beaked Whale
<i>Mesoplodon densirostris</i>	Blainville's Beaked Whale
<i>Mesoplodon ginkgodens</i>	Ginkgo-toothed Whale
<i>Mesoplodon hectori</i>	Hector's Beaked Whale
<i>Mesoplodon peruvianus</i>	Pygmy/Peruvian Beaked Whale
<i>Tasmacetus shepherdi</i>	Shepherd's Beaked Whale
<i>Orcinus orca</i>	Killer Whale
<i>Pseudorca crassidens</i>	False Killer Whale
<i>Feresa attenuata</i>	Pygmy Killer Whale
<i>Cephalorhynchus hectori</i>	Hector's Dolphin
<i>Cephalorhynchus hectori maui</i>	Maui's Dolphin
<i>Phocartos hookeri</i>	New Zealand Sea Lion
<i>Tursops truncatus</i>	Bottlenose Dolphin





2012 Code of Conduct

for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations

REFERENCE DOCUMENT



Seismic survey vessel *Polarcus Alima* entering Wellington Harbour 2012. *Photo: Polarcus Ltd.*

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1. Part 1: Overview of the Code

1.1 Introduction

In February 2006 the Department of Conservation (the Department) published the *Guidelines for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations* (the Guidelines) and its associated Reference Document. Subsequently in 2010, the Department contracted Blue Planet Marine to facilitate a review of the Guidelines by engaging in discussions with key stakeholders. The Department continued the review process during 2011 and developed what would become the *2012 Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations* (the Code).

The Code is an operationally focused document, so it was decided that background information should be provided in a supplementary publication to be read in conjunction with it. Therefore this Reference Document supports the Code, providing context and rationale for the direction taken following the review process, as well as guidance to assist interpretation.

Both the Code and the Reference Document build upon the earlier foundation established by the 2006 Guidelines, strengthening provisions as New Zealand moves towards mandatory regulation of marine seismic survey operations throughout New Zealand continental waters.

1.2 Objectives

The primary objectives of the Code are to:

- Minimise disturbance to marine mammals from seismic survey activities
- Minimise noise in the marine environment arising from seismic survey activities
- Contribute to the body of scientific knowledge on the physical and behavioural impacts of seismic surveys on marine mammals through improved, standardised observation and reporting
- Provide for the conduct of seismic surveys in New Zealand continental waters in an environmentally responsible and sustainable manner, and
- Build effective working relationships between government, industry and research stakeholders.

1.3 Application

The Code applies to marine geophysical investigations using high-intensity acoustic seismic sources to determine the structure and composition of rock layers beneath the seafloor in New Zealand continental waters.¹ It includes both commercial and scientific studies, but it does not include low impact bathymetric (or other) marine surveying. Nor does it apply to other sources of marine noise such as underwater construction, which are covered under other legislation relevant to the coastal marine area, exclusive economic zone or extended continental shelf.

¹ For New Zealand vessels, the Code applies to seismic survey operations anywhere in the world.

1.4 Nature and duration of the Code

During the review process a general consensus emerged from the stakeholder group that New Zealand should implement mandatory measures to regulate marine seismic survey operations. The primary advantage is ensuring a transparent, level playing field with consistent application to all operators. The Department supports this in principle and continues to work towards this outcome.

However, legislative processes are complex and time-consuming; both in initial development and ongoing review. There are currently many areas of uncertainty related to the potential impacts of acoustic sources on the marine environment. Sound exposure alone may not prove to be the key determinant of potential impacts and disruption to marine mammals, with evidence emerging that ‘context-based’ approaches are necessary to understand the variability in animal responses to sound.² The actual effectiveness of mitigation measures such as soft starts is also questioned, with apparently differing responses between species and even individuals. While these uncertainties exist and research continues to build scientific understanding, the Department considers it premature to implement mandatory measures.

Therefore, the decision was made to strengthen the voluntary nature of the Guidelines by establishing an industry Code of Conduct, drafted in obligatory terms, which operators agree to treat as mandatory when adopted. In addition, such a code will be considered best practice against which the activities of non-signatories would be gauged.

The Code is an interim measure which provides opportunities not only to incorporate new scientific information, but also to test the practicality of new provisions in real world applications before they become mandatory, enforceable requirements. It also allows the time necessary to establish an entirely new training and qualifications system for observers.

After an initial three-year period, the Code will be subjected to an implementation performance review and further consideration given to establishing regulations under the Marine Mammals Protection Act 1978. The Code will remain in effect until superseded.

1.5 Adoption of the Code

The Code is open for adoption by any stakeholder in the marine seismic survey sector. While the Code is formally endorsed by the oil and gas industry representative body, the Petroleum Exploration and Production Association of New Zealand (PEPANZ), adoption and implementation is on an individual company or organisation basis.

In signing up to the Code, individuals and organisations agree to comply with the Code and treat its provisions as mandatory, on the understanding that no enforcement action is possible under the Marine Mammals Protection Act 1978 unless specific regulations are in force.

² See Ellison, W.; Southall, B.; Clark, C.; Frankel, A. 2011: A new context-based approach to assess marine mammal behavioral responses to anthropogenic sounds. *Conservation Biology*, doi: 10.1111/j.1523-1739.2011.01803.x.

1.6 Performance of the Code

As noted at the beginning of this document, the three-year duration of the Code offers an opportunity to test the effectiveness and practicality of the provisions, both at the project planning stage and during field-based operations. Appropriate revisions and refinements can then be incorporated prior to the development of regulatory measures. In order to ensure optimum outcomes, it is critical that stakeholders provide comprehensive feedback for the Director-General to consider. Therefore, proponents, operators and observers alike should monitor performance, keeping detailed records of any issues experienced, and provide them along with suggestions for improvement at the end of each survey.

Furthermore, if any provisions create unforeseen, unavoidable practical difficulties, stakeholders are encouraged to contact the department immediately to discuss the issues and explore potential solutions.

2. Part 2: Context and interpretation of the Code

2.1 Marine Mammal Sanctuary regulations

There are six Marine Mammal Sanctuaries (MMS)³ in New Zealand gazetted under the Marine Mammals Protection Act 1978. All but one of these MMS have associated regulations which feature various provisions related to the conduct of marine seismic surveys. The existence of the Code or its adoption by an organisation does not affect the operation of any law in force in New Zealand.

It is acknowledged that there are inconsistencies between some of these regulated requirements and the provisions of the Code. In most instances the Code is more stringent, but there are some areas where the MMS regulations are stricter. In each case, the more stringent provisions will apply and proponents must check the relevant regulations if they plan to conduct surveys in any of the MMS.

The Department will work towards aligning the MMS regulations with the provisions of the Code as part of the regulatory process when mandatory measures are being developed and implemented throughout New Zealand continental waters.

2.2 Research

Internationally there is a significant amount of ongoing research into the effects of seismic survey operations on marine species and habitats, and there is a critical need to ensure it continues. While it is not anticipated that New Zealand stakeholders would duplicate international efforts, it is essential that research is conducted in our region that is relevant to our species, habitats and conditions.

For example, there are many anecdotal accounts from experienced marine mammal observers that New Zealand species of pinnipeds and common dolphins display little or no aversion to acoustic sources. As a result, stakeholders have proposed excluding such species from the provisions of the Code. This could only be considered if empirical studies prove that there are minimal physical and behavioural impacts, demonstrated over the entire range of potential seismic survey applications.

There is also scant information about the effectiveness of soft start procedures on New Zealand marine mammals as a mitigation tool. Neither is there any definitive information about the impacts of seismic surveys on beaked whales, a particularly sensitive deep-diving species encountered throughout the region.

In addition, more general research initiatives into seasonal population distributions are necessary to increase confidence in predicting sensitivities at the planning stage, as are studies on long-term, cumulative exposure effects on New Zealand species and habitats.

Operationally focused research investigating the accuracy and efficiency of onboard observations over the range of mitigation zones would also be of great value in providing assurance that the measures in the Code are both practical and effective.

³ Auckland Islands, Banks Peninsula, Catlins Coast, Clifford and Cloudy Bay, Te Waewae Bay and West Coast North Island.

Consistent with the precautionary approach, those who undertake marine seismic surveys are responsible for demonstrating that their activities are sustainable and do not cause unacceptable harm. Therefore, the onus is on industry and science providers to use every opportunity during the three-year duration of the Code to address and report on the most significant gaps in knowledge and understanding.

Such investigations should ideally make use of independent research platforms, with robust 'before-after-control-impact' (BACI) methodologies.

If such research-focused investigations prove difficult to undertake due to the restrictive provisions of the Code, science providers should contact the Director-General to discuss potential options.

2.3 Marine mammal sensitivities

There is a range of potential impacts arising directly or indirectly from acoustic seismic sources depending on energy levels, frequencies and duration. These include:

- Physical effects:⁴ trauma to body tissues (sometimes including damage resembling decompression sickness in humans), or auditory damage leading to permanent or temporary hearing loss (sometimes referred to as Permanent or Temporary Threshold Shift, PTS/TTS)
- Auditory masking: increasing background noise levels which affects an animal's ability to detect relevant sounds, such as when finding prey, navigating or in social communications
- Behavioural: causing avoidance or attraction responses, which may lead to disruption of normal functions, and
- Disturbance or reduction in prey species.⁵

While an obvious focus of the Code is minimising the physical impacts of underwater sound on marine mammals, understanding and avoiding behavioural impacts are also priorities. The clearest example is the establishment of the most stringent and precautionary mitigation zones for protection of marine mammal calves. The objective of this measure is to minimise the chances of disturbing or disrupting adult/calf pairings, due to the unpredictability of immature animals wholly dependent on a parent for survival. In addition, and as discussed in more detail later, increasing the effectiveness of observers to accurately plot animal location relative to both the vessel and the acoustic source will increase understanding of marine mammal responses to seismic surveys.

It is acknowledged that despite the range of mitigation measures included in the Code, there will always be some degree of uncertainty about the effectiveness of the provisions in minimising impacts. It is also acknowledged that the best course of action is simply to avoid conducting seismic surveys in sensitive areas. In order to address this, the Code requires a Marine Mammal Impact Assessment (MMIA) to be developed and submitted. The MMIA process ensures that all potential environmental impacts and sensitivities have been identified, and that appropriate expert advice about minimising impacts has been considered. There is a clear emphasis on avoiding operating in sensitive, ecologically important areas or during key biological periods where Species of Concern are likely to be breeding, calving, resting, feeding or migrating, or where marine mammals are present in confined waters.

⁴ Compton, R.; Goodwin, L.; Handy, R.; Abbott, V. 2007: A critical examination of worldwide guidelines for minimising the disturbance to marine mammals during seismic surveys. *Marine Policy*, doi:10.1016/j.marpol.2007.05.005.

⁵ Slotte, A.; Hansen, K.; Dalen, J.; Ona, E. 2004: Acoustic mapping of pelagic fish distribution and abundance in relation to a seismic shooting area off the Norwegian west coast. *Fisheries Research* 67: 143–150.

To assist in this process, the Department is involved in ongoing work to increase the utility and availability of ecological information for marine mammals in New Zealand continental waters, and in refining data on Areas of Ecological Importance (AEI) with finer scale resolution. Such information will be invaluable at the planning stage, in avoiding sensitive areas or seasons.

2.4 Acoustic source capacity vs underwater sound level

While sound intensity, frequency, duration and location are key determinants of potential impacts on marine mammals, propagation of sound underwater is a highly complex, variable process and it is beyond the scope of this document to provide a full summary.

Several jurisdictions around the world have set a maximum allowable sound level at set distances from the acoustic source, within which operations may be limited if marine mammals are present.

However, it is as challenging to model, predict and measure underwater sound levels relative to distance from an acoustic source, as it is to interpret results. As such there can be significant variability, uncertainty and inconsistency. This is compounded by the variety of different sound measurement units (e.g. peak pressure, root mean squared, sound exposure level) that can be employed depending on application, none of which can be directly compared. In addition, scientific understanding of the effects of underwater sound on marine mammals is inconclusive and continually evolving, so using sound criteria to determine mitigation measures is fraught with difficulty.

Therefore, for the purposes of the Code a more practical and easily implemented solution was sought by stakeholders. Despite its acknowledged limitations, it was decided that the physical capacity of the acoustic array (the total volume, expressed in litres or cubic inches, of all acoustic sources involved) would primarily determine the level of mitigation measures applicable to survey operations. Based on the clear demarcation of acoustic source capacity, three levels have been established:

- Level 1: the most stringently controlled for high-energy seismic surveys, with the largest mitigation zones and highest number of observers required
- Level 2: less stringent measures reflecting reduced risk of potential impacts from lower energy seismic surveys, mainly reflected in smaller mitigation zones, and
- Level 3: where seismic survey energy output is so low that no significant impacts are expected. Level 3 surveys are specifically excluded from the provisions of the Code.

It should be noted that it is common practice for acoustic source operators to have equipment redundancy in the array, with between 25–50% (by airgun volume) spare capacity. This allows operations to continue efficiently in the event that individual airguns malfunction. For this reason, acoustic source arrays are measured by their ‘operational capacity’ to determine the appropriate level.

Consideration of underwater sound levels is still an important factor, and is provided for both inherently in the radii of the mitigation zones and in the MMIA process where seismic surveys are being planned in AEI or MMS, as discussed later in this document.

2.5 Mitigation zones

Mitigation zones that should provide protection over the range of marine mammal sensitivities described earlier have been developed and agreed with the stakeholder group.

- Within the Level 1 and 2 mitigation zones for Species of Concern⁶ with calves, it is intended that behavioural impacts will be reduced as far as possible within operational constraints (based on available behavioural response criteria).
- Within the Level 1 and 2 mitigation zones for both Species of Concern and for Other Marine Mammals, the intent is also focused on progressively reducing the potential for physiological trauma (based on available injury criteria).

The maximum distance of 1.5 km for Species of Concern with calves in Level 1 surveys is primarily related to the maximum distance an observer on board the source vessel could discern an adult/calf pairing under optimal sighting conditions (though such observations in excess of even of 1 km may still be very challenging). It is acknowledged that sound may travel far beyond this distance, but for practical purposes this is considered the limit of reliable observations in routine operating conditions.

As has been noted, there are many difficulties and much variability with using sound criteria to determine the size of mitigation zones. This can cause confusion in both interpretation and application, and there are particular problems when trying to identify relevant research to inform the decision-making process. However, recent scientific studies have been drawn upon in part to give some degree of confidence that in addition to being practical for observers to monitor effectively, the mitigation zones set in the Code will provide precautionary protection in most circumstances.

The received levels presently defined by the USA National Marine Fisheries Service (NMFS) as safety criteria for pinnipeds and cetaceans⁷ are 190 and 180 dB referenced to 1 μ Pa root mean squared (RMS) respectively, with 160 dB referenced to 1 μ Pa RMS identified as the level above which there is likely to be behavioural disturbance. Compton et al (2007) recommends the latter as a preferable boundary for minimising disturbance, but acknowledges the difficulty of implementation given the distances from source required to achieve that threshold. Sound exposure level (SEL) is becoming more commonly used, and research should focus its effort on these issues. Unpublished research⁸ from a recent Curtin University study indicates that for large acoustic source arrays (<3250 cubic inches), the maximum SEL is approximately 165 dB re 1 μ Pa²-s at 1 to 1.5 km, and the maximum SEL measured at 200 m of large source arrays is approximately 174 dB re 1 μ Pa²-s. These SELs are below the behavioural response/injury criteria (171/186 dB re 1 μ Pa²-s respectively) for the most sensitive marine mammal group for in-water sound.⁹ Hence, for both Level 1 and 2 surveys, the mitigation zones for all marine mammals provide an operational margin for larger arrays than those tested in the recent study.

⁶ Species of Concern, as listed in Schedule 2 of the Code, includes all New Zealand cetacean species except common and dusky dolphins, plus the New Zealand sea lion.

⁷ High Energy Seismic Survey Team, 1999, High energy seismic survey review process and interim operational guidelines for marine surveys offshore southern California, California State Lands Commission and The United States Minerals Management Service Pacific Outer Continental Shelf Region.

⁸ McCauley, R. 2012: pers. comm., Centre for Marine Science and Technology, Curtin University, Perth, W.A.

⁹ Southall, B.; Bowles, A.; Ellison, W.; Finneran, J.; Gentry, R.; Greene Jr, C.; Kastak, D.; Ketten, D.; Miller, J.; Nachtigall, P.; Richardson, W.J.; Thomas, J.; Tyack, P. 2007: Marine mammal noise exposure criteria: Initial scientific recommendations. *Aquatic Mammals* 33: 411–522.

2.6 Sound transmission loss modelling

The mitigation zone distances identified in the previous section should be considered minimums under the Code. Where particular sensitivities have been identified (such as key biological periods or shallow/enclosed waters), additional mitigation measures could include extending the radii of the zones and deploying additional observers on other vessels and possibly aircraft, or reducing power to ensure that sound levels are kept within limits that protect the various marine mammal species expected to be encountered. Operation in shallow waters could result in much larger mitigation zones being needed due to reduced transmission loss in shallow depths, but this is a highly complex area as temperature, salinity and seafloor structure and topography are also influencing factors.

Where survey operations are planned in AEI or MMS, sound transmission loss modelling must be a component of the MMIA. This is a process by which the potential sound levels generated by specific acoustic source configurations can be modelled and predicted over the range of physical environmental conditions expected during the survey.

The transmission distance of sound in seawater is determined by a combination of geometric spreading loss and an absorptive loss proportional to the sound frequency. The sound intensity decreases with distance from the sound source. Generally, the decrease in sound intensity ranges between $1/r$ (r =distance from the source) and $1/r^2$ (spherical spreading), depending on the characteristics of the sound source location and transmission paths. Due to the wave properties of sound and propagation conditions, waves from single and multiple sources can converge, reflect from the sea surface and sea floor, and can add to or cancel each other. Numerical modelling of sound transmission loss for seismic source arrays requires calculation of spreading, attenuation and wavefield interactions for each source in the array.

The results of such modelling should give an indication of the relative distances from the acoustic source over which 171 dB re 1 $\mu\text{Pa}^2\text{-s}$ SEL (behaviour criteria) and 186 dB re 1 $\mu\text{Pa}^2\text{-s}$ SEL (injury criteria) could be expected. Depending on the outcomes, if these levels are predicted to occur at greater distances than the relevant mitigation zones (Species of Concern with calves and Other Marine Mammals respectively), then additional mitigation measures such as just described must be discussed with the Department and considered for implementation.

2.7 Use of mitigation acoustics during line turns

The use of acoustic sources as mitigation is sometimes employed with the intent of continuing to exclude marine mammals during line turns, though it is unclear if there is sufficient evidence to draw any conclusions about the effectiveness of this practice. However, the objective of this Code is to reduce noise in the marine environment as much as practically possible.

Therefore proponents are strongly discouraged from using acoustic sources for mitigation purposes during line turns if practically possible, and instead to shut down at the end of a line and reactivate the acoustic source according to the applicable soft start procedures and pre-start observations. If it is considered to be necessary to employ acoustic sources for mitigation purposes during line turns only, power output should be limited to the maximum required to effectively ensonify the largest mitigation zone. Proponents must discuss and agree options with the Department as part of the MMIA process.

If acoustic sources are employed for mitigation purposes, it is important to collect appropriate data to monitor effectiveness.

2.8 Pre-start observations

During the review process several submissions proposed extending pre-start observation times to account for deep-diving species with extended subsurface durations. However, seismic survey vessels typically acquire data at a speed of around 5 knots, and will attain this speed for some distance in the approach to a survey line in order to keep the acoustic source and streamers positioned correctly. In 30 minutes at this speed the survey vessel would cover a significant distance of around 20 km. Extending the pre-start observation period does not provide any additional certainty that animals will actually be detected in the active survey area prior to activating the acoustic source.

The minimum 30-minute period stipulated is considered sufficient for the purposes of the Code in most circumstances,¹⁰ especially when combined with Passive Acoustic Monitoring.

2.9 Incorporation of Passive Acoustic Monitoring

Passive Acoustic Monitoring (PAM), when used in conjunction with visual observations, has been shown to increase detections of marine mammals by between five to eight times, with significant numbers of animals heard but never seen.¹¹

There are of course limitations, chief amongst them being that performance is entirely dependent on equipment, configuration and the expertise of the operator. It also relies on cetaceans actually vocalising, which can be variable between species or even among individuals, and results can vary enormously depending on the frequencies that each species uses. Variation can also occur due to environmental conditions. However, high quality, properly designed and optimised arrays with experienced operators can reliably detect many vocalising cetaceans over the range of mitigation zones¹² established in the Code. This could add significant value at a fraction of the total operating costs of a typical Level 1 survey.

The objective of making PAM a requirement of Level 1 surveys, and providing incentive for its use in Level 2 surveys through reduced pre-start observation requirements, is to facilitate greater investment in and use of the technology across the sector. Over time this will inevitably increase the accuracy, reliability and availability of PAM systems, as well as building the experience and expertise of operators.

Use of PAM technology in New Zealand continental waters is dependent on systems being designed specifically for acoustic detections over the range of vocalisation frequencies for New Zealand cetacean species. This includes both the frequency responses of the hydrophone elements and the (sound) data acquisition card technology. The hydrophone elements must be capable of monitoring the vocalisation frequencies of New Zealand cetacean species from 1 Hz-180 kHz, while the data acquisition card technology (sound

¹⁰ For operations in AEI where particular sensitivities have been identified (such as the presence of deep-diving species with extended submerged periods), there is scope to consider deployment of additional observation platforms at the beginning of a survey line which could provide for increased pre-observation periods.

¹¹ Gillespie, D.; Chappell, O.P. 1998: Automated cetacean detection and monitoring. Chapter 8.1: pp. 1-6 in: Tasker, ML; Weir, C. (Eds): Proceedings of the seismic and marine mammals workshop, London 23-25 June.

¹² For species using ultra-high frequencies for echolocation, it may not be possible for current PAM technologies to detect cetaceans beyond a few hundred metres, even in optimum operating conditions.

cards) should be capable of sampling twice that, i.e. 360 kHz.¹³ This range is sufficient to cover the highest frequency echolocation ‘clicks’ of Hector’s and Maui’s dolphins (>125 kHz) and bottlenose dolphins (>150 kHz), all of which are Species of Concern.

Based on industry and observer feedback, the Department is confident that optimally configured and operated PAM systems can significantly increase detections of vocalising cetaceans. Further, the Department considers that incorporation of performance-based PAM—with standards clearly articulated in the Code—is sufficient to allow seismic surveys to continue operating in poor sighting conditions.

However, it is recognised that the technology has not yet been developed to the stage of absolute reliability in all circumstances, and its incorporation is based on the best endeavours of suitably qualified and experienced operators.

2.9.1 Best practice recommendations

While not a requirement of the Code, it is highly recommended that vessel self-noise assessments are undertaken during mobilisation. This is in order to optimise PAM array configuration according to the specific noise characteristics of the vessel and equipment involved, and to refine expectations for distance/bearing estimations for New Zealand cetacean species during the survey. Copies of any vessel self-noise assessment reports should be included with the summary trip report.

The use of internationally recognised, industry standard, PAMguard¹⁴ software is also strongly recommended best practice.

2.9.2 PAM alternatives

It is acknowledged that PAM is not the only technology available that can augment visual observations by increasing detection rates of marine mammals. Though PAM has some limitations, and its application is still being developed and refined, it is recognised as the most advanced technology that is commercially available and its practical operational value has been demonstrated when configured correctly and a skilled operator is employed. However, proponents may propose alternative technologies for consideration by the Director-General, providing they can demonstrate with confidence that the substitution will perform at least as well as—if not better than—the best available PAM systems without significantly increasing negative impacts on marine mammals. Such alternatives could also be considered to supplement PAM and MMO observations.

2.10 Qualified observers: performance, training and standards

If observer experience alone is relied upon as an indicator of capability, there is a danger that there could be significant variability in the accuracy of observations and utility of data records. Observers are responsible for decisions that have significant impacts on operations, so it is critical that robust and defensible methods are employed. Furthermore, without an understanding of basic navigational principles, valuable information about animal responses to seismic survey operations could be overlooked. For example, if vessel movement is not accounted for appropriately, marine mammal reactions as indicated by movement relative to the acoustic source could be completely misinterpreted.

¹³ Sampling range determined in accordance with Nyquist Theorem.

¹⁴ PAMguard is open source software, developed as world standard and supported by E&P Sound and Marine Life Joint Industry Programme (JIP) of the International Association of Oil and Gas Producers.

The primary purpose of requiring qualified observers onboard is to ensure operational compliance with the mitigation measures specified in the Code. However, an objective of the Code is to increase knowledge of marine mammal behaviour by acquiring verifiable data through robust observational techniques. Therefore, the focus is not just on compliance, but also on science, where every survey is seen as an opportunity to build understanding about New Zealand marine mammals. In order to achieve this, observer performance needs to be standardised and competence demonstrated.

Therefore, as a separate initiative supporting implementation of the Code, the Department is involved in ongoing work with stakeholders to develop and review observer training and competence standards. Performance is outcome-based, so that experienced observers can simply demonstrate competence rather than having to complete unnecessary training.

In addition, there is a requirement for qualified observers to have 12 weeks' relevant sea-time in New Zealand continental waters, in order to gain experience with identification and behaviour of the region's particular species.

The Department recognises that this could initially cause resourcing bottlenecks, and as a result has implemented interim measures (see below) which add a degree of flexibility if difficulties are experienced sourcing suitably qualified observers. It is anticipated that as the number of qualified observers increases throughout the three-year duration of the Code, resourcing will not be an issue by the time mandatory regulations are considered.

Standardising the reporting format for observers to record and submit marine mammal sighting and behaviour information is a critical element to ensure that data utility is maximised. Linked with the training initiative, the Department is also working with stakeholders to develop user-friendly observer reporting datasheets which include all information relevant to the Code. The initial outcome of this work is an Excel-based template that will be subject to continuing refinement throughout the duration of the Code, based on feedback from observers using the reporting form in operational conditions.

In addition, the Department is undertaking a review of its marine mammal database system, and there is ongoing work to develop spatial planning resources to support effective marine resource management processes.

2.10.1 Interim provisions for training and experience

It is recognised that allowance needs to be made for newly trained observers or those without experience in New Zealand continental waters to gain the 12 weeks' sea-time required to be considered qualified observers. In such instances, providing an agreement is in place for an appropriately qualified observer to act in a mentoring capacity to a trained observer for the duration of a voyage, it is acceptable for there to be one qualified observer and one trained observer in each observation role (MMO/PAM) on board.

It is also acknowledged that the new observer requirements may create resource or training bottlenecks for surveys being planned in New Zealand continental waters after the Code is implemented. To minimise impacts, for the first 12 months after this Code comes into effect, MMO with 3 years' professional experience and a minimum of 12 weeks' relevant international sea-time may be engaged if no other suitable qualified observer is available. To reflect the limited availability of suitably qualified and experienced PAM operators, for the entire duration of the Code, PAM operators with 3 years' professional experience¹⁵ and a minimum of 12 weeks' relevant international sea-time may be engaged if no other suitable qualified observer is available.

¹⁵ Due to the relatively recent emergence of PAM technology, it may prove difficult to locate suitable operators with 3 years' experience. In such circumstances, the proponent should contact the Director-General to discuss possible alternative options.

Such observers will still be expected to perform to the standards outlined in this section, and their inclusion should be supported by provision of current curriculum vitae and professional references that demonstrate suitable experience, qualifications, training and abilities.

2.10.2 Training providers and observer courses

In conjunction with stakeholders the Department has developed a high level model curriculum for MMO and PAM operator training courses (see Appendix 1). Observers successfully graduating from training courses that are structured according to the model curriculum are expected to be able to demonstrate competency in each specified area as a minimum, and as such would be considered ‘trained observers’ for the purposes of the Code.

Though the Department will not be involved in official accreditation of educational organisations, it will review course material developed by established training providers for MMO and PAM operators in the context of the standards articulated in the Code. Training providers are encouraged to submit comprehensive descriptions of course content, assessment/examination processes, personnel involved, resources and equipment, for confidential evaluation. The Director-General will subsequently indicate whether such courses are considered suitable and adequate to ensure observer competencies that are consistent with requirements of the Code, and whether the experience and qualifications of those directly involved with training are acceptable for the role.¹⁶

As part of the recognition process, the Department reserves the right to nominate a relevant member of staff to attend any observer training courses in order to evaluate content and delivery. The Department will meet any necessary travel costs, though training providers are expected to make space freely available on their observation courses for such evaluation purposes. The Department also reserves the right to review training provider records related to administration and assessment/examination processes of recognised observer courses at any time.

Details of recognised courses will be published on the Department of Conservation website.

¹⁶ It is essential that tutors have relevant scientific/technical background according to the modules they are presenting. At least one person with significant experience working in an observational capacity offshore, such as lead MMO/PAM operator or equivalent, should be available to offer practical perspectives from direct, personal experience.

3. Acknowledgements

3.1 Stakeholder participation

The Department of Conservation would like to thank all those individuals and organisations who took the time to provide submissions and contribute to the review process. We are especially grateful to those who participated in the various working and review groups for their significant efforts.

The Department would also like to specifically acknowledge the following participants:

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Carolyn Barton, Observer Training Specialist, UK
Chris Lalas, Independent Observer, NZ
Dan Godoy, Independent Observer, NZ
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John Pfahlert, PEPANZ, NZ
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Samantha Parker, Gardline Environmental Ltd, UK
Sea Mammal Research Unit (SMRU) Ltd, Scotland
Stuart Henrys, GNS Science, NZ
Tim Allen, OMV New Zealand Ltd, NZ
Will Rayment, Marine Mammal Research Unit, University of Otago, NZ

Appendix 1: Observer training courses— Model curriculum

1. Background

It is expected that two separate courses would be developed depending on whether candidates were seeking to become marine mammal observers (MMO) or Passive Acoustic Monitoring (PAM) operators. These would feature common areas for both categories of observer as well as more detailed requirements for each discipline. However, since the two roles are complementary it is important that any person acting in a particular observational capacity (either MMO or PAM) should have an understanding of the basic concepts of each other's discipline. Therefore, the MMO course needs to include a theoretical module with key introductory information about PAM operation, and vice-versa. Candidates seeking to qualify as both MMO and PAM operators would not need to repeat common modules; indeed, training providers may opt to develop integrated courses that provide full instruction in each discipline.

It is anticipated that the time requirements for these courses could be of the order of two weeks. Courses must include relevant practical instruction in field conditions, with formal assessment of competency through examination, and may potentially be conducted anywhere in the world providing relevant standards are met.

Where appropriate, theoretical subject matter could be taught and assessed online or by other remote learning in advance of the practical components. This could facilitate more convenient, cost-effective and timely educational processes.

For experienced observers, it may only be necessary to demonstrate competence through the examination process. This could be enhanced by development of an intensive workshop of comparatively limited duration (1–3 days), completed immediately prior to examination.

1.1 Tuition staff

It is important that those responsible for delivery of training have relevant qualifications, background and experience in relation to the components they are teaching.

This is particularly relevant for subjects related to observer duties and performance. Those engaged to provide training in these areas should be able to demonstrate significant offshore experience, as lead MMO/PAM operator or equivalent.

1.2 Training objectives

The objective of these observer training courses is to ensure that trained observers can meet the standards articulated in the Code when they are engaged in their respective professional capacities on marine seismic surveys. The relevant standards are as follows.

2. Observer standards in the Code

Those successfully completing observer training courses and passing the assessment process are expected to be able to perform to the following standards as a minimum.

2.1 MMO standards

The standards for being considered a trained marine mammal observer include demonstrating proficiency in the following areas as minimum requirements:

- Understanding mitigation and reporting requirements under the Code
- Measuring distance, true speed and direction of travel of marine mammals and vessel movement
- Navigation (e.g. true vs magnetic north, course vs heading)
- Plotting positions of marine mammals in relation to vessel and acoustic source
- Detection and identification of New Zealand marine mammal species, and behaviour/activity assessment
- Understanding relevant aspects of seismic survey operations

While engaged in observation duties onboard seismic survey vessels, qualified marine mammal observers are expected to be able to use the following tools effectively:

- Reticle binoculars and/or sextant for medium- to long-range (>500 m) distance determinations
- Measuring sticks (in addition to sextant or reticle binoculars) for short-range distance determinations
- Angle boards and compass for bearing determinations from vessel
- GPS to record vessel coordinates accurately and download track logs

2.2 PAM operator standards

The standards for being considered a trained PAM operator include demonstrating proficiency in the following areas as minimum requirements:

- Understanding mitigation and reporting requirements under the Code
- Optimised deployment, and configuration of PAM equipment to ensure effective detections of cetaceans for mitigation purposes
- Detection and identification of vocalising species or cetacean groups
- Measuring distance and bearing of vocalising cetaceans while accounting for vessel movement
- Navigation (e.g. true vs magnetic north, course vs heading)
- Plotting positions of cetaceans in relation to vessel and acoustic source
- Understanding relevant aspects of seismic survey operations

3. Subject area headings and content

Training courses should enable prospective MMO and PAM operators to demonstrate competence in the following areas (not appearing here in any particular order) according to the standards articulated in the Code, as a minimum.

3.1 New Zealand law and requirements of the Code

1. Marine Mammals Protection Act 1978
2. Marine Mammal Sanctuaries
3. Primary objectives of the Code:
 - Minimise disturbance to marine mammals from seismic survey activities
 - Minimise noise in the marine environment arising from seismic survey activities
 - Contribute to the body of scientific knowledge on the physical and behavioural impacts of seismic surveys on marine mammals through improved, standardised observation and reporting
 - Provide for the conduct of seismic surveys in New Zealand continental waters in an environmentally responsible and sustainable manner, and
 - Build effective working relationships between government, industry and research stakeholders
4. Key features of the Code:
 - Recognition of three levels of surveys depending on scale and potential effects determined by the notified operational capacity of the acoustic source array
 - Specific mitigation measures for Level 1 and 2 surveys for marine mammal groups according to sensitivity, with three defined 'mitigation zones'
 - Increased focus on notifications of surveys to provide for pre-survey planning engagement with departmental officials
 - Requirements for Marine Mammal Impact Assessments (MMIA) covering entire operational area to be submitted to the Director-General
 - Sound transmission loss modelling required as part of the MMIA for operations in Areas of Ecological Importance or Marine Mammal Sanctuaries, with scope for additional mitigation measures as specified by the Director-General
 - Requirement for two qualified and independent MMO, and two qualified and independent PAM operators, on all Level 1 surveys
 - Requirement for two qualified MMO on all Level 2 surveys
 - Requirements for operating in poor sighting conditions or at night, or in new areas within the survey
 - Provisions for marine mammal observations at all times while the acoustic source is in operation
 - Limitation of individual observer effort to 12 hours in any 24-hour period
 - Development of observer training, performance and reporting standards
 - Expanded recording and reporting requirements, including data on all marine mammal observations, regardless of location
 - Recommendation to consider impacts on other marine species and habitats at the planning stage, and to record observations where possible
 - Prohibition on the use of explosives as acoustic sources, and
 - Focus on industry responsibility for research
5. Application of the Code, New Zealand continental waters
6. Acoustic source capacity vs underwater sound

3.2 Trained vs qualified observers

1. 12 weeks' New Zealand experience
2. Mentoring
3. Interim provisions

3.3 Role of the qualified observers

1. Compliance and science (noting the primary purpose of ensuring operational compliance with the Code)
2. Effective communications between observers and crew (establishing within the 'Chain of Command', agreeing detection/mitigation procedures with Party Chief or other seismic crew and between MMO/PAM)
3. Briefings
4. Authorities
5. Duties
6. Effort
7. Working with and positively influencing crew
8. Alternative deployment in fleet
9. Crew observations
10. Standardised data collection
11. Mitigation zones
12. Pre-start observations (new location, good vs poor sighting conditions/night)
13. Delayed starts and shutdowns
14. Reporting
15. Managing commercial pressures and onboard conflicts
16. Maintaining MMO effort during safety drills
17. Professional behaviour

3.4 New Zealand marine mammal species

1. Taxonomy
2. Identification
3. Distribution
4. Ecology
5. Habitats
6. Behaviour (including guidance on defining behaviour and understanding variability)
7. Marine mammal acoustics
8. Sensitivities to acoustic disturbance
9. Areas of Ecological Importance and possible additional mitigation measures¹⁷
10. Operational issues (Species of Concern and Other Marine Mammals)

¹⁷ Further measures may include, for example, additional observers or observation platforms, aerial observation, acoustic source power restrictions, extending pre-start observations for deep-diving species, deployment of static PAM equipment in sensitive areas, or designing the survey so as to avoid trapping marine mammals in confined areas such as narrow, constricted seaways.

3.5 General seismic operations overview

1. Purpose of seismic surveying
2. Terminology
3. Types of survey (2D, 3D, 4D, OBS, VSP)
4. Operational procedures and equipment
5. Testing (e.g. drop, bubble)
6. Ramp up/soft start procedures
7. Line turns/mitigation guns
8. Onboard systems (e.g. RobTrack, Orca, among others) and interpretation of data displays (e.g. navigation screens)
9. Chain of Command onboard (including necessity of establishing communication protocol between qualified observers and Party Chief or other appropriate crew)

3.6 Vessel health and safety

(This module is not intended to replicate any areas that would normally be included in offshore survival or emergency training required by industry for offshore operations, such as BOSIET or STCW.)

1. Overview of vessel operations
2. Personal safety
3. Emergency procedures
4. Personal protective equipment
5. High voltage systems (for PAM operations)
6. Industry requirements for appropriate offshore survival and medical fitness certificates
7. Writing, reviewing and modifying risk assessments and procedure documents

3.7 Navigation

1. Basic vessel navigation principles (heading, course, true speed etc)
2. Compass use (including magnetic deviation and variation)
3. Positions in relation to moving vessel and acoustic source
4. GPS use, format, units, downloading (track logs) and accounting for GPS antenna position in relation to acoustic source
5. Plotting positions, projections, track logs, transferring true plots to report form

3.8 Weather and environmental conditions

1. Sighting conditions (outlining potential effects on ability to observe/detect marine mammals, and relevance of collecting information of direct relevance to data use)
2. Beaufort sea state
3. Cloud cover
4. Swell/wave height (for the purposes of the Code, crest to trough)
5. Wind strength
6. Visibility

3.9 Visual observations

(This module must be in comprehensive detail for MMO course, though only a conceptual outline is required for PAM course. The MMO course must include practical instruction in vessel-based field operating conditions, with ground-truth testing of participant distance/bearing estimations.)

1. Standards in the Code
2. Watch-keeping (including use of optimum vantage points with unimpaired vision, scanning techniques, right-to-left observation method, detection procedures, fatigue management, avoiding distractions)
3. Sextants (lightweight plastic Davis Mark 15 or alloy Astra IIIB recommended as minimum for operational use in field conditions)
4. Reticle binoculars (including 'mil' scale standardisation)
5. Measuring sticks
6. Eye estimations
7. Angle boards and compass use
8. Accounting for height of observer
9. Accounting for distance to acoustic source
10. Estimating mitigation zone boundaries on the water in relation to the acoustic source
11. Thermal imaging and high resolution digital photography¹⁸
12. Other technologies¹⁹ (including practical limitations, e.g. laser range-finders, infra-red)
13. Use of marine mammal identification keys
14. Recording initial and subsequent behaviour
15. Benefits of using dedicated hand-held GPS units to assist visual observations

3.10 PAM operations

(This module must be in comprehensive detail for PAM course, though only a conceptual outline is required for MMO course. The PAM course must include practical instruction on at least one PAM array²⁰ deployed from a vessel in field operating conditions.)

1. Standards in the Code
2. Importance of bioacoustician training and experience in system design and set-up
3. Static and towed systems
4. Array design (appropriate broadband element frequencies, relevant sound data acquisition frequencies for New Zealand species, Nyquist Theorem)
5. Single vs multiple strings
6. Redundancy
7. Left/right ambiguity
8. Commercially available systems (e.g. Seiche, MSeis, Vanishing Point, Ocean Science Consulting, outlining operational features, specifications and differences)
9. Deployment and optimisation (in relation to specific circumstances of vessel and seismic array)

¹⁸ May be theory only.

¹⁹ May be theory only.

²⁰ A theoretical introduction to the key functional/operational characteristics of the range of common, commercially available equipment is required. However, reflecting the practical difficulties of providing access to multiple technologies, competency need only be demonstrated on a single system deployed from any suitable vessel.

10. Calibration and testing
11. Software (notably industry standard PAMguard recommended, but also IFAW, Ishmael, RavenPro, Logger, others as appropriate) including practical instruction on key features
12. Operation
13. Detections (monitoring, software-aided)
14. Acoustic sample analysis and filtering
15. Saving data (techniques to assist operations, automatic saving, buffering, or for reporting purposes)
16. Identification of species or cetacean groups
17. Distance/bearing estimation (including factors affecting variability) and plotting positions
18. Calibrating detections with visual observations
19. Watch-keeping (including 'listening' techniques, detection procedures, fatigue management, distraction management, maintaining focus on detections)
20. PAM alternatives
21. Limitations of PAM technology
22. Simulation-modelling software
23. Importance of ongoing training
24. Vessel self-noise assessment
25. Pre-survey planning (clearly define objectives of PAM, determine species of particular interest/concern, identify appropriate mitigation zone performance expectations, determine process for calling for a PAM-initiated shutdown)

3.11 Recording and reporting

1. The standardised New Zealand report form (Excel-based)
2. Units
3. Determination of 'confidence' in identification (underlining need for realistic assessment of certainty, and resisting the tendency/pressure to assign a positive identification without having high confidence)
4. Operations
5. Effort
6. Recording sightings 'On-survey' (while acoustic source is in the water in the operational area) and 'Off-survey' (at any other times)
7. Marine mammal sightings
8. Other sightings
9. Differentiating data on New Zealand fur seals for practical efficiency
10. Acoustic source activities, including exceeding notified operational capacity
11. Generating pivot tables within the standard New Zealand report form for daily, weekly and trip reporting (opportunities, functions and advantages)
12. Submission of summary trip report
13. Submission of raw data sheets

14. Requirement to inform DOC immediately if higher numbers of cetaceans/Species of Concern encountered than indicated in Marine Mammal Impact Assessment
15. Reporting non-compliance (both immediate requirements and in the summary trip report)
16. Communicating with Department of Conservation to ascertain correct measures in instances of ambiguity or uncertainty
17. Maintaining personal records/log books for training, qualifications and sea-time (signed off by vessel masters)

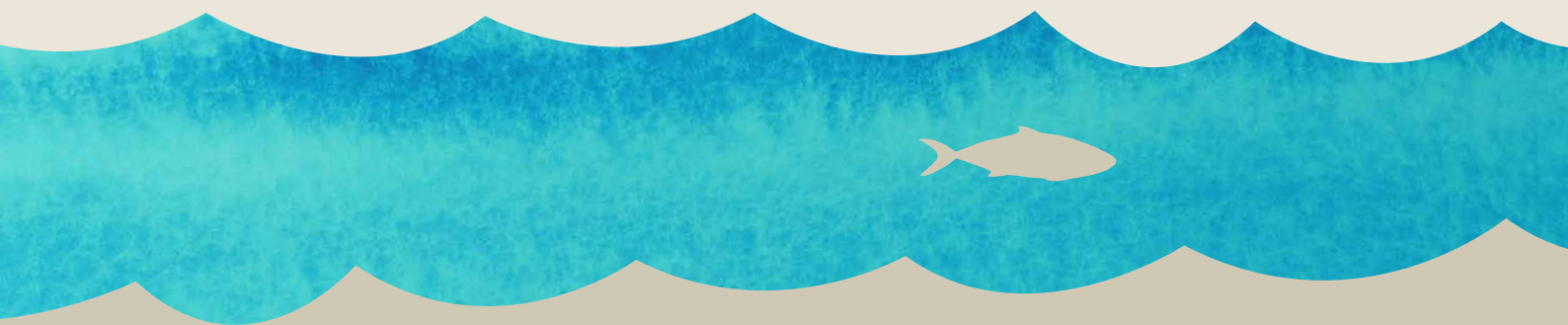
3.12 Assessment/examination

1. Demonstration of competence in all above areas
2. Trained observers recognised for results of 75 per cent and above
3. Reassessment procedures for those initially scoring less than 75 per cent
4. Certification/personal log book stamp

3.13 General observer issues

(Optional module, but seen as potentially adding significant value.)

1. Living and working offshore (practical advice for life onboard a commercial vessel, e.g. facilities on board, shop, gym, laundry, library, luggage weight limits, internet access, communications to shore)
2. Appropriate personal conduct on board
3. Other potential observer roles outside the scope of the Code (non-seismic activities, e.g. pile driving, offshore renewable energy projects, navy sonar testing, well head removal and use of demolition explosives)
4. Benefits of joining a professional industry association for ongoing support, mentoring, professional/career development. Key benefits may include:
 - Providing a means for employers to identify observers
 - Representation of member interests to industry
 - Working with regulators to represent member interests
 - Providing a platform to bring independently working observers together as community, where experienced observers can discuss or highlight any issues they encounter, give or seek advice from other members, and for networking
 - Providing a central information directory for resources such as research papers, guidelines, PAM, or training courses to support observation work



REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Craig Jones (SLM Christchurch) and Martin Rodd

Subject: **Creation of Specially Protected Areas in Abel Tasman National Park - Tonga Island and Pinnacle Island Briefing**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	NZCA Priority C: Land Status Change and Priority G: Marine DOC IO1: The diversity of our natural heritage is maintained and restored
Recommendation or Action Required	It is recommended that the Authority: a) Agree to the creation of specially protected area status over Tonga and Pinnacle islands, Abel Tasman National Park, and b) Recommend to the Minister of Conservation that she recommend to the Governor-General that the Tonga and Pinnacle Islands be set aside as a “specially protected area”.

Context	This briefing paper seeks your agreement for the additional protection of conservation values for Tonga and Pinnacle Islands in Abel Tasman National Park, this being consistent with the 2008-2018 Abel Tasman National Park Management Plan, and the 2012-2018 Abel Tasman Foreshore Scenic Reserve Management Plan. The Abel Tasman National Park Management Plan was approved by the New Zealand Conservation Authority on 9 October 2008. The management plan identifies that Tonga Island and Pinnacle Island, which are both part of the national park, should be designated as specially protected areas (SPA's). These islands are important habitat for the New Zealand fur seal which are a protected native species under the Wildlife Act 1953 and are also protected under the Marine Mammal Protection Act 1978. The New Zealand fur seal, or kekeno, are a taonga species to manawhenua (Ngāti Rārua, Ngāti Tama and Te Ātiawa) of Abel Tasman National Park. In addition, Tonga and Pinnacle Islands are managed as mammalian pest free islands. Tangata whenua were consulted during the preparation of the draft management plan for the park and were not opposed to making Tonga and Pinnacle islands SPA's
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REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Craig Jones (SLM Christchurch) and Martin Rodd

Subject: **Creation of Specially Protected Areas in Abel Tasman National Park - Tonga Island and Pinnacle Island Briefing**

Background/Introduction

1. The Abel Tasman National Park Management Plan was approved by the New Zealand Conservation Authority on 9 October 2008. The management plan identifies that Tonga Island and Pinnacle Island, which are both part of the national park, should be designated as specially protected areas (SPAs). The reasons for this, as set out in the plan, are:
 - (i) Tonga Island is surrounded by the Tonga Island Marine Reserve;
 - (ii) Tonga Island is home to the second largest of only five New Zealand fur seal breeding colonies in the top of the South Island;
 - (iii) Fur seals are also starting to breed on Pinnacle Island;
 - (iv) Seal rookeries are highly sensitive to human intrusion and disturbance;
 - (v) The bulls are very aggressive during the mating season and will chase and attack people who get too close;
 - (vi) There have been problems with people landing on the islands and causing disturbance to the breeding colonies.
2. New Zealand fur seals are an absolutely protected native species under the Wildlife Act 1953 and are also protected under the Marine Mammal Protection Act 1978. The SPA overlay would increase protection of the seals through reducing direct disturbance from people on the shore.
3. Tonga and Pinnacle Islands are maintained as predator free islands. Restricting access to land on these islands will reduce the likelihood of pest reincursions while enabling control work to be undertaken when reincursions do occur. For example, mice have been found on Tonga Island this season.
4. The Project Janszoon Trust are working with Ngāti Kōata, manawhenua and the Department to return tuatara to the park (Tonga Island). Ngāti Kōata, as kaitiaki of tuatara have sought that security be increased on Tonga Island before the tuatara are considered for return. The SPA status would greatly assist with increasing security and compliance.

Legislation

5. Section 12 of the National Parks Act 1980 allows for the creation of any part of a national park to be set aside as a specially protected area, by Order in Council on the recommendation of the Minister after consultation with the Authority and the appropriate Board. The area to be set aside must have its boundaries defined, and the Order in Council must be published in the *Gazette*.

Details/Comment

6. The creation of an SPA over Tonga and Pinnacle Islands would mean that the general public would not be allowed to access these islands, except when authorised and in accordance with permits issued under section 13 of the National Parks Act 1980. Authorisation and permits are only likely to be issued for scientific research and monitoring purposes (including tuatara).
7. The seaward boundary of the Abel Tasman National Park is the Mean High Water Mark (MHW). The foreshore area of the islands, between the MHW and Mean Low Water Springs, is part of the Abel Tasman Foreshore Scenic Reserve. A management plan has been prepared for this scenic reserve and the issue of closing the parts of the reserve around Tonga and Pinnacle Islands to public access has been addressed through the public consultation process. If this closure of part of the reserve were to occur it would provide the complementary controls to the SPAs in the national park.
8. There are existing commercial operators, with permits issued under the Marine Mammal Protection Regulations 1992, who visit the Tonga Island Marine Reserve and other areas along the Abel Tasman coastline. The permits require these operators to keep at least 20 metres from rocks or the shore. Therefore, they will not be affected by the creation of the SPAs.
9. There are no existing SPAs in Abel Tasman National Park.

Section 4 Conservation Act 1987

10. In terms of Section 4 Conservation Act considerations, the New Zealand fur seal, or kekeno, is a taonga species to manawhenua (Ngāti Rārua, Ngāti Awa and Te Ātiawa) of Abel Tasman National Park. Tangata whenua were consulted during the preparation of the draft management plan for the park and were not opposed to making Tonga and Pinnacle Islands SPAs. No submissions were received from tangata whenua on this matter when the management plan was publicly notified, or during later consultation with the Conservation Board, apart from with Tiakina Te Taiao (a planning/resource management focused entity representing Ngāti Kōata, Ngāti Tama, Ngāti Rārua and Te Ātiawa).
11. Tiakina Te Taiao has supported the proposal to overlay the specially protected area status on Tonga Island in the Abel Tasman National Park.

Attachments

- Nelson Marlborough Conservation Board Paper 15/91/01.
- Nelson Marlborough Conservation Board Paper 09/59/07
- Management Of Seal Watching At Abel Tasman National Park – DOC Internal Correspondence dated 15 May 2015

	<i>match the expiry date of the Abel Tasman National Park concessions.</i>	
Molesworth Recreation Reserve Management Plan	No update. <i>The Molesworth Management Plan was approved October 2013.</i>	David Hayes

6M (1) (d) (i) Advice on any Proposed Change of Status of any Nationally or Internationally Important Area

Issue	Status	Contact
Tonga Island	<i>Tiakina Te Taiao has supported the proposal to overlay a specially protected area status on Tonga Island in the Abel Tasman National Park. The Department is awaiting written confirmation of this from Tiakina Te Taiao. The proposal will then be provided to the NZCA for their consideration.</i>	Martin Rodd
Kahurangi National Park Nature Heritage Fund land parcels	<i>Consultation has been undertaken with Manawhenua Ki Mohua and Ngati Waewae over elevating the status of three Nature Heritage Fund land parcels (Westhaven Inlet, Big River and Harwood block) from scenic reserve to become part of Kahurangi National Park. Both Manawhenua Ki Mohua and Ngati Waewae support this proposal. Informal support has been received from Ngati Apa, and the Department is awaiting written confirmation of this.</i>	Mary-Anne Baxter

6M (1) (d) (ii) Advice on any other Conservation Matter

Visitor Assets / Biodiversity Kahurangi National Park	Upgrading the western portion of the Heaphy Track continues with 60 tonnes gravel flown onto the track within the Heaphy Valley and a further 40 tonnes on MacKay Hill. Contract staff are presently moving onto the track above Lewis Hut and intending to work their way towards MacKay. Contractors have started work on realigning the track around the rock bluffs just north of Scotts Beach to avoid wave surges crossing the track and hence significant public risk. Shakespeare Flat track has been reopened. Whio survey results in December (for a sample of the Wangapeka/Fyfe population): 16 pairs were counted with 50 ducklings between them (and an additional 3 single adults). At 3 ducklings per pair (on average) – this is the highest density of ducklings we've had to date in 11 years of management. In addition to this, sightings of whio families are coming in from all over the Park – with ducklings been seen at the	Bob Dickson Mark Townsend Andrew Lamason
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Creation of Specially Protected Areas - Abel Tasman National Park

Background

The Abel Tasman National Park Management Plan 2008 identifies that Tonga Island and Pinnacle Island (see attached map), which are both part of Abel Tasman National Park, should be designated as specially protected areas (SPAs). The relevant plan provisions, which include the reasons for this action, are attached (Appendix 1). There is no existing SPA in Abel Tasman National Park.

The New Zealand fur seal is an absolutely protected native species under the Wildlife Act 1953 and it is also protected under the Marine Mammals Protection Act 1978.

Process

SPAs are created in accordance with section 12(1) of the National Parks Act 1980 (see Appendix 2). This requires the Minister of Conservation to consult with the New Zealand Conservation Authority and the “appropriate” Conservation Board (in this case Nelson/Marlborough) regarding the creation of the SPAs. In practice, the Department seeks the advice of the Board and the Authority before submitting a case to the Minister. This paper constitutes the first part of this process.

The preparation and approval of the Abel Tasman National Park management plan was a separate process and does not fulfil the consultation requirements of section 12(1).

Comment

The creation of SPAs over Tonga and Pinnacle islands will mean that the general public will not be allowed to access these islands, except when authorised and in accordance with permits issued under section 13 of the National Parks Act 1980 (see Appendix 2). Authorisation and permits are likely to only be issued for scientific research and monitoring purposes. Such permits can be issued, with delegated authority from the Minister, by the Conservator, Area Managers, the Community Relations Manager or the Technical Support Manager.

The seaward boundary of the Abel Tasman National Park is the Mean High Water Mark (MHWM). The foreshore area of the islands, between the MHWM and Mean Low Water Springs, is part of the Abel Tasman Foreshore Scenic Reserve. A management plan is being prepared for this scenic reserve and the issue of closing the parts of the scenic reserve around Tonga and Pinnacle islands to public access will be addressed through the public consultation process. If closure of these parts of the scenic reserve were to occur it would provide the complementary controls to the SPAs in the national park.

There are existing commercial operators, with permits issued under the Marine Mammal Protection Regulations 1992, who visit the Tonga Island Marine Reserve and other areas along the Abel Tasman coastline. The permits require these operators to keep at least 20 metres from rocks or the shore. Therefore, they will not be affected by the creation of the SPAs.

Due to the rocky nature of the foreshore of both Tonga and Pinnacle islands, boat and kayak landing can be difficult. Hence there is limited public use of these islands.

Section 4 Considerations

The New Zealand fur seal, or kekeno, is a taonga species to tangata whenua (Ngāti Rārua, Ngāti Awa and Te Ātiawa) of Abel Tasman National Park, which in itself is considered wāhi tapu. Tangata whenua were consulted during the preparation of the draft management plan for the park and were not opposed to making Tonga and Pinnacle islands SPAs. No submissions were received from tangata whenua on this matter when the management plan was publicly notified, or during later consultation with the Board. However, it is recommended that the Board approach tangata whenua again, to specifically re-confirm that they have no objection to the creation of SPAs over Tonga and Pinnacle islands. The New Zealand Conservation Authority is likely to require this information prior to providing its comments to the Minister.

Consultation

The draft management plan for Abel Tasman National Park was notified in January 2006 for public submissions. This draft plan stated that SPA status would be sought for Tonga Island and Pinnacle Island. Eight specific submissions were received on this issue: four fully supported the SPA status; three were from commercial operators with marine mammal watching permits who were concerned that their businesses may be affected; and one was concerned about a perceived overlap with the Tonga Island Marine Reserve. None of these submissions affected the intention of seeking SPA status for the islands.

Following hearings in August 2 and amendments to the plan as a result of submissions, the Nelson/Marlborough Conservation Board recommended that the management plan be sent to the New Zealand Conservation Authority (NZCA) for approval. The plan retained the intention to seek SPA status for Tonga and Pinnacle Islands, and the NZCA have subsequently approved the plan with this provision.

Recommendations

1. That the Board writes to representatives of tangata whenua iwi to seek their comments on Tonga Island and Pinnacle Island being designated as specially protected areas (see Appendix 3 for draft letter).
2. That the Board agrees in principle to Tonga Island and Pinnacle Island being set apart as specially protected areas in accordance with the provisions of the Abel Tasman National Park Management Plan 2008.
3. Provided that a positive response is received from tangata whenua, that the Board advises the New Zealand Conservation Authority of their above agreement.

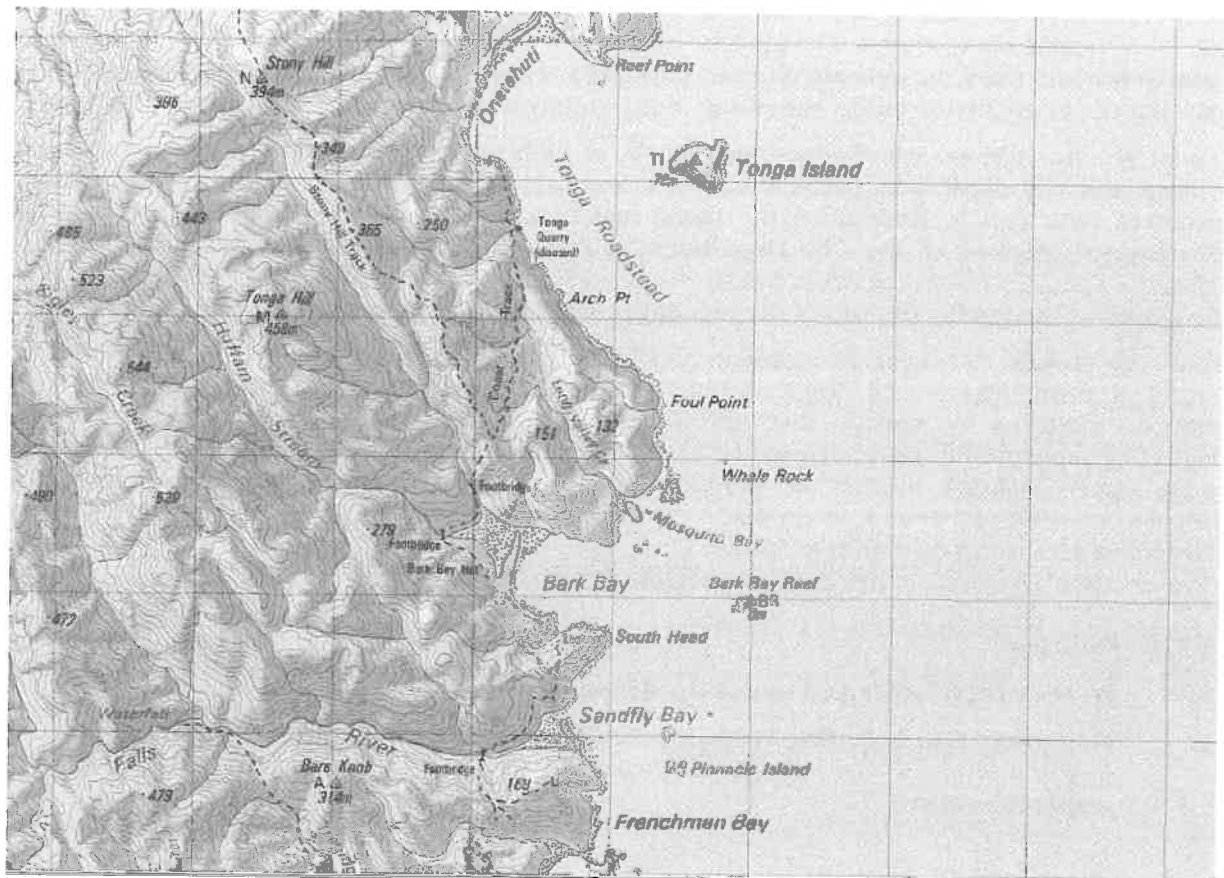
Reporting Officer

Manager:

Katherine Hughes
Management Planner
Date:

Jo Gould
Community Relations Manager
Date:

Map showing location of Tonga Island and Pinnacle Island, Abel Tasman National Park



Appendix 1

Relevant provisions from the Abel Tasman National Park Management Plan 2008

4.1.4.3 Seals

Tonga Island Marine Reserve surrounds Tonga Island, which is home to the second largest of only three New Zealand fur seal breeding colonies in the top of the South Island, although seals are now beginning to breed on Pinnacle Island as well. Seal rookeries are highly sensitive to human intrusion and the delicate mother-pup bond can be broken when animals are disturbed, causing the mother to abandon her young. If the colony is disturbed, stampedes may kill pups.

There are also serious safety issues for people, as bulls are very aggressive during the mating season and will chase and attack those who venture too close. There has been an ongoing problem with people landing on the island and entering the breeding colony area, causing disturbance. Because of this, the Department intends to designate Tonga Island and Pinnacle Island as Specially Protected Areas (under section 12 of the National Parks Act 1980), which will be closed to the public, to protect the breeding colonies (see also section 5.1.4.2 'Access').

Seals are rapidly increasing in numbers and further haul-out sites and rookeries are likely to establish in the next decade. Some of these sites may also require protection in the future. This may be achieved by signage that informs visitors of appropriate behaviour around seals, including separation distances, or by the restriction of public access through Specially Protected Area status. Existing holders of permits (issued under the Marine Mammals Protection Regulations 1992) to view or swim with seals (and dolphins) will be unaffected by any Specially Protected Area status (see section 5.3.2.3.1

'Preservation'), as these activities occur outside the park boundaries.

4.1.4.4 Policies

1. **To restore, protect and maintain the sanctuary values of the larger Islands.**
2. **To protect seal breeding colonies on the Islands from human disturbance.**

4.1.4.5 Implementation

...

4. ***Recommend to the Minister that Tonga Island and Pinnacle Island be given Specially Protected Area status in order to close them to the public, for the protection of the seal breeding colonies.***
5. ***If new seal breeding colonies establish in the future, erect signs that inform visitors of appropriate behaviour around the seals, including separation distances, or obtain Specially Protected Area status, where appropriate and necessary.***

4.1.4.6 Outcomes

...

2. **Tonga and Pinnacle Islands are Specially Protected Areas (closed to the public), their seal colonies are thriving and breeding is undisturbed by visitors.**

5.1.4.2 Access

...

A breeding colony of New Zealand fur seals inhabits Tonga Island and there is also a small breeding colony on Pinnacle Island. Seals are generally increasing in number along the whole coast. Tonga Island and Pinnacle Island should be made Specially Protected Areas, closed to public access, in order to protect the seal breeding colonies (see section 4.1.4.3 'Seals'). The

Department may also need to close, or restrict access to, other areas in the future if necessary to protect the seals.

5.1.4.4 Policy

- 1. To preserve the natural, cultural and landscape values of the islands for visitors to enjoy with minimal impacts.**

5.1.4.5 Implementation

...

- 4. *Place signs on Tonga Island and Pinnacle Island to explain why the seal breeding colonies need to be protected and that these islands are Specially Protected Areas closed to public access.***

...

5.1.4.6 Outcomes

- 1. Visitors appreciate and respect the relatively undisturbed natural island environments.**
- 2. Except for Adele Island (Motuarero-nui) and Fisherman Island (Motuarero-iti), the islands are free from obvious evidence of human presence, apart from minimal signage.**

Appendix 2

Section 12(1) and section 13 National Parks Act 1980

12 *Specially protected areas in national parks*

- (1) *The Governor-General may from time to time, by Order in Council made on the recommendation of the Minister after consultation with the Authority and the appropriate Board, set apart any part of a park as a specially protected area for the purposes of this Act, and may, in like manner, cancel any such setting apart or alter the boundaries of any specially protected area by including or excluding any area of the park that, in his opinion, should be so included or excluded.*

13 *Permits for access to specially protected areas*

- (1) *No person shall enter or remain in any specially protected area, except under the authority of and in accordance with a permit issued by the Minister under this section.*
- (2) *The Minister may from time to time issue a permit under this section to one or more persons granting access to any specially protected area and may amend or revoke any such permit at any time.*
- (3) *Every such permit shall contain such conditions as the Minister determines.*
- (4) *No permit issued under this section shall be inconsistent with the management plan for the park.*
- (5) *Every person commits an offence against this Act who, -*
- (a) *Enters or remains in any specially protected area, except under the authority of a permit issued under this section; or*
 - (b) *Fails to comply with any condition contained in any such permit.*

Note: section 2 Interpretation defines specially protected area as “any part of a national park set apart as a specially protected area under section 12 of this Act”.

Appendix 3

Draft letter to tangata whenua

To be sent to:

Te Ātiawa Trust Office
PO Box 340
PICTON 7250

Manawhenua ki Mohua
PO Box 171
TAKAKA 7142

Ngāti Rārua Ātiawa Iwi Trust
PO Box 13
NELSON 7040

Ngāti Rārua Iwi Trust
PO Box 1026
BLenheim 7240

Ngāti Tama
PO Box 10
NELSON 7040

Tena koe

CREATION OF SPECIALLY PROTECTED AREAS, ABEL TASMAN NATIONAL PARK

With the recent approval of a new management plan for Abel Tasman National Park, one of the actions identified in the plan is to designate Tonga Island and Pinnacle Island as specially protected areas. This will provide extra protection for these islands by prohibiting public access except by permit. The main reason for taking this action is to protect the New Zealand fur seal breeding colonies that are found on these islands, as there have been problems with people landing on the islands and causing disturbance to the colonies. There is also the potential for bulls, which are very aggressive during the mating season, to chase and attack people who get too close.

The Nelson/Marlborough Conservation Board wishes to confirm that you have no objection to the creation of these specially protected areas. Once your response has been received a paper will be sent to the New Zealand Conservation Authority regarding the Board's and tangata whenua's support for the action. This information will be conveyed to the Minister of Conservation, who is the final decision maker.

Your response on this matter would be appreciated by [date].

Ka nui tenei. Hei konei ra.

Naku noa, na

Judy Hellstrom
Chairperson
Nelson/Marlborough Conservation Board



File Ref NHS 09 11 04
Computer Ref DOCCM- 2183518

To: Mike Slater, Deputy Director-General Conservation Services (acting)
Cc:
From: Roy Grose, Director, Conservation Services, Northern and Western South Island

Date: 15 May 2015

Subject: MANAGEMENT OF SEAL WATCHING AT ABEL TASMAN NATIONAL PARK

EXECUTIVE SUMMARY

This paper seeks your approval:

- (1) to form a preliminary view to declare that no new permits to swim with or view seals may be issued along the Abel Tasman National Park coast;
- (2) to form a preliminary view to amend existing permits by imposing additional restrictions on seal watching operations.

These measures are part of an overall review of commercial seal viewing and swimming along the Abel Tasman coast.

There is an existing seal watching 'moratorium'¹ at Kaikoura and at Abel Tasman National Park that expires on 6 July 2015 (see attached Declaration Notice - [Appendix 1](#)). The moratorium commenced on 8 September 2003, was amended on 10 January 2005 and has been extended on two occasions in order to carry out a full review of the management arrangements at both the Abel Tasman and Kaikoura. The two areas are sufficiently different and complex to warrant separate reports. There is a second report addressing management issues in Kaikoura.

Research into the effects of commercial seal watching and swimming with seals at Kaikoura and Abel Tasman National Park was carried out from 2011 to 2013. This research, along with several other studies which have investigated the effects of tourism on New Zealand fur seal behaviour has contributed to the review by

¹ Note: the legislation does not refer to a 'moratorium' as it is a notice under Regulation 15 of the Marine Mammal Protection Regulations to 'declare that no new permits shall be granted in respect of specified commercial operations during the specified period'. This is generally referred to as a 'moratorium' for the purposes of this report.

providing a scientific basis for the proposals. The review has also considered the issues faced by the Department's staff in managing the seal viewing and swimming operations. It is recognised that the moratorium is one of a number of tools available to the Department. In addition to a new moratorium under regulation 15 of the Marine Mammals Protection Regulations it is also proposed to introduce restrictions on current permits under regulation 13.

A summary of points for you to consider is as follows:

- The distribution of seals on the Abel Tasman coast has changed over the 10 years of the moratorium.
- There are now breeding colonies in a number of locations and these need extra protection by the introduction of exclusion zones.
- An exclusion zone of 20m is recommended for habituated colonies and 50m for un-habituated.
- Habituation may have long term detrimental effects on seals and there is already a lot of activity at certain sites especially over the peak summer season which coincides with the seals' breeding season. A precautionary approach is to declare a moratorium on any new permits for viewing seals.
- Swimming with seals, as a commercial operation, has been sporadic in the Abel Tasman which has made it difficult to assess the effects. Several aspects of seal swimming mean that the activity is likely to put additional pressure on seals at the breeding colonies. A precautionary approach is to declare a moratorium on any new permits for swimming with seals.

1 STATUTORY/ REGULATORY FRAMEWORK

The Department administers the Marine Mammals Protection Act 1978 and the regulations which sit under that Act. In accordance with the Marine Mammals Protection Regulations 1992 all operators engaged in the commercial viewing of marine mammals are required to have a permit issued pursuant to these regulations.

The purpose of the Marine Mammals Protection Act 1978 is:

"An Act to make provision for the protection, conservation, and management of marine mammals within New Zealand and within New Zealand fisheries waters."

The purpose of the Regulations is:

"to make provision for the protection, conservation, and management of marine mammals and, in particular,-

(a) To regulate human contact or behaviour with marine mammals.....in order to prevent adverse effects on and interference with marine mammals:.....".

1.2 Regulatory requirements relating to proposed moratorium

1.2.1 Regulation 15: Director-General may decline to grant permits during specified period

Regulation 15 of the Marine Mammals Protection Regulations 1992 states:

“(1) Where the Director-General believes on reasonable grounds that it is necessary for the protection, conservation, or management of any marine mammals... he or she may... declare that no new permits shall be granted in respect of specified commercial operations during the period specified...”

(2) In considering whether or not to give notice under subclause (1), the Director-General shall have regard to—

(a) the number and effect of existing commercial operations; and

(b) whether or not it is in the interests of the conservation, protection, or management of marine mammals to grant further permits.

(3) A notice under subclause (1) of this regulation may in like manner be amended or revoked.”

Regulation 15 of the Marine Mammals Protection Regulations 1992 allows the Director-General of Conservation to decline to grant new commercial marine mammal watching permits during any such specified period. This is possible where s/he believes that it is necessary for the protection, conservation or management of marine mammals having regard to whether it is in the interests of the conservation, protection or management of the mammals and to the number and effect of existing commercial operations.

Under regulation 15(3) the notice can be amended or revoked. This includes the ability to amend the time frame of a notice. The delegation to make this decision sits with the Deputy Director-General, Operations.

1.3 Regulatory requirements relating to amending permits

1.3.1 Regulation 13: Suspension, revocation, restriction, or amendment or permits

Regulation 13(2) states:

(2) Where the Director-General believes on reasonable grounds that it is necessary for the protection, conservation, or management of an marine mammal or marine mammals of any class, he or she may-

- (a) suspend, revoke, or amend (in a manner not inconsistent with Part - 3) any permit or permits.*
- (b) restrict in whole or in part the operation authorised by any permit or permits.*

Regulation 13(2) is relevant to permits that have been granted; it is not relevant to the application process. This regulation allows the Director-General to, where he believes on reasonable grounds that it is necessary for the protection, conservation, or management of any marine mammal, to amend or restrict in whole or in part the operation authorised by a permit or permits.

Regulation 13(2)(b), therefore, gives the Director-General the authority to restrict the current marine mammal watching permits; for example, to change the way existing permitted operators carry out their activities around seals where it is considered necessary for the protection, conservation or management of the mammals.

The delegation for regulation 13 sits with the Deputy Director-General, Operations.

2 BACKGROUND

2.1 Current moratorium

The existing moratorium, with regard to the Abel Tasman National Park coast, states that (to 6 July 2015 inclusive) no new permits shall be granted for the following commercial operations:

- Swimming with New Zealand fur seals along the Abel Tasman coast;
- Viewing New Zealand fur seals within 300 metres of Tonga Island, Abel Tasman National Park; and
- Viewing New Zealand fur seals within 300 metres of Pinnacle Island, Abel Tasman National Park.

2.2 Existing permits

The number and effect of existing commercial operations are relevant to your consideration as to whether to amend the Notice under regulation 15(2)(a). There are currently 30 permits for viewing or swimming with seals in the Abel Tasman coastal waters.

The details are:

- 20 marine mammal permits for viewing fur seals along the Abel Tasman Coast ((between Anawera Point – south of Kaiteriteri and Tata Beach- in Golden Bay) allowing for seal viewing within 300 metres of Tonga Island and/or Pinnacle Island, Abel Tasman National Park;

Of these:

- 2 marine mammal permits also allow for swimming with New Zealand fur seals - one off Tonga Island only and the other for the whole coast excluding Tonga Island.
- 10 marine mammal permits for viewing fur seals along the Abel Tasman Coast ((between Anawera Point – south of Kaiteriteri and Tata Beach- in Golden Bay), excluding Tonga Island and/or Pinnacle Island.

The permits are held by 12 different operators; some have several which were obtained over time by either application or transfer from another operator. An exercise is underway to try to streamline the permits and make their conditions more consistent, wherever practicable. The permits are issued for use by boats or groups of kayaks, in some cases both with the discretion left to the permit holder.

Some permits allow for visits to Tonga Island but not Pinnacle Island, or for Pinnacle Island but not Tonga Island, and in some cases allow for visits to both. Each permit stipulates a maximum amount of time to be spent with the seals and the number of interactions per day, with specific limits for interactions at Tonga or Pinnacle Islands.

2.3 Management considerations

Over the period of the existing moratorium there has been a change in the distribution of seals on the Abel Tasman coast. The original distribution of breeding grounds was concentrated on the north facing side of Tonga Island, at Separation Point and Pinnacle Island.

Due to its remoteness, there was no pressure for viewing seals at Separation Point and all the effort was concentrated on Tonga and Pinnacle Islands. Hence the moratorium restricted any new permits for Tonga and Pinnacle Islands. At the time, (September 2003) there were two swimming-with-seals operations and the long-term effects of this activity were not known. Subsequently, a moratorium was also placed on any new swimming-with-seals permits as a precaution, until such a time that the effects could be properly assessed.

In the intervening years various changes have been observed:

- Extension of the breeding colony and haul out sites on Tonga Island to all three faces;
- New breeding colonies established on two sides (north and east faces) of Adele Island and along the mainland coast south from and including Awaroa Head on the mainland;
- New haul out sites along the mainland coast from Awaroa Bay to Onetahuti Bay including Shag Harbour and on Fisherman Island;
- Whilst there are two issued permits for swimming with seals these have not been used on a consistent basis or to any significant extent over the last three years;
- There has been poor compliance with regard to the requirement for kayaks and vessels to remain 20m from the water's edge where seals are present on rocks, the maximum of 3 vessels within 300m of seals and boat speeds within

300m of seals.

Over this period the breeding colony at Separation Point has continued, as has that on Pinnacle Island, albeit in smaller numbers.

3. SUMMARY OF RESEARCH

There is a significant body of scientific and technical information on the impacts of tourism and recreation on New Zealand fur seals. This information is outlined and discussed in detail ([Appendix 4](#)) and includes the results of several scientific studies undertaken on the impacts of fur seal tourism as well as more general information on the behaviour and ecology of the New Zealand fur seal. There are several New Zealand studies on this topic, as well as a number of overseas investigations on similar species. In particular, and in anticipation of the seal watching “moratorium” being reviewed for the Abel Tasman and Kaikoura coasts, the Department commissioned Hale (2015) to investigate the effects of tourism activity on fur seal behaviour along these two coastlines.

There is much commonality across these studies in terms of impacts of tourism and recreation on fur seals. Collectively, they provide a sound basis for managing the effects of tourism particularly with respect to matters such as approach distances, viewing methods and differences between haul-outs and breeding colonies.

Research has focussed predominantly on short-term and measurable behavioural responses rather than longer term population-level effects. Moreover, none of the research has been able to address directly the question of how much seal watching effort should be permitted. The available research helps inform discussion around this latter question, but cannot provide a definitive answer on it.

Key conclusions arising from this scientific and technical review are summarised below:

- Seal responses can be highly variable depending on the situation. The four most important factors are function of the site (breeding versus haul-out), sex of the animals, previous exposure, and approach type. The physical characteristics of the site (e.g. elevation, sea conditions/exposure, amount of cover) can also be important.
- Breeding colonies are particularly sensitive and vulnerable, especially to shore approaches and during the height of the breeding season. The breeding season coincides with the peak tourism season of December through to February.
- Disturbance can range from minor short term effects (e.g. increased alertness, reduced resting time and sometimes interactive responses) to “flight or fight” responses. Cows tend to flee from a perceived threat and enter the sea, bulls typically stay and fight, whereas younger pups tend to run and hide.
- Short term responses such as reduced resting, increased activity and flight/fight responses may have flow-on effects for the animals’ longer term

welfare. Potential longer term impacts include abandonment of favoured haul-out and breeding sites and reduced fitness and breeding success.

- Habituation is commonly observed but should also be considered with some caution. Habituation and tolerance can be difficult to differentiate, habituation may lead to seals becoming too trusting, and even at “habituated colonies” there may be transient seals which are less tolerant of human approaches.
- Land approaches tend to be more disturbing to seals than approaches by boats or kayaks.
- Overall, 20 metres is considered the most appropriate minimum approach distance for boats and kayaks to seals on shore. A similar distance is recommended for approaches on foot. However, for certain less tolerant sites, greater distances (e.g. 50 metres) or the use of area closures (e.g. at Ohau Point) should be considered for commercial operators.
- Noise from on-board speaker commentary on commercial vessels may disturb seals at greater distances than the vessels alone.
- Swimmers should pose less of a perceived threat to seals given their lower profile in the water. A 10 metre minimum approach distance to seals on shore is considered acceptable for swimmers. However, swimmers present a different suite of issues for seals (e.g. close approaches into the thermo-regulating and milling zone, multiple points of contact, reduced supervision by guides, congestion at certain preferred sites) and should also be considered with caution.
- Sea-based approach distances to seals on shore should be measured from the water’s edge rather than from those particular seals which happen to have been observed. Seals can be difficult to see on shore and may be easily overlooked, and some may also be thermo-regulating or playing in the water next to the rocks.

4. MANAGEMENT APPROACH

There is a clear requirement to minimise disturbance of seals to protect the known breeding colonies and haul out sites on the Abel Tasman coast. This is in addition to the general legal requirement for visitors not to disturb the seals.

All seals are protected by conditions in permits which require the operator to:

- remain more than 300m from any seals if there are already three boats within 300m (regulation 20(e) Marine Mammals Protection Regulations 1992).
- leave at a speed that is ‘no wake’ until at least 300m from a seal or seals (regulation 18(m) Marine Mammals Protection Regulations 1992).
- approach no closer than 20m to the water’s edge where seals are present (not currently in the Regulations; applicants are required to state this requirement in their ‘plan of operation’ as part of their application. The permit then makes this a requirement by reference to the application in general).

Minimum approach distances are a common and effective management tool for minimising the impact of people on fur seals. These should be based foremost on the

available science; however, compliance and management considerations are also relevant. Having varying distances (e.g. boats versus kayaks and commercial versus recreational) could be confusing and difficult to enforce.

A single distance is simpler for the public and operators to understand and interpret, and easier for the Department to monitor and enforce. A minimum approach distance is also likely to be ignored if people felt it was overly cautious or too far away to view seals realistically.

A distance which provides a reasonable buffer for the seals (especially in terms of the more severe reactions such as avoidance and aggression) and which is likely to gain good public acceptance is considered the best approach. Any approach distance would need to have a caveat of “where practicable” in recognition of the practicalities of adhering to a fixed distance in the field (e.g. walking around headlands where seals are present, or seeing seals next to a car park).

If vessels approach too closely they may disturb seals which are resting, breeding, nursing or socialising on shore. These are all critical behaviours for fur seals, but can be protected if appropriate minimum approach distances are adhered to. Milling around in the water next to the colony is also important for thermoregulation and social/play activity, while still allowing mothers to remain in close proximity to their new born pups and for older animals to readily clamber back onto the rocks.

Breeding bulls and cows with pups have a strong tie to their colony and may choose to tolerate low/moderate levels of sea-based disturbance which may in turn lead to habituation. This outcome is probably why sea-based activities at Tonga Island, Adele Island and Barney’s Rock cause little observable impact if kayaks and vessels do not approach too closely (<20 metres). Newly establishing colonies or those that receive infrequent or irregular tourism activity (e.g. Awaroa Point) are likely to be more susceptible to vessel or kayak approaches. In addition, even at ‘habituated’ colonies, there may be transient or newly arrived seals which are more vulnerable to disturbance.

Fur seals can appear to become habituated to vessel approaches. However, there is a number of reasons why habituation is not necessarily neutral biologically. Habituation is still a behavioural modification and while it may lead to seals appearing less stressed by tourism approaches, it may also result in seals becoming too trusting in situations where they should be responding to a real threat, human or otherwise.

It is also difficult to distinguish between habituation and tolerance, especially if physiological responses are occurring that are not mirrored by obvious behavioural cues. Seals may choose to put up with a disturbance where it is biologically more beneficial to do so (e.g. at a favoured breeding site) rather than move to another location. The seals may still be physiologically stressed or may expend additional energy being alert to a perceived threat rather than resting.

Thus, while tolerance may eventually lead to true habituation, there are biological

costs in doing so. Wider considerations also include the desirability to maintain some seal colonies in a relatively natural or wild state, whether for reasons of naturalness or for scientific monitoring and research purposes.

Whilst traditionally, swimming with and viewing seals has been either from boats or kayaks, there is a growing trend for operators to diversify their products. The following recommendations use the term 'manually propelled watercraft' to cover kayaks, canoes, row boats, pedal boats, paddle boards and any other similar vessel.

4.1 Protection of breeding colonies at Tonga Island, Pinnacle Island and Adele Island

Tonga Island is the largest breeding colony along the Abel Tasman coast and receives the greatest attention by commercial kayak and water taxi operators. The most recent research confirms that seals at the island are now quite habituated to boats, kayaks and swimmers provided the rules outlined above are adhered to.

Commercial attention on the northern side of Adele Island has also increased significantly in recent years as this colony has developed. Adele Island is particularly popular for kayaking and water taxi trips, in the southern sector of the Park. Seals at this site also appear to be habituated to vessel and kayak approaches provided the minimum approach distances are adhered to.

There is a small breeding colony on Pinnacle Island, though habitat limitations restrict the size of this colony. The western side of Pinnacle Island is regularly visited by passing water taxis, and kayaks venture out to the island if sea conditions are favourable. Seals at this site are also expected to be reasonably habituated to vessel and kayak approaches.

Research and management information, collected over the last three years has shown that there are issues with compliance with regard to the rules for viewing seals at these highly used sites. In particular, boats and kayaks have been observed within 20m of the water's edge where seals are present on the rocks. In response to this information the Department is working closely with permit holders on educating guides and skippers to observe the 20m limit, along with the three boat rule and 'no wake' speed for approaching and leaving the viewing.

For certain places, such as Tonga and Pinnacle Island and sections of Adele Island coastline there is clear evidence of seals being habitually present. Creating a 20m exclusion zone in these areas would remove the discretion provided by the current conditions in permits (which require vessels to remain 20m from the water's edge if seals are present on the rocks), thus making compliance easier. It would also provide extra protection in these heavily visited sites for the seals that can be difficult to see and easily overlooked, and those thermo-regulating or playing in the water next to the rocks.

Pinnacle Island is a small breeding colony that could benefit from additional protection. It would be good for scientific reasons to have one of the islands with

a colony in a state that is relatively natural or wild, as a contrast to Tonga and Adele. However, Pinnacle Island has been the focus of attention from operators for 10 years, particularly kayak operators. To create an exclusion zone for viewing of 50m to give additional protection would, in effect, stop those commercial trips that currently target the island. It is difficult to justify what would be a significant change to the current pattern of commercial viewing for a site where the seals appear to be habituated. The introduction of a 20m exclusion zone would provide a fair degree of protection to the seals on Pinnacle Island.

There is currently a proposal to create Specially Protected Areas at Tonga and Pinnacle Islands. This would mean that the general public, including the clients of commercial operators, would not be able to access the islands from Mean Low Water Springs. The proposed amendment would compliment this approach.

Proposed amendment

- A boat or a manually propelled watercraft must at all times keep more than 20 metres from the water's edge at Tonga Island, Pinnacle Island and the north eastern shore of Adele Island (defined as all those waters between ----- and -----), except for reasons of safety.

4.2 Protection of breeding colonies at Awaroa Head and Separation Point

Awaroa Head supports a newly establishing breeding colony, but its location towards the north of the park and its rougher sea conditions means tourism activity tends to be relatively light. When present, seals at this location are more prone to disturbance.

The Separation Point rookery is beyond the reach of most commercial boating and kayaking traffic along the Park. Seals at this location are expected to be comparatively naive to sea-based approaches. Most recreational fishing occurs offshore.

The available research indicates that greater caution is warranted at some sites which currently have lower tourism levels and/or less habituated seals. Awaroa Head was observed by researchers in the most recent study and seals were seen to be disturbed by approaches at distances greater than 20m. Separation Point, while not assessed in any of the studies to date, is another location where seals are subjected to low levels of boating activity and the seals are likely to be more prone to disturbance. A more cautious minimum approach distance (e.g. 50 metres) is considered justified at these sorts of locations. The coastline, from Onetahuti Bay to Awaroa Bay is used to varying degrees by guided kayak groups. Any exclusion zone would have to be on the basis of targeted viewing, recognising the need for kayaks to travel through the zone for safety reasons.

Proposed amendment

- A boat or manually propelled watercraft must, wherever practicable, keep more than 50 metres from the water's edge between Whariwharangi Bay and Mutton Cove (defined as all those waters between [] and []), except for reasons of safety.

4.3 Protection of haul out sites

There is currently no requirement in the Marine Mammals Protection Regulations 1992 for boats and kayaks to remain 20 metres from the water's edge where seals are present.

Instead, applicants have been directed to include this requirement in their 'plan of operation' as part of their application in order for it to be approved. The application is then included as part of the permit. However, this practice means the minimum approach distances are not clearly set out up front in the conditions of the permit, meaning they can more easily be overlooked. A better approach would be to have the minimum approach distances clearly set out in the permit conditions in order to provide clarity and certainty for operators and staff.

Proposed amendments

- For all other parts of the coast (with the exception of those described above) where a seal is present on shore or in the water immediately adjacent to the shore, wherever practicable, a boat or manually propelled watercraft must keep more than 20 metres from the water's edge.
- Swimmers from a permit holder's vessel on the Abel Tasman coast must at all times keep more than 10 metres from the water's edge where seals are present on shore.

4.3 Additional seal watching effort

The available research and known information about the behaviour and ecology of fur seals highlights that seal watching tourism can have a significant impact on fur seal behaviour, and these impacts may have broader consequences for seal populations. Many of the documented impacts can be managed and mitigated by general rules (e.g. minimum approach distances, "three boat rule", noise controls) or by site-specific controls limiting activity around certain key areas. Nevertheless, it is also inevitable that increased commercial activity on seals along the Abel Tasman National Park would result in more seal disturbance; for example through greater congestion around seal colonies, more sustained activity over the day, more colonies being visited, and potentially more activity spread through the year. While varying levels of habituation may also occur, this outcome should not necessarily be regarded as benign for reasons outlined earlier.

The main viewing activity along the Abel Tasman coast is around the breeding colonies of Tonga, Pinnacle and Adele Islands, with relatively few visits for Awaroa Head and Separation Point. The current distribution of viewing is

largely managed by limits on visits to Tonga and Pinnacle Islands. Due to the current moratorium on new permits for viewing at Tonga and Pinnacle Islands there has been no increase in approved interactions at these colonies since 2005. The increases in effort have largely occurred at Adele Island, and the mainland between Awaroa Bay and Onetahuti Bay. None of the permit holders target the breeding colony at Separation Point.

The test for the declaration of a moratorium is for the Director-General to believe on reasonable grounds that it is necessary for the protection, conservation or management of any marine mammals in a particular area. The current distribution of permit activity creates a spread of effort between the traditional viewing areas such as Tonga Island and Pinnacle Island and the newer breeding areas of Adele Island and the coast between Onetahuti Bay and Awaroa Bay. If the moratorium on Tonga and Pinnacle Islands were not to be continued then it is anticipated that those operators who do not currently have the ability to visit there would make applications for new permits potentially placing these areas under more pressure from operators. Equally, if there is no limit on the overall number of permits on the coast as a whole then there would be the danger that any of the existing operators or a new operator could significantly increase the effort at the new breeding grounds at Adele Island and the mainland coastline between Onetahuti Bay and Awaroa Bay. Whilst the introduction of the exclusion zones (refer to earlier discussion) should provide a base level of protection for the seals at the breeding colonies there would still be the danger of congestion and intensification of effort around the viewing areas.

There are currently 30 permits for viewing seals in the Abel Tasman and, of these, 20 allow viewing at Tonga or Pinnacle Islands. Whilst the permits allow for use throughout much of the coast and islands the majority of the seals are viewed at a relatively small number of sites which are mainly the breeding colonies of Tonga, Pinnacle and Adele Islands for guaranteed seal viewing. The nature of the commercial operations (water taxis working to set schedules, kayak groups offering morning and afternoon trips) is such that at certain times of the day these main viewing sites are already under a lot of pressure. It is not practical to require the operators to work to time allocations for viewing as it would be very difficult to fit in with their schedules. This means that to allow for additional permits to view seals on the Abel Tasman coast would in effect be most likely adding to the effort at the breeding sites at their already busy times. Added to this is the issue that the breeding season coincides with the peak tourism season of December through to February.

It is considered that, given the number, distribution and effect of existing commercial operations, declaring a moratorium on any new seal watching permits along the Abel Tasman coast would be in the interests of the conservation, protection and management of the seals.

Such a moratorium would have the effect of holding the situation as it is in terms of total effort and retaining the overall balance between the older breeding sites (Tonga and Pinnacle Islands) and the new (Adele Island and the mainland coast

between Onetahuti and the northern entrance to Shag Harbour).

4.4 Swimming with seals

There are two permits for swimming with seals off the Abel Tasman coast:

- 1 The first permit is for two, 45 minute interactions daily at Tonga Island only. The permit has been transferred a number of times since its issue and its use has been intermittent at best.
- 2 The second permit is for both viewing and swimming with seals along the Abel Tasman coast including Tonga and Pinnacle Island for viewing but excluding Tonga Island for swimming. One swim per day is permitted of up to 30 minutes duration. Again, this permit has not been used consistently since its issue.

There has been little research on swimming with seals along the Abel Tasman coast due in part to the underuse of the permits. One interaction was observed at Tonga Island in 2013 but this could not be taken to be representative of all such operations. More research into 'swimming with seals' has taken place where the commercial seal swimming is more developed, such as at Kaikoura. This latter research has shown that the effect of swimmers is variable and site specific, but can be significant at low lying breeding sites.

Swimmers present a low profile in the water and provided they do not get too close are mostly ignored by seals on the shore. Swim approaches closer than 10 metres to the rocks, however, can elicit negative responses from seals on the rocks even at relatively habituated sites such as Tonga Island. Greatest impacts occur when swimmers clamber onto the shore either to view the seals or scare the seals into the water, both of which are contrary to permit requirements. Seals in the water may interact with swimmers or chose to ignore them provided swimmers maintain the 10 metre separation. Overall, the current minimum approach distance for swimmers (10 metres from rocks where seals are present) seems to be effective, for the Abel Tasman Coast.

While seal swimmers should present a low profile in the water and, therefore, a less threatening posture for seals compared with kayaks and boats, caution is still required for seal swimming operations for the following reasons:

- Seal swimming necessitates a close encounter with seals, with swimmers having to approach up to 10 metres to rocks in order to facilitate a seal-swimmer interaction. While the 10 metre buffer should help to reduce the level of interference, it is inevitable that some disturbance will occur, especially for seals thermo-regulating, resting or milling around in the water next to the rocks. This zone is especially important for breeding colonies (e.g. Tonga Island) as it is the place where mothers are able to be in the water but remain close to their pups. Unlike dolphins, seals at a breeding colony do not have the option of swimming away to another location.

- Seal swimming typically involves several (around 6-12) swimmers often spread out over a reasonably wide area. This means that there can be “multiple points of contact” over a broader zone (akin to several kayaks) compared with a single boat positioned offshore.
- Even though seal swimmers are normally guided, a single guide cannot keep a close watch on all clients under his/her control. Swimmers can be enthusiastic and sometimes overexcited, and this can contribute to seal disturbance. Limits on swimmer group size can be used to mitigate this possibility.
- Seal swimming tends to be focused at a small number of suitable locations due to weather/sea constraints and the availability of enough seals to make it worthwhile. This means that certain places can be regularly and repeatedly visited where more than one operator is vying for the same preferred spot. This intensification of activity in both time and space could have a greater detrimental effect on the seals present at these locations, locations which are preferred by swimmers and seals alike.
- Research at Kaikoura indicates that seals at low lying breeding sites (compared to more elevated breeding sites) may be more vulnerable to disturbance from swimmers.

Although there is little specific research on the effects of swimming with seals off the Abel Tasman coast, research carried out elsewhere suggests that the effects are potentially large on the seals.

In order to guarantee a swim-with-seals interaction it is most likely operators would choose to visit a breeding colony. This is particularly an issue as the breeding season coincides with the peak tourism season of December through to February. One of the existing Abel Tasman permits is for two visits a day at Tonga Island. If the exclusion zone for the coast line between Awaroa Bay and Shag Harbour is introduced then the second operation would most likely focus on either the Pinnacle or Adele Islands breeding colonies.

A precautionary approach would be to declare a moratorium on any new permits for swimming with seals. This approach would recognise that there is insufficient evidence to suggest that the activity is not disturbing to the seals, provide additional protection to the breeding colonies on the coast and give the opportunity for the effects of the activity to be properly assessed in the future.

A moratorium of 10 years would give sufficient time for monitoring and evaluating the effects of permit holders' operations thoroughly.

Proposed declaration

- Under regulation 15 of the Marine Mammals Protection Regulations 1992 no new permits shall be granted for viewing or swimming with seals on the Abel Tasman coast (defined as all those waters between Anawera Point and Tata Beach) for a period of 10 years

Consultation

Consultation has taken place with the relevant Iwi, Forest and Bird and the affected permit holders. Their comments will be summarised in the final report for consideration after public notification.

Recommendations

It is recommended that you:

- (a) Form a preliminary view under regulation 15 of the Marine Mammals Protection Regulations 1992 to declare, by Gazette notice, that no new permits shall be granted for viewing or swimming with seals on the Abel Tasman coast (defined as all those waters between Anawera Point and Tata Beach) for a period of 10 years. (yes / no)
- (b) Form a preliminary view under regulation 13(2)(b) of the Marine Mammals Protection Regulations 1992 to restrict all existing permits for viewing seals on the Abel Tasman coast in the following manner and where applicable: (yes / no)
- a. A boat or manually propelled watercraft must, wherever practicable, keep more than 50 metres from the water's edge between Whariwharangi Bay and Mutton Cove (defined as all those waters between ____ and ____), except for reasons of safety.
 - b. A boat or manually propelled watercraft must, wherever practicable, keep more than 50 metres from the water's edge between Awaroa Bay and the northern entrance to Shag Harbour (defined as all those waters between ____ and ____), except for reasons of safety.
 - c. A boat or manually propelled watercraft must at all times keep more than 20 metres from the water's edge at Tonga Island, Pinnacle Island and the north eastern shore of Adele Island (defined as all those waters between ____ and ____), except for reasons of safety.
 - d. For all other parts of the coast, where a seal is present on shore or in the water immediately adjacent to the shore, wherever practicable, a boat or manually propelled watercraft must keep more than 20 metres from the water's edge.
 - e. Swimmers must at all times keep more than 10 metres from the water's edge where seals are present on shore.

- (c) Invite formal comment from interested parties on the preliminary views by public notice and for any comments received to be reported back to the decision-maker for consideration. (yes / no)

.....
Roy Grose
Acting Director, Conservation Services,
Northern and Western South Island

.....
Mike Slater
Acting Deputy Director-General, Conservation
Services

Date _____

Date _____

APPENDIX 1

1. Marine Mammals Protection Regulations 1992—Amendment to Declaration Notice

Pursuant to Regulation 15(3) of the Marine Mammals Protection Regulations 1992, I, Carl McGuinness, Acting Deputy Director-General, Conservation Services, Department of Conservation, amend the Declaration Notice dated the 8th day of September 2003 (*New Zealand Gazette*, 25 September 2003, No. 136, page 3678) and the subsequent Amendment to Declaration Notice dated the 10th day of January 2005 (*New Zealand Gazette*, 20 January 2005, No. 22, page 509) as extended by the Amendment to Declaration Notice dated the 23rd day of August 2013 (*New Zealand Gazette*, 29 August 2013, No. 118, page 3150) by extending the term of the declaration so that it expires on 6 July 2015 inclusive.

Dated at Wellington this 17th day of February 2015.

CARL MCGUINNESS, Acting Deputy Director-General, Conservation Services, pursuant to Instruments of Delegation dated 2 September 2013 and 26 August 2014

APPENDIX 2

6 Criteria for issuing permits

(1) Before issuing a permit, the Director-General shall be satisfied that there is substantial compliance with the following criteria:

(a) that the commercial operation should not be contrary to the purposes and provisions of the Act:

(b) that the commercial operation should not be contrary to the purposes and provisions of general policy statements approved under section 3B of the Act, conservation management strategies approved under section 3C of the Act, or conservation management plans approved under section 3D of the Act:

(c) that the commercial operation should not have any significant adverse effect on the behavioural patterns of the marine mammals to which the application refers, having regard to, among other things, the number and effect of existing commercial operations:

(d) that it should be in the interests of the conservation, management, or protection of the marine mammals that a permit be issued:

(e) that the proposed operator, and such of the operator's staff who may come into contact with marine mammals, should have sufficient experience with marine mammals:

(f) that the proposed operator, and such of the operator's staff who may come into contact with marine mammals, should have sufficient knowledge of the local area and of sea and weather conditions:

(g) that the proposed operator, and such of the operator's staff who may come into contact with marine mammals, should not have convictions for offences involving the mistreatment of animals:

that the commercial operation should have sufficient educational value to participants or to the public.

(2) Section 76 of the Marine and Coastal Area (Takutai Moana) Act 2011 applies to any application under these regulations for a permit to watch marine mammals within a customary marine title area. Regulation 6(2): added, on 1 April 2011, by section 128 of the Marine and Coastal Area (Takutai Moana) Act 2011 (2011 No 3).

APPENDIX 3

18 Conditions governing commercial operations and behaviour of all persons around any marine mammal

Every commercial operation, and every person coming into contact with any class of marine mammal, shall comply with the following conditions:

- (a) persons shall use their best endeavours to operate vessels, vehicles, and aircraft so as not to disrupt the normal movement or behaviour of any marine mammal;
- (b) contact with any marine mammal shall be abandoned at any stage if it becomes or shows signs of becoming disturbed or alarmed;
- (c) no person shall cause any marine mammal to be separated from a group of marine mammals or cause any members of such a group to be scattered;
- (d) no rubbish or food shall be thrown near or around any marine mammal;
- (e) no sudden or repeated change in the speed or direction of any vessel or aircraft shall be made except in the case of an emergency;
- (f) where a vessel stops to enable the passengers to watch any marine mammal, the engines shall be either placed in neutral or be switched off within a minute of the vessel stopping;
- (g) no aircraft engaged in a commercial aircraft operation shall be flown below 150 metres (500 feet) above sea level, unless taking off or landing;
- (h) when operating at an altitude of less than 600 metres (2 000 feet) above sea level, no aircraft shall be closer than 150 metres (500 feet) horizontally from a point directly above any marine mammal or such lesser or greater distance as may be approved by the Director-General, by notice in the *Gazette*, from time to time based on the best available scientific evidence;
- (i) no person shall disturb or harass any marine mammal;
- (j) vehicles must remain above the mean high water spring tide mark and shall not approach within 50 metres of a marine mammal unless in an official carpark or on a public or private slipway or on a public road;
- (k) no person, vehicle, or vessel shall cut off the path of a marine mammal or prevent a marine mammal from leaving the vicinity of any person, vehicle, or vessel;
- (l) subject to paragraph (m), the master of any vessel less than 300 metres from any marine mammal shall use his or her best endeavours to move the vessel at a constant slow speed no faster than the slowest marine mammal in the vicinity, or at idle or "no wake" speed;
- (m) vessels departing from the vicinity of any marine mammal shall proceed slowly at idle or "no wake" speed until the vessel is at least 300 metres from the nearest marine mammal, except that, in the case of dolphins, vessels may exceed idle or "no wake" speed in order to

outdistance the dolphins but must increase speed gradually, and shall not exceed 10 knots within 300 metres of any dolphin:

(n) pilots of aircraft engaged in a commercial aircraft operation shall use their best endeavours to operate the aircraft in such a manner that, without compromising safety, the aircraft's shadow is not imposed directly on any marine mammal.

20 Special conditions applying to dolphins or seals

In addition to complying with the conditions set out in regulation 18, any commercial operation and any person coming into contact with dolphins or seals shall also comply with the following conditions:

- (a) no vessel shall proceed through a pod of dolphins:
- (b) persons may swim with dolphins and seals but not with juvenile dolphins or a pod of dolphins that includes juvenile dolphins:
- (c) commercial operators may use an airhorn to call swimmers back to the boat or to the shore:
- (d) except as provided in paragraph (c), no person shall make any loud or disturbing noise near dolphins or seals:
- (e) no vessel or aircraft shall approach within 300 metres (1 000 feet) of any pod of dolphins or herd of seals for the purpose of enabling passengers to watch the dolphins or seals, if the number of vessels or aircraft, or both, already positioned to enable passengers to watch that pod or herd is 3 or more:
- (f) where 2 or more vessels or aircraft approach an unaccompanied dolphin or seal, the masters concerned shall co-ordinate their approach and manoeuvres, and the pilots concerned shall co-ordinate their approach and manoeuvres:
- (g) a vessel shall approach a dolphin from a direction that is parallel to the dolphin and slightly to the rear of the dolphin.

Rick McGovern-Wilson

From: Aloma Shearer [aloma@tiakina.co.nz]
Sent: Thursday, 5 February 2015 4:24 p.m.
To: Martin Rodd
Subject: RE: Tiakina te Taiao February Directors Meeting

Kia ora Martin

I have forwarded your message to Frank who will respond in due course.

Ngā mihi
Aloma Shearer
Tiakina te Taiao Ltd
PO Box 1666 Nelson 7010
P 03 5467842
F 03 5467860

From: Martin Rodd [mailto:mrodd@doc.govt.nz]
Sent: 5 February 2015 4:01 p.m.
To: Aloma Shearer
Subject: RE: Tiakina te Taiao February Directors Meeting

Kia ora Aloma

At Tiakina te Taiao's meeting of July 2014 the Directors supported the specially protected land status for Tonga Island in the Abel Tasman National Park. Whereas we received this support at the meeting we have not received this confirmation in writing and so have not progressed this land status change. Are you able to confirm the Directors position on this for us? If there are outstanding matters then we could attend on 24 February to talk through them.

Thanks once again

Nga mihi

Martin

Martin Rodd
Conservation Partnerships Manager for Nelson Tasman
Kaimanatū Kahui Manutātaki
Whakatu Nelson Office
Department of Conservation - *Te Papa Atawhai*
Direct Dial: 03 546 3154 M: 027 2839692 www.doc.govt.nz

Conservation for prosperity *Tiakina te taiao, kia puawai*

From: Aloma Shearer [mailto:aloma@tiakina.co.nz]
Sent: Thursday, 5 February 2015 3:11 p.m.
To: Pamela White; Juliet Westbury; Geoff Mullen; Lisa Gibellini; Martin Rodd; Mark Townsend; John Mason; John Wotherspoon
Subject: Tiakina te Taiao February Directors Meeting

Tēnā koutou katoa

The next meeting of Directors of Tiakina te Taiao is scheduled to take place on Tuesday the 24th of February.

Can you please advise if you have agenda items for the open forum session and if so please forward information pertinent to your agenda item and the names of those who will be attending by 9am Monday the 16th.

Confirmation of venue and attendance times will be forwarded in due course.

Ngā mihi
Aloma Shearer
Tiakina te Taiao Ltd
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P 03 5467842
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Rick McGovern-Wilson

From: Lionel Solly
Sent: Tuesday, 29 July 2014 9:04 a.m.
To: Martin Rodd
Subject: RE: Tiakina te Taiao - July Directors Meeting -Tonga Is SPA Proposal

Hi Martin

There didn't seem to be any particular opposition to the proposal to make Tonga Island a Specially Protected Area, but the following points came up in discussion:

- (1) There was concern that the process for declaring a Specially Protected Area doesn't require consultation with iwi. The process is prescribed in the National Parks Act, which only requires the Minister to consult with the Conservation Authority and the Conservation Board. I noted that we were consulting with iwi, nevertheless.
- (2) There was a bit of uncertainty around governance/administration, i.e. whether TDC was involved. I explained that TDC was involved in the administration of the foreshore scenic reserve, but not of the national park above MHWM; and that the Specially Protected Area would be restricted to the national park.
- (3) There were some questions about how restrictions on public access would be monitored and enforced. Allied to this, there was some concern about the risk of wildlife smuggling if tuatara are translocated to Tonga Island, and how this would be prevented. I noted that DOC staff are often present in the Park, and that there are a lot of commercial operators (water taxis etc) who would let us know if they saw anyone on the island or acting suspiciously. The risk of wildlife smuggling would probably need to be covered in the translocation plan? One option might be to have some form of remote monitoring at the places where people can most easily gain access, which could be linked to a cell phone alert.
- (4) There were also questions on who permits might be issued to, and whether iwi would be prevented from accessing the island? The Board Paper from 2007 stated that permits were likely to only be issued for scientific research and monitoring purposes. I noted that permits could be granted for other purposes; and when assessing whether a permit should be granted DOC would be guided by the objectives and policies in the National Park Management Plan.

I asked that Tiakina formally respond to the proposal.

Cheers

Lionel Solly
Ranger, Partnerships - *Kaitiaki Manutātaki*
Department of Conservation - *Te Papa Atawhai*
DDI: +64 3 546 3162 | VPN: 5062

Whakatū/Nelson Office
Monro State Building, 186 Bridge Street, Nelson 7010 | Private Bag 5, Nelson 7042

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www.doc.govt.nz

From: Martin Rodd
Sent: Friday, 25 July 2014 2:55 p.m.
To: Lionel Solly
Subject: FW: Tiakina te Taiao - July Directors Meeting -Tonga Is SPA Proposal

Martin Rodd

Conservation Partnerships Manager for Nelson Tasman
Kaimanatū Kahui Manutātaki
Whakatu Nelson Office
Department of Conservation - *Te Papa Atawhai*
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Conservation for prosperity *Tiakina te taiao, kia puawai*

From: Craig Jones
Sent: Monday, 21 July 2014 9:32 a.m.
To: aloma@tiakina.co.nz
Cc: Martin Rodd
Subject: FW: Tiakina te Taiao - July Directors Meeting -Tonga Is SPA Proposal

Kia ora Aloma

Martin has requested I send this 2007 Department paper for the Conservation Board dealing with the Tonga Is./Pinnacle Is. SPA proposal to you.

I have also sent to you the last written correspondence between the Department and Tiakina te Taiao in 2009.

The 2011 conservation board draft minutes noted that "...the Board agreed to SPA status to protect seal breeding colonies subject to consultation with iwi. Manawhenua ki Mohua agreed but there was an inconclusive response from Tiakina te Taiao. When this was followed up, Tiakina's advice was that the iwi trusts preferred to consider the issue after Treaty settlements were resolved. ..."

Hei kona

Craig

Craig Jones

Statutory Land Management Advisor *Kaitobutobu Turewhenua* PH:03 3713700 DDI 03 3713782

Department of Conservation - *Te Papa Atawhai*

laulabi/Christchurch Office

70 Moorhouse Ave, Addington, ChCh

Postal address: Private Bag 4715, ChCh Mail Centre, ChCh 8140

Conservation for prosperity *Tiakina te taiao, kia puawai*

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From: Martin Rodd
Sent: Sunday, 20 July 2014 8:40 p.m.
To: Craig Jones
Subject: FW: Tiakina te Taiao - July Directors Meeting

Would you be able to email the Tonga Island SPA paper to Aloma again please? Kura has left and the paper has not been progressed. We'll get someone along to the next meeting on 28 July to talk to it.

Martin

From: Aloma Shearer [<mailto:aloma@tiakina.co.nz>]
Sent: Thursday, 17 July 2014 10:40 a.m.
To: Martin Rodd
Cc: Frank Hippolite
Subject: RE: Tiakina te Taiao - July Directors Meeting

Kia ora Martin

I have spoken with Frank and he has suggested that you have someone attend our July meeting to discuss the proposal with the Directors. Are you able to get Craig to forward the proposal to me so that I can copy it to the Directors? Also, if you could let me know who would be attending the meeting that would be great.

I have put your proposal on our agenda for 1pm. The meeting is to be held in the Wangapeka room of the Tasman District Council offices, Queen Street, Richmond on Monday the 28th July.

I look forward to your reply.

Ngā mihi
Aloma Shearer
Tiakina te Taiao Ltd
PO Box 1666 Nelson 7010
P 03 5467842
F 03 5467860

From: Martin Rodd [<mailto:mrodd@doc.govt.nz>]
Sent: 15 July 2014 1:30 p.m.
To: Aloma Shearer
Subject: RE: Tiakina te Taiao - July Directors Meeting

Thanks very much Aloma

Martin Rodd
Conservation Partnerships Manager for Nelson Tasman
Kaimanatū Kahui Manutātaki
Whakatu Nelson Office
Department of Conservation - *Te Papa Atawhai*
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Conservation for prosperity *Tiakina te taiao, kia puawai*

From: Aloma Shearer [<mailto:aloma@tiakina.co.nz>]
Sent: Tuesday, 15 July 2014 11:03 a.m.
To: Martin Rodd
Cc: Frank Hippolite
Subject: RE: Tiakina te Taiao - July Directors Meeting

Kia ora Martin

My apologies for the late response.

I am unsure as to when or if this paper has been considered by the Tiakina board. Frank is away at the moment but I will discuss this with him when he returns and advise you further.

Ngā mihi
Aloma Shearer

Tiakina te Taiao Ltd
PO Box 1666 Nelson 7010
P 03 5467842
F 03 5467860

From: Martin Rodd [<mailto:mrodd@doc.govt.nz>]
Sent: 3 July 2014 4:15 p.m.
To: Aloma Shearer
Subject: RE: Tiakina te Taiao - July Directors Meeting

Kia ora Aloma

Craig Jones from our Christchurch office forwarded Kura a proposal to establish a specially protected area over Tonga Island in the Abel Tasman National Park while Kura was still in the role. Do you know whether this paper has been considered by Tiakina and if not, whether it would help to have a person talk through it at the table?

Regards

Martin

Martin Rodd
Conservation Partnerships Manager for Nelson Tasman
Kaimanatū Kahui Manutātaki
Whakatu Nelson Office
Department of Conservation - *Te Papa Atawhai*
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Conservation for prosperity *Tiakina te taiao, kia puawai*

From: Aloma Shearer [<mailto:aloma@tiakina.co.nz>]
Sent: Thursday, 3 July 2014 11:34 a.m.
To: Geoff Mullen; Pamela White; Juliet Westbury; Mike Roberts; Lisa Gibellini; Martin Rodd; Mark Townsend; John Mason; John Wotherspoon
Subject: Tiakina te Taiao - July Directors Meeting

Tēnā koutou katoa

The next Tiakina te Taiao meeting of Directors is scheduled to take place on Monday the 28th of July. This will be held in the Wangapeka room, Tasman District Council, Queen Street, Richmond.

Can you please advise if you have agenda items for the open forum session and if so please forward information pertinent to your agenda item and the names of those who will be attending by 4pm Thursday the 10th.

Confirmation of attendance times will be forwarded to attendees in due course.

Ngā mihi
Aloma Shearer
Tiakina te Taiao Ltd
PO Box 1666 Nelson 7010
P 03 5467842
F 03 5467860

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REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Rick McGovern-Wilson

Subject: **Broom gall mite**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	Section 51A of the Reserves Act 1977
Recommendation or Action Required	It is recommended that the Authority: a) Ratify the broom gall mite letter of 22 June 2015 to the Minister of Conservation (attached)
Context	An urgent application from the Department to the Minister for approval to release a biological control agent – broom gall mite – onto Molesworth Recreation Reserve and Matai Flat Clarence Bend Scenic Reserve occurred after the June 2015 Authority meeting. Section 51A of the Reserves Act 1977 requires the Minister to consult with the Authority before she gives her approval for the release. Because of the urgency of the application (funding for the dispersal was available from Environment Canterbury until the end of June 2015) I emailed the information for members' consideration between meetings. Members responded with their view (12 members responded supporting the proposal, Rauru Kirikiri did not have the opportunity to respond as he was overseas). The Authority's decision was sent by letter to the Minister of Conservation (attached). This letter needs to be ratified at an Authority meeting to become its official advice.

CONSERVATION AUTHORITY
TE POU ATAWHAI TAIAO O AOTEAROA

22 June 2015

Hon Maggie Barry
Minister of Conservation
Parliament Buildings
Wellington

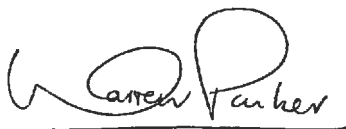
Dear Minister

Proposed introduction of Broom Gall Mite (*Aceria genistae*) into Molesworth Recreation Reserve and Matai Flat Clarence Bend Scenic Reserve

Thank you for the information regarding the proposed introduction of a biological control organism (Broom Gall mite) into Molesworth Recreation Reserve and Matai Flat Clarence Bend Scenic Reserve for Scotch Broom control purposes.

The NZCA has considered the information before it, and based on this and the special conditions listed in Schedule 2 of the 'Authority', it recommends to the Minister that authorisation be granted under section 51A of the Reserves Act 1977 for the introduction of the Broom Gall Mite (*Aceria genistae*) into Molesworth Recreation Reserve and Matai Flat Bend Scenic Reserve for Scotch Broom (*Cytisus scoparius*) control purposes.

Yours sincerely



Warren Parker
Chairperson

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Rick McGovern-Wilson, Executive Officer

Subject: **Conservation Board Chairs' meeting**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	NZCA's performance (Priority J)
Recommendation or Action Required	It is recommended that the Authority: a) Decide the level of involvement it would like in the planning and attendance of the Conservation Board Chairs' meeting
Context	The Authority hosts and funds (from its budget) an annual Conservation Board Chairs' meeting. The 2015 Chairs' meeting is tentatively scheduled for September 2015. A main topic at the Chair's meeting is proposed to be the conservation boards' Letter of Expectation from the Associate Minister of Conservation (e.g. working to and reporting against the Letter of Expectation). The 2015 Letter of Expectation for each conservation board is to be sent out to them at the end of August 2015, giving time for the conservation boards to furnish their annual reports (which will include reporting against the 2014 Letters of Expectation) to the Authority. The Authority will need to decide who will be attending the Chairs' meeting, and the level of involvement it would like in the planning of this meeting.

New Zealand Conservation Authority Meeting No. 144	Agenda Item: 144.22
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REPORT

Meeting Date: 4 August 2015

Prepared By: Poma Palmer, Statutory Management Planner,
Planning, Permissions and Land, Shared Services, Christchurch

Subject: **Draft Canterbury (Waitaha) Conservation Management Strategy**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	Statutory requirement under section 17F Conservation Act 1987, to consider and approve the draft Canterbury (Waitaha) Conservation Management Strategy (CMS) as recommended by the Canterbury Aoraki Conservation Board.
Recommendation or Action Required	It is recommended that the Authority: a) Agree to accept for consideration, the draft Canterbury (Waitaha) CMS which is recommended for approval by the Canterbury Aoraki Conservation Board. b) Agree to accept for consideration the Summary of Submissions on the notified draft Canterbury (Waitaha) CMS. c) Note that the Certificate of Compliance demonstrates that the draft Canterbury (Waitaha) CMS preparation process complies with all relevant statutory requirements, including Treaty Settlement legislation where applicable. d) Note that the draft Canterbury (Waitaha) CMS meets the standards of best practice and qualities as described in the NZCA content and format check for CMS (10 July 2009), including the national CMS template. e) Note the section 242 Ngāi Tahu Claims Settlement Act 1998 obligation for the NZCA or the Conservation Board to consult with Te Rūnanga o Ngāi Tahu regarding Tōpuni within the CMS area, and that as the Board has consulted in this regard the NZCA needs to consider if it should consult also. f) Agree to consider the four matters on which the Canterbury Aoraki Conservation Board and the Department are unable to agree at this time. g) Agree to consider the revisions sought by the Conservation Board and the Department, as itemised in Appendix 3 to the Certificate of Compliance, that are not able to be linked to any submission. h) Agree to send the draft Canterbury (Waitaha) CMS and other relevant information to the Minister and consider any written recommendations the Minister considers appropriate.

	i) Approve the Canterbury (Waitaha) CMS in accordance with the NZCA adopted procedure for the consideration of statutory management planning documents.
Context	The draft Canterbury (Waitaha) CMS is an output from the national review of CMS and is presented to NZCA in conjunction with the draft Otago and the Southland Murihiku CMS. The Certificate of Compliance records the processes undertaken in accordance with the Conservation Act 1987, the Ngāi Tahu Claims Settlement Act 1998, and the Canterbury Earthquake Recovery Act 2011. The Canterbury Aoraki Conservation Board has considered the draft CMS and forwards the revised draft CMS to NZCA for consideration and approval. The Board also advises the Authority that there are four matters on which the Board and the Department are unable to agree at this time.

New Zealand Conservation Authority Meeting No. 144	Agenda Item: 144.22
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REPORT

Meeting Date: 4 August 2015

Prepared By: Poma Palmer, Statutory Management Planner,
Planning, Permissions and Land, Shared Services, Christchurch

Subject: **Revised draft Canterbury (Waitaha) Conservation Management Strategy**

Background/Introduction

1. The Certificate of Compliance needs to be read in full to completely understand the processes followed for the Canterbury (Waitaha) CMS; what follows is a brief summary of that Certificate.
2. The Canterbury (Waitaha) CMS covers the area of the former Canterbury Conservancy as at 2012, including the Aoraki Mount Cook National Park and the Canterbury part of the Arthur's Pass National Park.
3. Public conservation lands and waters data in the draft CMS Volume II was correct as at December 2012. Additions and changes to those lands and waters since that date are listed in Appendix 1 to the Certificate of Compliance and the Draft CMS data will be updated before CMS approval.
4. In reviewing the CMS, over 600 concessions, two national park management plans, the Te Waihora Joint Management Plan (2005), the Molesworth Plan (2013) and twelve older management plans were had regard to. The intention is to revoke the twelve older plans once the CMS is approved.
5. Review of the Canterbury Conservation Management Strategy 2000 started in 2008, but was interrupted during 2009-2010 while a national CMS template was developed.
6. Pre-statutory consultation with Ngāi Tahu, local and central government and the community culminated in a draft Canterbury CMS, notified in June 2013 together with draft Otago and Southland Murihiku CMS.
7. The draft was available for public submissions from June 2013 to September 2013. It was distributed widely and was accessible on the Department's website. A total of 342 submissions were received, and 69 submitters attended hearings. Hearing committees comprising Department staff and Conservation Board members completed hearings in November 2013.
8. Submissions were summarised and responses developed by the Department, including through the development of a Common Issues Report for issues that had multiple similar submissions and/or were common to all three CMS. The revised draft Canterbury CMS and the Summary of Submissions was forwarded to the Canterbury Aoraki Conservation Board in November 2014.
9. The Canterbury Aoraki Conservation Board considered the revised draft CMS and summary of submissions, and negotiated revisions with the Department. In April 2015 the Board sought an extension of time and the Minister granted this until 04 August 2015.
10. The Canterbury (Waitaha) CMS meets statutory, policy, content, structure and style requirements and as such is fit for consideration and approval by the NZCA.

Details/Comment

11. Most matters within the Canterbury (Waitaha) CMS are common to the Otago and Southland Murihiku CMS, but matters particularly developed for the Canterbury CMS include policies for:
 - Legal roads through public conservation lands
 - Recreation activities using fixed anchors
 - Ski fields
 - Gemstone fossicking
12. Of the 342 submissions received, the majority came from aircraft operators, four-wheel drive users, recreational hunters, horse riders, and outdoor recreationists and environmental interests generally.
13. Submission issues that had multiple similar submissions and/or were common across the three southern CMS, and which are consequently addressed in the Common Issues Report as part of the submission responses, are:
 - Aircraft
 - Destination management and recreation
 - Commercial filming and photography
 - Horse riding
 - Hunting
 - Legal roads through public conservation lands
 - Mapping
 - Motorised vehicles
 - Mountain biking
 - Natural heritage management system
 - Over-snow vehicles
 - Private accommodation and related facilities
 - Wilderness areas
 - Marine protected areas
 - Stewardship areas and other public conservation lands and waters classification/reclassifications
14. Main revisions to the draft CMS, as determined by the extent of text revision, include:
 - A more explicit Interpretation section, with policies.
 - Clarification of the Treaty partnership with Ngāi Tahu and additional statements on Ngāi Tahu values.
 - Format, numbering and wording consistency where possible in Parts 1 and 3, between the three southern CMS (and now in the CMS Template).
 - Clarification of the use of the National Heritage Management System (NHMS) and its priority ecosystem units; and of Destination Management (DM) and its recreation destinations.
 - A re-ordering of the Place sections to reflect ki uta ki tai – the mountains to the sea.
 - Recognition of extensive additional public conservation lands and waters, including the Akaroa Marine Reserve, since the draft CMS was prepared.
 - Refinement of policies regarding legal roads running through public conservation lands.

- Revision of the Milestones to make them more relevant in measuring achievement of the outcomes and objectives in the CMS.
- Revision of the Part 3 (and the Template) format for consistency, legal precision and completeness.
- Addition of policy for electric power-assisted pedal cycles.
- Revision of the aircraft policies and aircraft access maps to both clarify the policies and obtain consistency of approach between the three southern CMS.
- More thorough analysis of the private accommodation and related facilities on public conservation land.
- Updating provisions flowing from the amended Crown Minerals Act 1991 and the Game Animal Council Act 2013.
- Updating where needed of all Appendices.
- The addition of an Appendix listing publicly-available huts on public conservation lands and/or managed by the Department.

15. Particular attention is drawn to four matters on which the Board and Department are unable to agree at this time:

- A revision request from the Board regarding the wording around Ngāi Tahu involvement up to decision making, which request is awaiting further legal advice.
- A revision request from the Board regarding rock climbers fixed anchors at Kura Tāwhiti (Castle Hill) Scenic Reserve that is awaiting a Tōpuni consultation response from Te Rūnanga o Ngāi Tahu before the request can be fully considered.
- A revision request from the Board, supported by the Department, for Tōpuni milestones that is awaiting a Tōpuni consultation response from Te Rūnanga o Ngāi Tahu.
- A revision request from the Board, opposed by the Department, for a commitment to the retention and addition of milestones for national park management plan, conservation management plan and CMS reviews by ten years after current plan approval dates.

Section 4 Conservation Act

16. The Canterbury (Waitaha) and the adjoining Otago and Southland Murihiku CMS areas are entirely within the rohe of Ngāi Tahu.
17. Giving effect to the Treaty of Waitangi and section 4 Conservation Act 1987, including through implementation of the Ngāi Tahu Claims Settlement Act 1998, has been built into the whole CMS text and the draft CMS revision process.
18. For Ngāi Tahu, the Department's consultation, submission and submission clarification processes, and the Board's consultation processes, are set out in the Certificate of Compliance.

Conclusion

19. The Canterbury (Waitaha) CMS meets the statutory and policy requirements and reflects the considerable contribution of Departmental staff, Ngāi Tahu, communities, stakeholders, and agencies in its development.

**CANTERBURY (WAITAHA)
CONSERVATION MANAGEMENT STRATEGY
REVIEW 2008-2015**

CERTIFICATE OF COMPLIANCE – for NZCA

This certificate of Compliance sets out the statutory processes followed when preparing the recommended Draft Canterbury (Waitaha) Conservation Management Strategy (CMS), in accordance with:

- The Conservation Act 1987 (CA87), Part 3A, and particularly sections 17D and 17F; and
- Giving effect to the principles of the Treaty of Waitangi (section 4 CA87)
- Other relevant acts, including the Ngāi Tahu Claims Settlement Act 1998 and the requirement to consult under the Marine Reserves Act 1971 and the Marine Mammal Protection Act 1978;

**1. Section 17D Conservation Act 1987
Conservation Management Strategies**

17D(1) The purpose of a conservation management strategy is to implement general policies and establish objectives for the integrated management of natural and historic resources, including any species, managed by the Department under the Wildlife Act 1953, the Marine Reserves Act 1971, the Reserves Act 1977, the Wild Animal Control Act 1977, the Marine Mammals Protection Act 1978, the National Parks Act 1980, or the Conservation Act 1987, or any of them, and for recreation, tourism, and other conservation purposes.

The CMS implements Conservation General Policy 2005 and the General Policy for National Parks 2005 (for Aoraki/Mount Cook and Arthur's Pass National Parks), and establishes outcomes, objectives and policies for the integrated management of natural and historic resources for conservation purposes. In addition, the CMS gives effect to the Ngāi Tahu Claims Settlement Act 1998 (see section 1.4 of the CMS in particular). The relevant provisions of the other legislation listed above have also been taken into account.

17D(2) Within 5 years ... such conservation management strategies as may be necessary ... shall be prepared by the Director-General for approval by the Conservation Authority in accordance with section 17F.

Not applicable as this section of the CA87 applies to the preparation of original conservation management strategies, i.e. Canterbury CMS 2000-2009.

17D(3) ... the Director-General shall determine the boundaries of a conservation management strategy.

The boundaries of the Canterbury (Waitaha) CMS were determined at the commencement of this review and are as for the operative conservation management strategy, with a slight southern boundary extension. This CMS covers what was previously the Canterbury Conservancy as at 2012.

17D(4) Nothing in a Conservation Management Strategy (CMS) shall –
(a) derogate from any provision of this Act or any other Act; or
(b) derogate from any general policy approved under any of the Acts referred to in subsection (1); or

- (c) affect any agreement or arrangement entered into under this Act or any other Act between the Minister and any land owner other than the Crown or between the Director-General and any such land owner.

This CMS has been prepared in accordance with the national template, and addresses all relevant statutory provisions, and has been subject to legal review. The Director-General considers that the CMS meets the tests of section 17D(4).

17D(5) A conservation management strategy may require the preparation of a conservation management plan under any Act specified in the Schedule 1 to this Act other than the National Parks Act 1980

This CMS does not require the preparation of any conservation management plan, although it does propose additions to the Aoraki/Mount Cook and Arthur's Pass National Parks that, if adopted, will need addressing through amendments or, more probably, at the time of next reviews of the existing management plans.

17D(6) Any conservation management plan approved in respect of any conservation park or under the National Parks Act 1980 may be approved as a conservation management strategy by the Conservation Authority in accordance with paragraphs (m) to (p) of section 17F, as if it were a draft conservation management strategy

There are two such conservation management plans within Canterbury, the Aoraki/Mount Cook (2004) and Arthur's Pass (2007) National Park Management Plans prepared under the National Parks Act 1980.

The Department does not seek to approve either of these plans as a CMS.

17D(7) A conservation management strategy shall identify and describe all protected areas managed by the Department within the boundaries of the strategy

The CMS includes in Volume II-Maps the identification and description of all public conservation lands and waters managed by the Department within the boundaries of the CMS area.

Volume II has not been updated since public notification occurred in June 2013 using at that time the land inventory database as at 21 December 2012. Due to the Department's ongoing programme of land acquisitions, disposals and exchanges, Volume II will need updating prior to publication following approval by NZCA. In the meantime, a schedule of updates to the draft Volume II was provided for the Board and has been further updated for the Authority so that any implications could be addressed. These updates are attached as Appendix 1.

17D(8) When preparing a conservation management strategy, the Director-General shall have regard to any relevant concessions for the time being in force and to existing management plans under this Act or any Act specified in the Schedule 1.

In preparing this CMS regard has been given to existing concessions and management plans.

Concessions

There were over 600 concessions existing within Canterbury at the time the CMS review was initiated in 2008. A Canterbury concessions workshop was held in April 2008 at which concessionaires and TIANZ were advised on the CMS review process and consulted on the choice of "places"; further advice and the opportunity to offer comment was available via the DOC CMS webpage and Canterbury Conservancy newsletters.

All concessionaires with concessions operating in Canterbury were informed by letter or email of the Draft CMS public notification.

Existing concession activity that will or may be affected (beneficially or otherwise) by the Draft CMS include those for aircraft use (although the aircraft provisions largely follow those of the Canterbury Guidelines for Aircraft Access that have been in use since 2009), ski fields, grazing near rivers, private accommodation, and some guiding activities, including guiding within the Canterbury part of the Adams Wilderness Area.

All concessionaires may continue to operate as before. However, when seeking new concessions, they may find that there are additional, lesser or amended conditions placed on their activity, in order to comply with the reviewed CMS.

Management plans

The two current National Park Management Plans (Aoraki/Mount Cook and Arthur's Pass), the Te Waihora Joint Management Plan (2005) and the Molesworth Plan (2013) are not affected by this CMS. The CMS refers to and reflects the provisions in these management plans for the management of a wide range of activities (see revised Policies 2.1.1 and 2.9.16). The CMS does provide for additions to both national parks.

There are twelve existing, albeit mostly dated, other conservation management plans (see Appendix 2) that are proposed be revoked (Reserves Act 1977) or withdrawn (Conservation Act 1987) once the CMS is approved. The CMS incorporates the provisions of these plans, where they are still relevant and needed.

2. Section 17H and 17I Conservation Act 1987

Reviews of/amendments to conservation management strategies

Review or amendment of conservation management strategies (in whole or in part) is undertaken so that increased knowledge or changing circumstances are taken into account.

A whole review of a conservation management strategy is required within 10 years of its approval (section 17H(4)(b) Conservation Act 1987).

The current Canterbury CMS was approved in 2000. Review of the CMS started in 2008. Its progress has been affected by CMS national template re-design, the Christchurch earthquakes and two restructures within the Department.

3. Section 17F Conservation Act 1987

Procedure for preparation and approval of conservation management strategies

17F(a) every draft shall be prepared by the Director-General in consultation with the Conservation Boards affected by it and such other persons or organisations, as the Director-General considers practicable and appropriate

After consultation with the Canterbury Aoraki Conservation Board, a review of the Canterbury CMS 2000-2009 began in 2008, although with some background reports to the Board from September 2007. From 2008 to October 2009 the review proceeded with consultations as in Table 1. Due to resource constraints the consultation approach taken at this time in Canterbury was to utilise all existing public contact processes and the DOC web site to a) get it known that the CMS review was underway, and b) to get informal comments on the choice of Places and the conservation issues of concern.

Table 1: Consultation undertaken 2008-09, as required by section 17 F

Who consulted	When/Where/What
Ngāi Tahu (Te Rūnanga o Ngāi Tahu & Papatipu Rūnanga)	• March 2008: Whole rohe hui • April 2008: TRONT discussions, including development of section 1.4 • June & Sept 2008: Kaitiaki Roopu
NGO national Forum	April 2008: National NGO Forum presentation.
'Conservation' organisations incl – • RF&BPS, NZDA, NZAC, FMC, • Talbot Forest Cttee, • Sth DOC-associates (Raukapuka-Twizel Area Office associates) • Nth Cant Recreation Users Group, • Sea Kayak Network, • Otamahua Restoration Trust, • Over-Forties Tramping Club, • MTB NZ, • Hanmer Forest Trust, • Mineral & Lapidary clubs, • NZ Horse Recreation	• Notifications, meetings & discussions.
River catchment groups: • Waihao Wainono Water Users Soc, • Orari Rr Group, • Ashburton River Mouth Cttee	• Meetings & discussions.
Tourism Industry Association NZ (TIANZ) & concessionaires	• April 2008: Workshop • Oct 2008: Ski Areas Assn NZ conference session.
Local authorities	• Letters to all LA councillors & community board members; • Meetings with Environment Canterbury, Christchurch CC & Ashburton DC.
Statutory 'conservation' bodies: • Nth Canterbury & Central Sth Is Fish & Game Councils, • NZHPT (now Heritage New Zealand Pouhere Taonga)	• Meetings & discussions.
4WD groups	• September 2008: Whole day workshop.
Other commercial bodies: • Meridian Energy, • eel fishers, • film industry, • Hurunui Irrigation • Landcare Research	• Meetings &/or discussions.
Public generally	• Comment sought on the Draft Canterbury Guidelines for Aircraft Access (2009), on DOC web. • Comment sought on Peoples benefit and enjoyment, Canterbury analysis

	2009, on DOC web. • Attendance at discussions re WARO concession renewals, during 2009. • Background recreation, aircraft, and pre-draft Place sections placed on DOC Web for informal comment; • posters to libraries; • Canterbury @DOC newsletters.
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While consultation with the Board was ongoing throughout the whole CMS drafting period, and consultation with Ngāi Tahu and other persons and organisations was progressing well through 2008-2009, the disruptions following the Christchurch earthquakes (Sept 2010 – Dec 2012), CMS project management problems, and tight CMS deadlines saw Canterbury proceeding on a ‘best endeavours’ basis, with a fall-off in ‘best practice’ for consultation involving Department initiatives. Initiatives from groups outside of the Department though, were responded to.

The national CMS review process was placed on-hold from late 2009 until April 2011 when the new CMS Template and national prioritisation tools were publicly launched along with new consultation requirements, although some related work occurred in 2010, as all set out in Table 2.

Table 2: Consultation undertaken 2010-12 as required by section 17 F

Who consulted	When/Where/What
Ngāi Tahu (Te Rūnanga o Ngāi Tahu & Papatipu Rūnanga)	• From mid-2010: Sought discussion re Pohatu Marine Reserve. • May 2012: Tuahuriri Runanga. • Sept 2012: TRONT. • Oct 2012: Kaikoura, Tuahuriri & Banks Peninsula Runanga. • Dec 2012: TRONT/Kaitiaki Roopu.
Pohatu Marine Reserve Advisory Cttee	• Meetings & discussions following Ombudsman’s report.
‘Conservation’ organisations (Rod Donald Banks Peninsula Trust, Otamahua Ecological Restoration Trust, Peel Forest & Talbot Forest groups, NZAC, Mt Somers Trust, Mineral & Lapidary clubs, Nth Cant Recreation Users Group, NZ Walking Access Commission, RF&BPS)	• Meetings & discussions. • NZAC contact re fixed-anchors. • Mineral & Lapidary clubs re gemstone collection policy.
Federated Farmers	• Meeting re grazing of high-country pcl.
Loch Katrine hut-holders	• August 2011: Meeting.
TIANZ & concessionaires	• Ski Area Assn NZ contact re climate change research.
Recreational & commercial hunters	• NZDA contact; • July 2011: AATH workshop; • Sept 2011: Raukapuka Hunter Liaison Mtg; • Sept 2011: AATH public meeting; • March 2012: recreational hunter

	workshop.
Other commercial (film industry,)	• April 2012: Film NZ workshop.
4WD & other vehicle groups	• Discussions with recreational & commercial users re 4WD & snow-mobile use, and 4WD definitions.
Statutory 'conservation' bodies - NZHPT (now Heritage NZ)	• Nov 2012: Meeting
Aircraft operators (Gliding NZ, NZ Recreational Fixed-wing Aircraft Users)	• Meetings & discussions
Environment Canterbury	• Meeting
Public generally	• Updated DOC web page; • Canterbury @DOC newsletters; • Poster & CMS Factsheet distribution.

17(F)(b)-(e) subsections address the public notification¹ and submission process for a CMS, including how the notification occurs and the minimum time period for submissions. It also enables the Department, after consultation with the Board at this time, to obtain public opinion by other means from any other person or organisation.

The draft CMS was notified on 26 June 2013, by advertisement in the national newspapers (as required by section 49(1) Conservation Act: NZ Herald, Dominion Post, Christchurch Press, Otago Daily Times) and selected other and local newspapers (Akaroa Mail, Ashburton Guardian, Geraldine News, Greymouth Star, High Country Herald, Kaikoura Star, Mountain Scene, Nelson Mail, Oamaru Mail, Southland Times, The Star Christchurch, Waikato Times, West Coast Messenger, Westport News). This notice detailed where the draft CMS could be obtained (as hard copy or CD versions) and where it was available for public inspection.

At the time of notification, hard copies of the draft CMS were sent to about 50 people and organisations, including Te Rūnanga o Ngāi Tahu and Papatipu Rūnanga, local authorities (Environment Canterbury, Christchurch City Council, and Hurunui, Waimakariri, Selwyn, Ashburton, Timaru, Mackenzie, Waimate and Waitaki District Councils), adjacent Conservation Boards (Nelson/Marlborough, West Coast, Otago), and libraries (Ashburton, Christchurch Central, Geraldine, Hanmer Springs, Rangiora, Timaru, Twizel).

To advise of the Draft CMS notification, 879 concessionaires nationally were advised by email, and 54 CD copies, 64 letters and 223 emails were sent to mostly Canterbury-based interested parties, including local community groups, industry groups, recreational groups, tourism groups, government departments, interested individuals and environmental groups. The Draft CMS and submissions forms were posted on the Internet at www.doc.govt.nz/cms.

Local libraries and information centres were asked to assist the Department by making the CMS and submission forms available on public display. The Department's National Office, and all Conservancy Offices and Area Offices in Canterbury, displayed copies of the draft CMS. Further copies of the CMS were supplied on request.

All hard copies had a CD version enclosed. The CD and the DOC website included 24 detail maps each for Map 3 Visitor management settings and Map 4 Aircraft access that for cost reasons were not included within the hard copy version.

¹ Note this public notification has to occur in accordance with section 49(1) of the Conservation Act.

Submission forms were made available with the draft CMS to assist people unfamiliar with making submissions in structuring their written submissions and to assist the Department's analysis. Submissions were also accepted to the e-mail address: southislandcms@doc.govt.nz.

Meetings were held with potential submitters who requested them, or who had contributed significantly to the draft CMS development, or who had a history as major submitters on management planning documents (see Table 3).

Table 3: Meetings held with potential submitters

Potential submitters	When/Where in 2013
Federated Mountain Clubs	04 July - Christchurch
Waimakariri Ecological Restoration Cttee	15 July - Christchurch
4WD clubs	18 July - Christchurch
Film NZ	14 August - Christchurch
TIA & concessionaires	15 August - Tekapo
TIA & concessionaires	16 August - Christchurch
NZDA & recreational hunters	17 August - Christchurch
FMC/CSIF&GC/Awakino Ski field	19 August - Dunedin
Environment Canterbury	22 August - Christchurch
FMC/NZDA	28 August - Christchurch
Forest & Bird	29 August - Christchurch
Federated Farmers (Banks Peninsula)	03 September - Christchurch

Given difficulties for both the Department and Ngāi Tahu in engaging in consultation during the Draft CMS development stages, further consultation was offered once the Draft CMS was notified, but was declined by Te Runanga o Ngāi Tahu at this time.

The draft CMS was available for public submissions for 58 working days. Submissions closed on 13th September 2013. Late submissions were accepted up until 6 days past the due date.

A national media release was sent out through local and national newspapers. National magazine and DOC newsletter coverage also occurred.

No other methods were used to obtain “public opinion” in terms of s. 17F(d).

Requirements for consultation under the Marine Reserves Act 1971 and the Marine Mammal Protection Act 1978

The Department consulted with the Ministry of Fisheries in 2009, in accordance with section 7 of the Marine Reserves Act 1971, on the pre-draft CMS sections with marine and coastal lagoon content. The Ministry, now part of Primary Industries, was consulted again after public notification of the draft CMS, but had no comment to make on the draft.

The Department consulted with the Ministry of Transport and Environment Canterbury after public notification of the draft CMS (refer section 3C of the Marine Mammals Protection Act 1978). The Regional Council made no comments relating to marine mammals or marine reserves in their written submission. The Ministry of Transport had no comment to make in regards to marine mammals or marine reserves.

17F(f) The Director-General shall give every person or organisation who or which, in making any submissions on the draft, asked to be heard in support of his or her or its submissions a reasonable opportunity of appearing before a meeting of the representatives of the Director-General and the Conservation Boards affected.

The Department received 342 written submissions on the Draft Canterbury CMS. All submitters received an acknowledgement of their submission.

A series of hearing meeting panels, each² comprising two Canterbury Aoraki Conservation Board members and two representatives of the Director-General (one of whom chaired the hearing panel) heard submissions. A Department management planner attended to coordinate submitters, record presentations and advise the hearing committee. Other staff and Conservation Board members attended various hearings as observers.

All 85 submitters who indicated a wish to be heard were able to be provided with suitable hearing times and venues, including telephone conferences for two submitters. A few submitters given hearing times did not in the end attend the hearings³. A series of ten submissions hearings were held in October and November 2013, where 69 submissions were spoken to. Table 4 below lists the dates and locations of each hearings session, the number of submitters heard, and the Board members in attendance.

Table 4: CMS Hearings

Hearing date	No. of subs.	Location	Board members attending
21 Oct 2013	14	Christchurch DOC Office	Jan Finlayson, John Keoghan
22 Oct 2013	6	Geraldine DOC Office	Jan Finlayson, John Lewis, David Round
23 Oct 2013	8	Twizel Mackenzie Country Inn	Jan Finlayson, Jimmy Wallace
24 Oct 2013	13	Christchurch DOC Office	David Round, John Lewis
25 Oct 2013	8	Rangiora DOC Office	Mal Clarbrough, Neil Hamilton
1 Nov 2013	1	Christchurch, Te Rūnanga O Ngāi Tahu	Jan Finlayson, Mal Clarbrough
4 Nov 2013	17	Christchurch DOC Office	Te Awhina Arahanga, David Matheson
5 Nov 2013	9	Christchurch DOC Office	Mal Clarbrough, Te Awhina Arahanga
6 Nov 2013	7	Christchurch DOC Office	Te Awhina Arahanga, John Keoghan, Joseph Hullen
29 Nov 2013	2	Rangiora DOC Office	Neil Hamilton

Hearing panel members were provided with hearings conduct advice and copies of submissions. Each submitter was allocated by agreement a time period, hearings were recorded and written notes made by panel members and the management planner. Any additional information presented by submitters was added to the initial submission files.

² A late-arranged hearing for just two submitters on 29 November had, by agreement with all, just one Departmental and one Board representative.

³ This may have come about through their misunderstanding that requesting a hearing was needed to have their submission accepted.

Following the hearings for all three southern CMS with Te Rūnanga O Ngāi Tahu, Papatipu Runanga and Ngāi Tahu Tourism, and completion of their submission summaries, four meetings were held with Te Rūnanga O Ngāi Tahu staff from January to March 2014 to address all the Ngāi Tahu submissions, and emails exchanged to clarify submission points, including by providing research and land status information.

To more fully understand the Ngāi Tahu submissions, in accordance with Treaty obligations under section 4 Conservation Act 1987, draft submission responses and draft revised CMS texts were provided to Ngāi Tahu and further consultation occurred. Several points within the Ngāi Tahu submissions offered to provide additional information (e.g. dual Place names); this information was requested but was not provided at this time.

17F(g) Representatives of the Director-General and Conservation Boards affected may hear submissions from any other person or organisations consulted on the draft.

No submissions were heard other than from those who made written submissions.

17F(h)–(i) subsections require that after summarising all submissions and public opinion the CMS shall be revised by the Director-General and sent, along with the summary, to the Conservation Board.

A summary of submissions lodged on the draft Canterbury CMS was prepared by the Department. The summary records the submission issues and decisions sought by the submitter and gives the Department's response to each submission point, and whether the CMS text was amended (see Attachments).

In addition, 15 Common Issues reports were prepared for issues that had multiple similar submissions and/or were common across all three southern CMSs. These reports address:

- Aircraft
- Destination management and recreation
- Commercial filming and photography
- Horse riding
- Hunting
- Legal roads through public conservation lands
- Mapping
- Motorised vehicles
- Mountain biking
- Natural heritage management system
- Over-snow vehicles
- Private accommodation and related facilities
- Wilderness areas
- Marine protected areas
- Stewardship areas and other public conservation lands and waters classification/reclassifications

These reports provide summaries of the submissions received on the particular issue, a discussion of the various points made, and responses.

The draft CMS was revised to reflect public submissions and responses by the Department. Text that had been deleted was shown as ~~striketrough~~, while text added was shown as underlined, both in red print, enabling all changes to be clearly identifiable for the conservation board.

17F(j) requires the Director-General to provide the summary of submissions and revised CMS to the Conservation Board within 8 months of the date of public notification, or such later date as may be fixed in that behalf by the Minister

The time period since public notification to provide the summary of submissions and revised Draft CMS to the Conservation Board exceeded the 8 month requirement set by section 17F(j) of the Conservation Act. The Minister however, granted the Department an extension of time (until 31 December 2014), in accordance with section 17F(j)(ii) of the Conservation Act.

17F(k) requires the Conservation Board to consider the revised draft CMS, request the Director-General to further revise the draft, and send the draft to the Authority for approval, together with a written statement on any matters of content on which the Director-General and the Board are unable to agree, and send a copy of the summary of submissions.

The Canterbury Aoraki Conservation Board (“the Board”) received the revised draft CMS from the Director-General on 20 November 2014. The Board created a “committee of whole” which held workshops to consider the CMS on 26 January, 12 February, 11 March and 29 April. A hui with two Ngāi Tahu representatives on the Board and a Te Rūnanga o Ngāi Tahu representative was held to achieve further understanding of the Ngāi Tahu submission, with matters from this hui brought back to the full Committee. The Committee reached agreement with the Department on further revisions, but note the paragraph below. The Committee also considered that there were eight desirable revisions which could not be enabled by any submission; these matters are listed in Appendix 3 and are brought to the Authority’s attention for their consideration.

The Committee requested the CMS include an appendix listing all publicly-available huts within public conservation lands and/or managed by the Department within the CMS area. This listing is a deviation from the national CMS Template and was not included within the approved Northland, Auckland and Waikato CMS, but has been approved in this case at the Department’s Director of Conservation Services level. The list has been included as CMS Appendix 16 at present and referenced in Objective 1.5.3.4, and is specifically brought to the Authority’s attention for their consideration.

The Board was not able to complete its CMS consideration process within the prescribed six months of section 17F(l)(i) and sought from the Minister a time extension until 04 August 2015. This was granted by the Minister on 25 June 2015.

Despite this time extension there are four matters that the Board has not yet been able to resolve, two of which are awaiting a consultation response from Te Rūnanga o Ngāi Tahu (see below) and another awaiting legal advice from the Department. These four matters are referred to the Authority as matters on which the Board and the Department are unable to agree at this time (see Appendix 4).

The Board approved the revised draft Canterbury (Waitaha) CMS for recommendation to the Authority, at its Board meeting in Christchurch on 26 June 2015 (see DM-2533711).

4. Giving effect to the Treaty of Waitangi including through the implementation of the Ngāi Tahu Claims Settlement Act 1998.

The Ngāi Tahu Claims Settlement Act 1998 has specific provisions to be recorded and/or given effect through the CMS review; these provisions are set out in section 1.4 of the CMS and all have been given effect. Section 1.4 was developed in consultation with Te Rūnanga o Ngāi Tahu in the early stages of CMS reviews in 2008, and has been revised in response to Ngāi Tahu submissions and legal considerations. Giving effect to the Treaty of Waitangi and section 4 Conservation Act 1987, has been built into the whole CMS text and the draft CMS revision process (see under 17F(f) above).

In accordance with section 242 of the Ngāi Tahu Claims Settlement Act 1998, the Conservation Board consulted Te Rūnanga o Ngāi Tahu to have “particular regard to its views as to the effect [of the CMS] on the Ngāi Tahu values” of Tōpuni; Canterbury having three Tōpuni. Section 242 of the Act is slightly uncertain in its intent as to whether both the Board and the Authority have to consult with Te Rūnanga o Ngāi Tahu, or whether it need just be the Authority or the Board, e.g. the final approving body. To cover this uncertainty the Board has consulted, and depending on the Te Rūnanga o Ngāi Tahu response, the Authority will need to consider if it needs to repeat this consultation. See also Appendix 4.

5. Canterbury Earthquake Recovery Act 2011

Within Greater Christchurch (the districts of Christchurch City, Selwyn and Waimakariri District councils, and the adjacent coastal marine area) the CMS is subject to the Canterbury Earthquake Recovery Act 2011 until that Act expires on 19 April 2016. The Act has effect through a Recovery Strategy and Plans. Aspects of the CMS can be seen as supporting the components of recovery as set out in the Recovery Strategy, and the CMS is not inconsistent with the Recovery Act. The Department works with the Canterbury Earthquake Recovery Authority as and where required.

Attestations

The Director-General of Conservation certifies that sections 4, 17D and 17F of the Conservation Act 1987 have been complied with as far as possible.

A handwritten signature in black ink, appearing to be 'Barry Hanson', with a large loop at the top and a horizontal line at the bottom.

Barry Hanson
Director, Conservation Partnerships
South and Eastern South Island Region
By delegated authority from the Director-General of Conservation

Date: 07 July 2015

The Chairman, Canterbury Aoraki Conservation Board certifies that section 17F(k) of the Conservation Act 1987 and section 242 of the Ngāi Tahu Claims Settlement Act 1998 have been complied with as far as possible.

A handwritten signature in blue ink, appearing to be 'Robert Wynn-Williams', with a large loop at the top and a horizontal line at the bottom.

Robert Wynn-Williams
Chairman
Canterbury Aoraki Conservation Board

Date: 07 July 2015

Appendix 1: Schedule of changes to public conservation land and waters since 21 December 2012 (the data compilation date for the June 2013 notified draft CMS)

Note that the CMS Volume II public conservation lands and waters inventory maps have not yet been revised to incorporate the changes below. Further changes are expected within the next few months as Pastoral Land Act tenure reviews are progressed and these will be brought to NZCA attention, and the maps will be updated before NZCA final approval of the CMS.

Area	Comment	Proposal
Akaroa Marine Reserve	Proposed status well recorded in Draft CMS, submitted on, and Minister's public decisions at time of reserve approval.	Add into revised CMS, with Outcomes and decision-making policies based only on legislation and the Minister's decisions, and in common with the existing Pohatu Marine Reserve. Visitor management and Aircraft access zones are not considered necessary for this reserve, given navigational rights of passage and the controls, including of aircraft, available under the Marine Mammals Protection Act 1978.
View Hill Scenic Reserve extension	Extension to an existing reserve but not requiring management different from the original reserve, and no encumbrances (e.g. site-specific concessions).	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Red for Aircraft access zones, as for the existing reserve.
Hoods Bush Scenic Reserve extension	Extension to an existing reserve but not requiring management different from the original reserve, and no encumbrances (e.g. site-specific concessions).	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Red for Aircraft access zones, as for the existing reserve.
Saddle Hill Scenic Reserve	A new reserve but not requiring management different from other Banks Peninsula ridge-crest scenic reserves, and no encumbrances (e.g. site-specific concessions).	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Red for Aircraft access zones, as for adjoining summit ridge reserves.
Mailbox Inlet Government Purpose (Wildlife Management) Reserve	A now formalised reserve adjoining and narrowly surrounded (see CMS Map 6.13) by the Cass River Delta Govt Purpose Reserve Wildlife Management, and that has been predator fenced and managed for wildlife purposes (for kakī/black stilt) since the late 1970s.	Add into revised CMS, with no additional or changed outcomes or policies. Zone Rural for Visitor management and Red for Aircraft access zones, as for the adjoining reserve.

Mt Nimrod Scenic Reserve	Extension to an existing reserve but not requiring management different from the original reserve, and no encumbrances (e.g. site-specific concessions).	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Red for Aircraft access zones, as for the existing reserve.
Matata Scenic Reserve	Extension to an existing reserve but not requiring management different from the original reserve, and no encumbrances (e.g. site-specific concessions).	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Red for Aircraft access zones, as for the existing reserve.
Hunter Hills Conservation Area	South-eastern extension to an existing conservation area but not requiring management different from the original area; has an approx 300m long vehicle track easement near its edge for adjoining farm management purposes.	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Yellow for Aircraft access zones, as for the existing conservation area.
Oteake Conservation Park	Northern extension (between Dunstan Peaks CA and Omarama Saddle) as an exchange for an area lying between Omarama Stream and Little Omarama Stream, to an existing conservation park but not requiring management different from the original conservation park, and no encumbrances (e.g. site-specific concessions).	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Yellow for Aircraft access zones, as for the existing adjoining conservation park.
Ruataniwha Conservation Areas (Ben Ohau Range) and Glentanner Scenic Reserve (adjoining Tasman River)	The conservation areas fall within the Ruataniwha Conservation Park 'catchment' (see CMS Table 5), and the scenic reserve within the proposed (see CMS Policy 2.1.4) section 8 National Parks Act consideration for addition to Aoraki/Mount Cook National Park. Glentanner Station Ltd has also received a concession for tourism and commercial filming & photography activities over the conservation areas and scenic reserve that extends in time beyond the term of the revised CMS. With the exception of ATV and 4WD touring, these concession activities are consistent with the revised draft CMS provisions for the adjoining	For the conservation areas, add them into the revised CMS, with no additional or changed outcomes or policies, except to acknowledge in CMS Tables 2 & 3 the concessionaire ATV & 4WD activity. For the scenic reserve, which the draft CMS signals for a potential addition to AMCNPMP, an additional Outcome statement in the 2.4 Place addresses the reserve's significance as an approach to AMCNP, akin to the third paragraph of the 2.1 Place Outcome. As above, also acknowledge in CMS Tables 2, 3 and 10, the concessionaire ATV & 4WD activity. Zone Front country (for the scenic reserve), Backcountry (for the Ben Ohau Range mid-slopes) and

	Ruataniwha Conservation Park.	Remote (for the Ben Ohau Range summits) for Visitor management, and Yellow (for the scenic reserve) and Green (for the Ben Ohau Range) for Aircraft access zones, as for adjoining and nearby conservation areas.
Part Lake Pukaki Terminal Moraine Conservation Area	Land disposed of by way of exchange as part of Glentanner tenure review. Lake frontage retained as conservation area, with conservation covenant over the balance.	Delete from revised CMS, with no changed outcomes or policies. No change to Front country and Red aircraft zoning for the residual conservation area.
Palm Gully Scenic Reserve extension	Extension to an existing reserve but not requiring management different from the original reserve, and no encumbrances (e.g. site-specific concessions).	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Red for Aircraft access zones, as for the existing reserve.
Rakaia Forest Conservation Area	A large extension to an existing conservation area, resulting from the Manuka Point tenure review, lying within the Hakatere Conservation Park 'catchment' (see CMS Table 5). Small parts of the Rakaia Forest Conservation Area have been exchanged with Pastoral Lease lands to rationalize boundaries to existing fences and developed farmland edges. Manuka Point has applied for concessions for tourism and commercial filming & photography activities over both conservation areas, in accordance with the tenure review agreement. The heli-skiing part of these concessions will be on a single-operator basis as for other pcl heli-skiing blocks. The tenure review agreement for the concession for aerial positioning of recreationalists and guided parties, allows for more landings per day and per year than specified in Policy 3.6.3; this needs to be allowed for in the CMS Table 15.	Add into and delete from the revised CMS, with no additional or changed outcomes or policies. Re the Visitor management zones, extend the existing Rakaia Forest CA backcountry zone to include the hill faces facing onto the Mathias River, with remote zoning on the higher lands. Re the Aircraft access zoning, zone Orange the whole enlarged Rakaia Forest Conservation Area, and the part of the adjoining Rangitata/Rakaia Headwaters Conservation Area lying south of the West Mathias River. Amend CMS Table 15: Aircraft-Orange Zone Criteria, 9 th row (Part Rangitata/Rakaia Headwaters Conservation Area etc), by adding "For the whole year, other than for heli-skiing, the specific conditions of the Manuka Point Station Company Ltd concessions apply." Add the hatched heli-ski block to the Aircraft access Map 4.
Bog Roy Conservation Area	New conservation area, resulting from the Bog Roy tenure review, being the peninsula on the southern shore of Lake Benmore,	Add into revised CMS, with no additional or changed outcomes or policies. Zone Front Country for Visitor

	between Junction and Turnagain Islands, and the Otamatapaio River eastern valley-floor. Other than farming access easements there are no concessions over the pcl. Easements over Bog Roy freehold allow access for mountain bikes and horses. The peninsula is traversed by a Transpower pylon line.	management and Green for Aircraft access zones, as for surrounding and nearby marginal strips.
Kirkliston Range Conservation Area	Northern extension to an existing conservation area, resulting from the Invercroy tenure review. No concessions.	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Yellow for Aircraft access zones, as for the adjoining part of the already existing conservation area.
Ribbonwood Conservation Area	New conservation area resulting from the Ribbonwood tenure review, comprising four areas: two on Diadem Range adjoining the south-east boundary of Ahuriri Conservation Park; a small area of the Wairepo wetlands to which there is only foot-only easement access; and the river terraces scarp face adjoining the Ahuriri River. No concessions.	Add into revised CMS, with no additional or changed outcomes or policies. Zone mostly Backcountry, with a Front country and Rural frontage, for Visitor management as for the adjoining conservation park and areas. Zone Yellow for Aircraft access zones, as for the adjoining conservation park and areas, except to zone Red the Wairepo wetland area as for the nearby Quailburn Conservation Area. Add to the Mackenzie Basin row in Tables 8 (Vehicle access) and 9 (Horse access) to exclude other than foot access to the Wairepo wetland area.
The Poplars Conservation Area	New conservation areas adjoining the Lake Sumner Conservation Park and the 2007 NHF-purchased The Poplars Conservation Area, resulting from The Poplars tenure review. No concessions.	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management, except a small area of Front country where alongside SH7, and Yellow for Aircraft access zones, as for the adjoining conservation areas.
Boggy Creek Wildlife Management Reserve	New reserve on western shore of Te Waihora (Lake Ellesmere) purchased from North Canterbury Fish & Game Council.	Add into revised CMS, with no additional or changed outcomes or policies, except to note that this reserve will become part of the Lake Ellesmere Ecosystem priority unit. Zone Rural for Visitor management and Orange for Aircraft access

		zones, as for the other Te Waihora public conservation lands and waters covered by the Te Waihora Joint Management Plan (2005).
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Appendix 2: Conservation management plans proposed to be revoked or withdrawn
(in published date order)

- Bankside Scientific Reserve Management Plan (1979);
- Eyrewell Scientific Reserve Management (1979);
- Castle Hill Nature Reserve Management Plan (1980);
- Motunau Island Nature Reserve Management Plan (1980);
- Talbot Forest Scenic Reserve Management Plan (1980);
- Quail Island Recreation Reserve Management Plan (1982);
- Wilberforce Crown Land Management Area Management Plan (1982).
- Raincliff Historic Reserve Management Plan (1984);
- Weka Pass Historic Reserve Management Plan (1984);
- Bendhu Scientific Reserve Management Plan (1985);
- Kaitorete Spit Scientific Reserve Management Plan (1986);
- Loch Katrine Recreation Reserve Management Plan (1999);

Appendix 3: Revisions sought by the Conservation Board, not enabled by any submission, brought to the Authority's attention for their consideration.

NB: These revisions are already included in the Conservation Board's revised draft CMS (tracked changes version) to be tabled with the Authority.

CMS reference	Issue raised by Board	Desired text revision
Pg 35, 1.5.5 text, 2nd para.	Dislike the use of "progressive", and change phrasing so that protection comes first.	"Engaging in conservation offers progressive businesses the opportunity to <u>contribute to the protection of New Zealand's natural, historic and cultural</u> heritage and <u>to</u> add to their <u>business'</u> worth, value and reputation, and to contribute to the protection of New Zealand's natural, historic and cultural heritage. "
Pg 47, 2.2 Outcome, 7th para. Pg 60, 2.3 Outcome, 3rd para. Pg 73, 2.4 Outcome, 5th para. Pg 82, 2.5	Delete "in accordance with Department funding"; this requires some re-working of the sentences.	"A network of Local Treasure and Backcountry destinations providing access and accommodation facilities are maintained <u>by the Department and community organisations</u> in accordance with Departmental <u>facility provision</u> priorities and design requirements. Access and accommodation facilities are also provided or maintained by community organisations, also in accordance with Department facility provision priorities and design requirements. "

Outcome, 5th para.		
Pg 49, 2.2 Outcome	Realisation that the Lindis/Longslip and the Godley/Tasman pcl&w areas, which do not fall within the ambit of Policy 2.2.12 and Table 5, need an Outcome statement re aircraft access.	Add new para at end of the Outcome, headed “ Lindis/Longslip and Godley to Tasman Rivers ”: “Visitors encounter only occasional aircraft landings in these areas, but more regular or frequent landings within the southern side of the Gorilla Stream catchment. ”
Pg 92, Policy 2.6.3(b)	Add “native fish and invertebrates”.	“b) the protection of priority ecosystem units and threatened and at risk species, including through seeking improved modelling of river flow requirements for native birds, native fish and invertebrates ,”
Pg 124, Policy 3.1.3(3), 3rd bullet	Should refer to control as well as eradication.	“enable the control or eradication of pests using aerial bait operations;”
Pg 128, Mtb, text	Disagree with the phrase “There is often public acceptance...”, as there are a range of views about mixed used tracks.	“There is a range of views about is often public acceptance of mixed pedestrian and cycling use of tracks, and caution is needed...”
Pg 131, Aircraft, 2nd para.	Text about “allowing quick access” for people with limited time should be deleted, as allowing quick access should not be a reason for aircraft access.	“Both recreational and commercial aircraft can facilitate the use and enjoyment of public conservation lands and waters by providing access to difficult-to-reach places and allowing quick access for people with limited time.”
Pg 151, Policies 3.22.1 & 3.22.5	Realisation that the original intent of this policy, as discussed with the former CACB, has been misconstrued.	Policy 3.22.1(f): “it can be demonstrated that adequate public notification (and if required, consultation) has occurred of the event can occur before the event. Policy 3.22.3: “May waive or reduce the requirement for public consultation notification...”

Appendix 4: Matters for which the Conservation Board and the Department are unable to agree at this time.

The Conservation Board and the Department are unable to agree at this time on the following four matters.

CMS wording about Ngāi Tahu involvement in Conservation Act decision-making	The Board’s CMS Committee has questioned the wording within section 1.4 <i>Treaty partnership with Ngāi Tahu</i> (pg 18, 3rd paragraph), regarding “participation up to decision making”, and with implications for similar wording elsewhere e.g. the Vision (pg 14, 2 nd para) and
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	Objective 1.4.1.1 (pg 23). This wording was consulted on between the Department and Te Rūnanga o Ngāi Tahu and accepted by both. The Board sought wording that allowed for a greater Ngāi Tahu role in the decision making process, up to but not including any final statutory sign-off role, or deletion of the “up to decision making” wording . This request was referred to the Department’s Legal Services. As at 06 July this advice has yet to be finalised and considered. As the ‘decision making’ wording is common to all CMS reviews within, at least, the Ngāi Tahu rohe the advice may have implications for other CMS and NPMP reviews.
Kura Tāwhiti (Castle Hill) Scenic Reserve and Policy 2.4.27 regarding climbers’ fixed-anchors	Policy 2.4.27 requires the removal of fixed-anchors and no further fixed-anchors, and attracted only one submission, from Te Rūnanga o Ngāi Tahu in support. The reserve is a Tōpuni area, requiring specific Board or Authority consultation (see section 4 above). The Board seeks a more permissive revision of this policy, but given the single, supportive submission any revision would need referring to the Authority for consideration as for the matters in Appendix 3 above. As at 06 July the Te Rūnanga o Ngāi Tahu consultation response has not been received. Papatipu Rūnanga are meeting with the Department in July to discuss varied operational issues for the reserve, including the fixed-anchor management and the current extent of unauthorised fixed-anchors within the reserve.
Topuni milestones	As part of the Tōpuni consultation the Board is also awaiting a response from Te Rūnanga for the Board’s proposed Tōpuni Milestones at the end of section 1.4. The Department supports these milestones, but is also awaiting the Te Rūnanga consultation which may be delayed by the above Kura Tāwhiti (Castle Hill) Tōpuni action.
Milestones regarding NPMP, TWJMP and CMS review timeframes	Milestones in 2.1 (re AMC & AP NPMP), 2.4 (re Te Waihora JMP), and Part Three (re CMS) specify times for review initiations and/or completions. The Board wishes the milestones retained to enable it and the public to be kept informed of progress on reviews and to keep pressure on for the reviews to be timely; the Board sees timely reviews as an integral part of the social contract between the Department and the public in the ways public conservation lands and waters are managed. The Department does not believe these are needed, as review timeframes are a statutory requirement and the meeting, or not, of these timeframes is reported on publicly to NZCA at regular intervals, with explanations, and Ministerial approvals are sought for any extensions.

Schedule of documents for the NZ Conservation Authority

04 August 2015

Document name	Document link
CACB cover letter	DOC-2526879
NZCA agenda paper	DOC-2516221
Certificate of Compliance	DOCDM-1562694
NZCA CMS checklist	DOC-2528296
Record of Board revisions	DOCDM-1547632
Record of Canterbury Aoraki Conservation Board endorsement of revised CMS	DOC-2533711
Revised CMS - showing tracked changes	DOCDM-1551960
Revised CMS - clean version	DOC-2528737
CMS maps	Hard copy
Copy of full submissions – Volume 1	DOC-2538435
Copy of full submissions – Volume 2	DOC-2538445
Copy of full submissions – Volume 3	DOC-2538447
Summary of submissions by submitter	DOC-2538023
Summary of submissions by CMS section	DOC-2538018
South Island CMS Common Issues Report	DOCDM-1509367



Canterbury Aoraki Conservation Board
Te Poari Kaupapa Atawhai ki te Rohe

P O Box 5, Aoraki/Mount Cook 7946
Tel: (03) 4351185 Email: sslatter@doc.govt.nz

R 16/7/15 D

NZCA
File Reference
SRA -08-16-02

Dr Warren Parker
Chairperson
New Zealand Conservation Authority
P O Box 10 420
Wellington

07 July 2015

Canterbury (Waitaha) Conservation Management Strategy - Recommendation for approval.

Dear Warren

The Canterbury Aoraki Conservation Board is pleased to formally recommend the revised draft Canterbury (Waitaha) Conservation Management Strategy (CMS) for consideration and approval by the New Zealand Conservation Authority in accordance with section 17f (l) of the Conservation Act 1987.

The Board has undertaken a thorough review of the draft CMS and is satisfied with the process that has been followed.

The public hearings were attended by members of the Board in October and November of 2013. The Board has held four CMS Committee workshops plus two Board meeting sessions and further e-mail conversations to review the documentation and public submissions. Particular attention was given to consistency with the Southland Murihiku and Otago CMS revisions and across boundary issues.

In accordance with section 242 of the Ngāi Tahu Claims Settlement Act 1998, the Board consulted Te Rūnanga o Ngāi Tahu to have "particular regard to its views as to the effect [of the CMS] on Ngāi Tahu values" of Tōpuni. A partial response was received, but further information is still awaited.

There are four matters of CMS content on which the Board and the Department are unable to agree at this time. Two of these are due to awaiting a consultation response from Te Rūnanga o Ngāi Tahu, and a third awaits legal advice. All four matters are outlined in the Certificate of Compliance. Otherwise, we consider the CMS to be a comprehensive and well researched document which provides an excellent basis for future conservation work within the Canterbury (Waitaha) region.

There was a high level of interaction between the Board members and Department staff; in particular Shirley Slatter and Ainslee Hooper (Board Support) and Poma Palmer (Management Planner) provided the Board with valuable support and input which made the process of review so much more productive for the Board.

We trust you will consider this CMS favourably and our Board look forward to working with the Authority during your deliberations. I look forward to formally presenting the CMS at the meeting on 4 August 2015.

Yours sincerely

Robert Wynn-Williams
Chairperson
Canterbury Aoraki Conservation Board

REPORT

Meeting Date: 4 August 2015

Prepared By: Robyn Roberts, Statutory Management Planner, Planning
Permissions and Land, Shared Service, Christchurch

Subject: **Draft Otago Conservation Management Strategy**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	Statutory requirements under section 17F Conservation Act 1987, to consider and approve the Otago Conservation Management Strategy (CMS) as recommended by the Otago Conservation Board.
Recommendation or Action Required	It is recommended that the Authority: a) Agree to accept for consideration, the Otago CMS which is recommended for approval by the Otago Conservation Board. b) Agree to accept for consideration the Summary of Submissions on the notified draft Otago CMS. c) Note that the Certificate of Compliance demonstrates that the Otago CMS preparation process complies with all relevant statutory requirements, including Treaty Settlement legislation where applicable. d) Note that the Otago CMS meets the standards of best practice and qualities as described in the NZCA content and format check for CMS (10 July 2009), including the national CMS template. e) Note the section 242 Ngāi Tahu Claims Settlement Act 1998 obligation for the NZCA or the Conservation Board to consult with Te Rūnanga o Ngāi Tahu regarding Tōpuni within the CMS area, and that as the Board has consulted in this regard the NZCA needs to consider if it should consult also. f) Agree to consider the revisions sought by the Conservation Board and the Department, as itemised in Appendix 3 of the Certificate of Compliance, that are not able to be linked to any submission. g) Agree to send the draft Otago CMS and other relevant information to the Minister and consider any written recommendations the Minister considers appropriate. h) Approve the Otago CMS in accordance with the NZCA adopted procedure for considerations of statutory management planning documents.

Context	The draft Otago CMS is an output from the national review of CMS and is presented to NZCA in conjunction with the Canterbury (Waitaha) and the Southland Murihiku CMS. The Certificate of Compliance records the processes undertaken in accordance with the Conservation Act 1987 and the Ngāi Tahu Claims Settlement Act 1998. The Otago Conservation Board has considered the draft CMS and forwards the revised draft CMS to NZCA for consideration and approval.
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REPORT

Meeting Date: 4 August 2015

Prepared By: Robyn Roberts, Statutory Management Planner, Planning
Permissions and Land, Shared Service, Christchurch

Subject: **Draft Otago Conservation Management Strategy**

Background/Introduction

1. The Certificate of Compliance needs to be read in full to completely understand the processes followed for the Otago CMS; what follows is a brief summary of that Certificate.
2. The Otago CMS covers the area of the former Otago Conservancy as at 2012, including the Mount Aspiring National Park.
3. Public conservation lands and waters data in the CMS Volume II was correct as at December 2012. Additions and changes to those lands and waters are listed in Appendix 1 of the Certificate of Compliance and the Draft CMS data will be updated before CMS approval.
4. In reviewing the CMS, over 700 concessions, the Mount Aspiring National Park Management Plan 2011 and the Pukekura (Taiaroa Head) Reserves Management Plan 2013 were had regard to. The intention is to revoke the remaining twenty four older plans once the CMS is approved as listed in the Certificate of Compliance.
5. Review of the Otago Conservation Management Strategy 1998 started in 2011.
6. Pre-statutory consultation with Ngāi Tahu, local and central government and the community culminated in a draft Otago CMS, notified in June 2013 together with draft Canterbury (Waitaha) and Southland Murihiku CMS.
7. The draft was available for public submissions from June 2013 to September 2013. It was distributed widely and was accessible on the Department's website. A total of 336 submissions were received, and 86 submitters attended hearings. Hearing committees comprising of Department staff and Conservation Board members undertook hearings in October and November 2013.
8. Submissions were summarised and responses developed by the Department, including through the development of a Common Issues Report for issues that had multiple similar submissions and/or were common to all three CMS. The revised draft Otago CMS and the Summary of Submissions was forwarded to the Otago Conservation Board in November 2014.
9. The Otago Conservation Board considered the revised draft CMS and Summary of Submissions, and negotiated revisions with the Department. In April 2015 the Board sought an extension of time and the Minister granted this until 04 August 2015.
10. The Otago CMS meets statutory, policy, content, structure and style requirements and as such is fit for consideration and approval by the NZCA.

Details/Comment

11. Most matters within the Otago CMS are common to other CMS, but matters particularly developed for the Otago CMS include policies for:
 - Over-snow vehicles
 - Ski fields
 - Electric power-assisted pedal cycles
12. Of the 336 submissions received, the majority came from aircraft operators, four-wheel drive users, recreational hunters, horse riders, mountain bikers and over-snow vehicle users.
13. Submission issues that had multiple similar submissions and/or were common across the three southern CMS, and which are consequently addressed in the Common Issues Report as part of the submission responses, are:
 - Aircraft
 - Destination management and recreation
 - Commercial filming and photography
 - Horse riding
 - Hunting
 - Legal roads through public conservation lands
 - Mapping
 - Motorised vehicles
 - Mountain biking
 - Natural heritage management system
 - Over-snow vehicles
 - Private accommodation and related facilities
 - Wilderness areas
 - Marine protected areas
 - Stewardship areas and other public conservation lands and waters classification/reclassification
14. The main revisions to the draft CMS include:
 - A more explicit Interpretation section, with policies.
 - Clarification of the Treaty partnership with Ngāi Tahu and additional statements on Ngāi Tahu values.
 - Format, numbering and wording consistency where possible in Parts One and Three, between the three southern CMS (and now in the CMS Template).
 - Clarification of the use of the National Heritage Management System (NHMS) and its priority ecosystem units; and of Destination Management (DM) and its recreation destinations.
 - Recognition of the addition of public conservation lands and waters since the draft CMS was prepared.
 - Correct naming of locations to avoid use of unofficial local names.
 - Refinement of policies regarding legal roads running through public conservation lands.

- Revisions of the Milestones to make them more relevant in measuring achievement of the outcome and objectives in the CMS.
 - Revisions of the Part Three (and the Template) format for consistency, legal precision and completeness.
 - Addition of policy for electric power-assisted pedal cycles.
 - Revision of the aircraft policies and aircraft access maps to both clarify the policies and obtain consistency of approach between the three southern CMS.
 - More thorough analysis of the private accommodation and related facilities on public conservation land.
 - Updating provision flowing from the amended Crown Minerals Act 1991 and the Game Animal Council Act 2013.
 - Updating where needed of all Appendices.
 - The addition of an Appendix listing publicly available huts on public conservation land and/or managed by the Department.
15. There are 10 desirable revisions included in the CMS, agreed to by the Conservation Board and the Department not linked to any submission.
16. There are not matters of CMS content on which the Otago Conservation Board members and the Department disagree.

Section 4 Conservation Act

17. The Otago and the adjoining Canterbury (Waitaha) and Southland Murihiku CMS areas are entirely within the rohe of Ngāi Tahu.
18. Giving effect to the Treaty of Waitangi and section 4 Conservation Act 1987, including through implementation of the Ngāi Tahu Claims Settlement Act 1998, has been built into the whole CMS text and the draft CMS revision process.
19. For Ngāi Tahu, the Department's consultation, submission and submission clarification processes, and the Board's consultation processes, are set out in the Certificate of Compliance.

Conclusion

20. The Otago CMS meets the statutory and policy requirements and reflects the considerable contribution of the Otago Conservation Board, Departmental staff, Ngāi Tahu, communities, stakeholders, and agencies in its development.

**OTAGO
CONSERVATION MANAGEMENT STRATEGY
DRAFT REVIEW 2011 - 2015**

**CERTIFICATE OF COMPLIANCE
Otago Conservation Board to New Zealand Conservation Authority**

This Certificate of Compliance sets out the statutory processes followed when preparing the recommended draft Otago Conservation Management Strategy (CMS) in accordance with:

- the Conservation Act 1987 (CA87), Part 3A, and particularly sections 17D and 17F;
- giving effect to the principles of the Treaty of Waitangi (section 4 CA87); and
- other relevant acts, including the requirements to consult under the Marine Reserves Act 1971 and the Marine Mammal Protection Act 1978.

**1. Section 17D Conservation Act 1987
Conservation Management Strategies**

17D(1) The purpose of a conservation management strategy is to implement general policies and establish objectives for the integrated management of natural and historic resources, including any species, managed by the Department under the Wildlife Act 1953, the Marine Reserves Act 1971, the Reserves Act 1977, the Wild Animal Control Act 1977, the Marine Mammals Protection Act 1978, the National Parks Act 1980, or the Conservation Act 1987, or any of them, and for recreation, tourism, and other conservation purposes.

The CMS implements Conservation General Policy 2005 and the General Policy for National Parks 2005 (for Mount Aspiring National Park), and establishes outcomes, objectives and policies for the integrated management of natural and historic resources for conservation purposes. The relevant provisions of the other legislation listed above have also been taken into account. In addition, the CMS implements the Ngāi Tahu Claims Settlement Act 1998 (see section 1.4 of the CMS in particular). The relevant provisions of the other legislation listed above have also been taken into account.

17D(2) Within 5 years ... such conservation management strategies as may be necessary ... shall be prepared by the Director-General for approval by the Conservation Authority in accordance with section 17F.

The current conservation management strategy for the area covered by this CMS is the Otago Conservation Management Strategy August 1998.

17D(3) ... the Director-General shall determine the boundaries of a conservation management strategy.

The boundaries of the Otago CMS were determined at the commencement of this review and are the same as for the operative conservation management strategy, with a slight northern boundary adjustment. This CMS covers what was previously the Otago Conservancy as at 2012.

17D(4) Nothing in a conservation management strategy shall:
(a) derogate from any provision of this Act or any other Act; or
(b) derogate from any general policy approved under any of the Acts referred to in subsection (1); or

- (c) affect any agreement or arrangement entered into under this Act or any other Act between the Minister and any land owner other than the Crown between the Director-General and any such land owner.

This CMS has been prepared in accordance with the national template, and addresses all relevant statutory provisions, and has been subject to legal review. The Department of Conservation (the Department) considers that the CMS meets the tests of section 17D(4).

17D(5) A conservation management strategy may require the preparation of a conservation management plan under any Act specified in the Schedule 1 to this Act other than the National Parks Act 1980

This CMS does not require the preparation of any conservation management plan, although it does include a policy to “take action to include within Mount Aspiring National Park the proposed land additions as set out in the Mount Aspiring National Park Management Plan 2011”. If adopted, these additions will need addressing through amendments or at the time of next reviews of the existing management plan.

17D(6) Any conservation management plan approved in respect of any conservation park or under the National Parks Act 1980 may be approved as a conservation management strategy by the Conservation Authority in accordance with paragraphs (m) to (p) of section 17F, as if it were a draft conservation management strategy

There is only one such conservation management plan within the Otago region, the Mount Aspiring National Park Management Plan 2011 (MANPMP) prepared under the National Parks Act 1980. The Department does not seek to approve this plan as a CMS.

17D(7) A conservation management strategy shall identify and describe all protected areas managed by the Department within the boundaries of the strategy.

Volume II - Maps of the CMS includes Map 6: Public conservation land inventory – index maps and Maps (and their associated Map tables) 6.1 – 6.27, which identify and describe all public conservation lands and waters managed by the Department within the boundaries of the CMS area, as at the time of notification.

Volume II maps have not been updated since public notification occurred on 26 June 2013. Due to the Department’s ongoing programme of land acquisition, disposal and exchanges, Volume II will need updating prior to publication following approval by the NZCA. In the meantime, a schedule of updates to the draft Volume II was provided for the Board and has been further updated for the Authority so that any implications could be addressed. These are attached as Appendix 1. Also see section 17I (1A) below.

17D(8) When preparing a conservation management strategy, the Director-General shall have regard to any relevant concessions for the time being in force and to existing management plans under this Act or any Act specified in the Schedule 1.

In preparing this CMS regard has been given to existing concessions and management plans.

Concessions

There were over 700 active concessions within Otago at the time the draft CMS was publically notified on 26 June 2013. These concessions include activities such as grazing, guiding, accommodation, wild animal recovery operations, access easements, aircraft and a number of various other activities.

All concessionaires were informed of the review by way of email or letter at the time of public notification.

Existing concession activities that will or may be affected (beneficially or otherwise) by the draft CMS are vehicle and aircraft use (although the vehicle and aircraft provisions largely follow and formalise the current management directions used for vehicles and aircraft on public conservation lands and waters in Otago). Private accommodation, any concessionaire holding a valid concession to occupy private accommodation wishing to transfer or assign the concession to another party will be affected by the new requirement to allow for public use of that facility. Further guidance is also provided on grazing near rivers, sporting and competitive events and filming and photography.

All concessionaires may continue to operate as before – assuming they continue to comply with their concession conditions. However, upon expiry of these concessions, the holders will be required to seek new concessions, if they wish to continue undertaking the activity. At this point in time, applicants may find that there are additional, lesser or amended conditions placed on their proposed activity, in order to comply with the reviewed CMS.

This CMS reflects a national approach to managing concessions, incorporating accepted best management practices.

Management plans

There are two existing management plans affected by this CMS, the Mount Aspiring National Park Management Plan 2011 and Pukekura (Taiaroa Head) Reserves Management Plan 2013.

The CMS refers to and reflects the provisions in the Mount Aspiring National Park Management Plan for the management of a wide range of activities and provides for proposed additions to the national park as outlined in the national park management plan (see section 2.1).

The Pukekura (Taiaroa Head) Reserves Management Plan 2013, comprising a number of reserves administered under the Reserves Act 1977, the Wildlife Act 1953 and the Conservation Act 1987, is both a reserve management plan administered by the Dunedin City Council, and a conservation management plan administered by the Department. Policy 2.7.2 provides for the management of the Taiaroa Nature Reserve in accordance with the Pukekura (Taiaroa Head) Reserves Management Plan 2013.

Other conservation management plans, mostly dating from prior to the Department of Conservation, still exist and include those listed in Appendix 2. The intention is that these will be revoked (Reserves Act 1977) or withdrawn (Conservation Act 1987) subsequent to the CMS approval. The CMS incorporates the provisions of these plans, where still relevant and needed.

2. Section 17H and 17I Conservation Act 1987

Reviews of / amendments to conservation management strategies

Review or amendment of conservation management strategies (in whole or in part) is undertaken so that increased knowledge or changing circumstances are taken into account.

A whole review of a conservation management strategy is required within 10 years of its approval (section 17H(4)(b) Conservation Act 1987).

The current Otago CMS was approved in 1998. Early discussions with the Otago Conservation Board regarding the review of the CMS began in 2009. Its progress was affected by CMS national template re-design and two restructures within the Department that resulted in the loss of key management planning staff.

3. Section 17F Conservation Act 1987.

Procedure for preparation and approval of conservation management strategies

17F(a) every draft shall be prepared by the Director-General in consultation with the Conservation Boards affected by it and such other persons or organisations, as the Director-General considers practicable and appropriate.

After early discussions with the Otago Conservation Board, the Department began a review of the Otago CMS (1998) in March 2011. The Department in consultation with the Otago Conservation Board, Te Rūnanga o Ngāi Tahu and local communities prepared the draft review of the Otago CMS. Table 1 includes an overview of the consultation undertaken prior to public notification in 2013.

A range of public and specific group meetings were held. Factsheets on the Otago CMS were produced and made available at meetings, via post and on the Department's website. These covered the CMS process and new national approach and Otago specific information including the definition of Places and important or distinctive Otago matters that should be given prominence in the CMS. The initial factsheet was sent out to over 1000 stakeholders in May 2011 as part of the Otago "Good as Gold" newsletter mail-out.

Public opinion received by the Department during the early consultation phase was taken into account during preparation of the draft CMS.

Table 1 Consultation undertaken 2011- 2012 as required by section 17 F

Who consulted	When/Where/What
Ngāi Tahu (Te Rūnanga o Ngāi Tahu (TRONT), and Rūnanga)	• 5 May 2011 - Ngāi Tahu hui in Dunedin to introduce the CMS and way forwards • 14 February 2012 - Combined Otago and Southland hui • 19 July 2012 - Meeting with some members of Te Kaitiaki Roopu and Otago Conservation Board • 12 February 2013 - Discussions and correspondence with TRONT including a meeting in Dunedin with Ngāi Tahu representatives to discuss and refine a final draft
Local authorities	• Letters/emails to all local authorities • Meetings with Waitaki District Council, Clutha District Council, Dunedin City Council, Otago Regional Council, Central Otago District Council, Queenstown Lakes District Council
'Conservation' organisations incl: • RF&BPS • Yellow-eyed Penguin Trust • Public Access NZ	• Notifications, meetings and discussions
Statutory 'conservation' agencies: • Fish & Game Otago • NZHPT	• 27 July 2011 - Discussions and meetings, including Fish & Game in Dunedin, NZHPT
Recreation groups, including: • Central Otago Recreational Users	• Notifications, discussions and meetings

Forum (CORUF) • Wanaka Recreational User Group • Queenstown Mountain Bike Club • Back Country Skiers Alliance • NZ Ski • NZ Professional Fishing Guides Assn • NZDA, including meeting with Wakatipu Deerstalkers • 4WD groups • Snowmobilers, including a meeting in Alexandra on 18th Jan 2012	
Tourism and aircraft operators • Tourism Industry Assoc of NZ (TIANZ) • Queenstown Milford Aircraft User Group (QMUG)	Discussions and meeting to discuss final draft. • 12 August 2013 - Te Anau • 13 August 2013 - Queenstown • 15 August 2013 - Tekapo • 16 August 2013 - Christchurch
Federated Farmers	• 4 August 2011 - Discussions and meetings, including Glenorchy Area Farmers
Other commercial bodies • Contact Energy • NZ Film Industry	• 13 July 2011 - Discussions and meetings, including Film NZ • 19 April 2012 - Film NZ workshop
Other community groups • Glenorchy Community Assn • Kinloch Community Assn	• Meetings and discussions
Public generally – open days	Otago CMS public open days held as follows: • 28 June 2011 - Wanaka Visitor Centre • 30 June 2011 - Owaka Area Office • 4 July 2011 - DOC Visitor Centre Dunedin • 7 July 2011 - DOC visitor Centre Alexandra • 19 July 2011 - Ranfurly rugby rooms • 20 July 2011 - Wakatipu Area Office • Factsheets and CMS updates available on DOC website for informal comment • Updates in Otago “Good as Gold” newsletters

The national CMS review process was placed on hold from late 2009 until April 2011, when the new CMS Template and national prioritisation tools were publically launched along with new consultation requirements. These new tools were then incorporated into the CMS review process.

17F(b)-(e) subsections address the public notification¹ and submission process for a CMS. These sections identify who needs to be notified, how the notification occurs and the minimum time period for submission. It also enables the ability for the Department and the Board to obtain public opinion by other means and from any person.

The draft Otago CMS was publically notified for submissions on Wednesday 26 June 2013, concurrently with the Canterbury and Southland CMS, by advertising in the national newspapers (as required by section 49(1) Conservation Act 1987: NZ Herald, Dominion Post, Christchurch Press, Otago Daily Times, Southland Times, Timaru Herald, and selected local and community newspapers, Oamaru Mail, Ashburton Guardian, Wanaka Sun, Fiordland Advocate, Geraldine News, Mountain Scene, High Country Herald, Greymouth Star, Kaikoura Star, The Star (Dunedin), The Central Otago News, The Mirror, The Clutha Leader, Southern Rural Life, North Otago News, The Ensign (Gore), Stewart Island News, The Southland Express, Mainland Press, Akaroa

¹ Note this public notification has to occur in accordance with section 49(1) of the Conservation Act.

Mail, The Star (Christchurch)). This notice detailed where the draft CMS could be obtained (in hard copy or CD versions) and where it was available for public inspection.

In addition Te Rūnanga o Ngāi Tahu, community and environmental groups, concessionaires, regional, city and district councils, adjoining Conservation Boards and key stakeholders including those who had participated in pre-notification consultation were contacted directly by e-mail or letter and invited to make submissions. All received or were provided web links to copies of the CMS, submission forms and a factsheet to assist in making submissions.

Copies of the CMS were available for inspection at: the Department's National Office; all Conservancy Offices (at that time); Otago Area Offices (at that time); local libraries and visitor centres for the duration of the submission period. Further copies of the CMS were supplied on request. Material, including copies of the CMS, an online submission form and guide to making a submission were also available on the Department's website (www.doc.govt.nz). This included an e-mail address (southislandCMS@doc.govt.nz) that people could use to contact the Department for further information or to request a copy of the CMS.

The CMS was available for public submission for 57 working days. The submission period closed at 4.30 pm Friday 13 September 2013. Late submissions were accepted until 20 September.

A national media release was sent out through local and national newspapers on all three conservation management strategies. National magazine and newsletter coverage also occurred as well as internet and social media used to create and share a blog on the DOC webpage.

Submission forms were made available within the draft CMS, to assist people unfamiliar with making submissions in structuring their written submissions and to assist the Department's analysis. Submissions were also accepted to a specifically established e-mail address: southislandcms@doc.govt.nz.

Throughout the submission period, requests for information and for hard copies of the CMS were responded to. A number of meetings were held with potential submitters who had requested them, or who had contributed significantly to the draft CMS development, or who had a history as major submitters (see Table 2).

Table 2 Meetings held with potential submitters

Potential submitters	When/Where
Federated Mountain Clubs	4 July 2013 - Christchurch
NGO Forum	11 July 2013 - Wellington
Otago Regional Council	14 July 2013 - Dunedin
4WD clubs	18 July 2013 - Christchurch
Federated Farmers	10 August 2013 - Timaru
Film NZ	14 August 2013 - Christchurch
TIA and concessionaires	12 August 2013 - Te Anau, 13 August 2013 - Queenstown, 15 August 2013 - Tekapo, 16 August 2013 - Christchurch
NZDA and recreational hunters	17 August 2013 - Christchurch
FMC	28 August 2013 - Christchurch
Clutha District Council	11 September 2013 - Dunedin

Given difficulties for both the Department and Ngāi Tahu in engaging in consultation during the draft CMS development stages, further consultation was offered once the draft CMS was notified, but was declined by Te Rūnanga o Ngāi Tahu at this time.

Requirements for consultation under the Marine Reserves Act 1971 and the Marine Mammal Protection Act 1978

In accordance with the requirements of section 7(2) of the Marine Reserves Act 1971 and section 3C(2) of the Marine Mammal Protection Act 1978, the Department contacted the Ministry of Primary Industries and the Ministry of Transport (in July 2013) to ensure that these Ministries were aware that the CMS had been publically notified and to identify any particular issues that needed clarifying or discussing prior to them lodging a submission. No issues of concern were raised.

17F(f) The Director-General shall give every person or organisation who or which, in making any submissions on the draft, asked to be heard in support of his or her or its submissions, a reasonable opportunity of appearing before a meeting of the representatives of the Director-General and the Conservation Boards affected.

The Department received 336 written submissions on the draft Otago CMS. All submitters received an acknowledgement of their submission.

A hearing panel, comprising of two Otago Conservation Board members and two representatives of the Director-General of Conservation (one of whom chaired the meeting), heard submissions. A Department management planner attended to coordinate submitters, record presentations and notes from each hearing and advise the hearing panel. A Department Solicitor also attended some hearings. Other staff and Conservation Board members attended various hearings as observers.

The 132 submitters who indicated a wish to be heard in support of their submission were contacted individually by phone and/or email, some on several occasions, and arrangements made for them to attend on one of the identified hearing days. An option was made available for those unable to attend in person to be heard via telephone. Some submitters decided that they no longer wished to be heard and the remainder were allocated times and locations. Hearings were held for a final total of 86 submitters, in four locations over eight working days (from 21 October 2013 to 7 November 2013), as outlined in Table 3 below:

Table 3 CMS Hearings

Hearing date	Location	Board members attending
21 October 2013	Dunedin - DOC Office	Susan Stevens, Jim Williams
22 October 2013	Queenstown - Rydges Hotel	Susan Stevens, Gordon Bailey
23 October 2013	Queenstown - Rydges Hotel	Susan Stevens, Gordon Bailey
24 October 2013	Wanaka - DOC Office	Susan Stevens, Gordon Bailey
4 November 2013	Dunedin - DOC Office	Susan Stevens, Jim Williams
5 November 2013	Dunedin - DOC Office	Susan Stevens, Jim Williams
6 November 2013	Dunedin - DOC Office	Susan Stevens, Jim Williams
7 November 2013	Dunedin - Otakou Marae	Susan Stevens, Jim Williams

Submitters were provided with a copy of a hearings information sheet prior to the hearing. Hearing panel members were provided with copies of the submissions for those submitters being heard and a hearings conduct advice information sheet written specifically for them. Submitters were allocated 10 minutes for their presentation with an

additional 5 minutes for questions from the panel. Some submitters sought, and were given, 20 minutes due to the extent of their submission.

Most hearings were recorded and the files stored on the Department's computer system. A written record was taken by way of notes from the management planner and the hearing panel members, to record any additional information provided. The hearings record also included copies of presentations and supporting information tabled by submitters.

Following the hearings for all three southern CMS with Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga and Ngāi Tahu tourism and completion of their submission summaries, four meetings were held with Te Rūnanga o Ngāi Tahu staff from January to March 2014 to address all the Ngāi Tahu submissions, and e-mails exchanged to clarify submission points, including by providing research and land status information.

To more fully understand the Ngāi Tahu submissions, in accordance with Treaty obligations under section 4, Conservation Act 1987, draft submission responses and draft revised CMS texts were provided to Ngāi Tahu and further consultation occurred. Several points within the Ngāi Tahu submissions offered to provide additional information (e.g. dual Place names); this information was requested but has not yet been provided.

17F(g) representatives of the Director-General and the Conservation Boards affected may hear submissions from any other person or organisations consulted on the draft.

Neither the Department nor the Conservation Board sought to hear submissions from anyone else, other than those who made written submissions.

17(h)-(i) subsections require that after summarising all submissions and public opinion the CMS shall be revised by the Director-General and sent, along with the summary, to the Conservation Board.

A summary of submissions received on the draft Otago CMS was prepared by the Department and presented in two report forms:

- listed by CMS section; and
- listed by submitter

The reports identify the concerns raised ("Submission summary") and any decision sought by the submitter. In the 'Decision sought' column some entities also include text identified as "HR[...text...]". This records any extra information that was provided by the submitter at a hearing. The 'Response' column gives the Department's response to each submission point, and whether the CMS text was revised.

In addition, 15 common issues reports were prepared for a number of issues that had multiple similar submissions and/or were common across all three CMS. These reports address:

- Aircraft
- Destination management and recreation
- Commercial Filming and Photography
- Horse riding
- Hunting
- Legal roads through public conservation lands
- Mapping

- Motorised Vehicles
- Mountain biking
- Natural heritage management system
- Over-snow vehicles
- Private accommodation and related facilities
- Wilderness areas
- Marine Protected Areas
- Stewardship areas and other public conservation lands classification/reclassification

These reports provide summaries of the submissions received on the particular issue, a discussion of the various points made, and an overall response.

Responses to submissions were developed with input from the following:

- Science and technical staff
- Recreational planning staff
- Legal staff
- Local services and partnership staff
- Services and Partnership Directors
- South Island management planning team
- National management planner advisors

The draft CMS was revised to reflect public submissions and responses by the Department. Deleted text was shown as ~~striketrough~~, while text that had been added was shown as underlined, enabling all changes to be clearly identifiable for the Conservation Board.

Throughout the review period, regular written progress reports were provided to the Otago Conservation Board.

The revised draft CMS, the analysis of submissions and the Common Issues reports were reviewed by national management planning advisors and Legal Services staff. Amendments were made as required, consistent with advice received.

17F(j) requires the Director-General to provide the summary of submissions and the revised draft CMS to the Conservation Boards within 8 months of the date of notification, or such later date as may be fixed in that behalf by the Minister.

The time period since public notification to provide the summary of submissions and revised Draft CMS to the Conservation Board exceeded the 8 month requirement set by section 17F(j) of the Conservation Act 1987. However, the Minister granted the Department an extension of time (until 31 December 2014), in accordance with section 17F(j)(ii) of the Conservation Act.

17F(k) requires the Conservation Board to consider the revised draft CMS, request the Director-General to further revise the draft, and send the draft to the Authority for approval, together with a written statement on any matters of content on which the Director-General and the Board are unable to agree, and send a copy of the summary of submissions.

The Otago Conservation Board received the revised draft CMS from the Director-General on 21 November 2014. An initial workshop to discuss the revised draft CMS and accompanying documents was held with the Board on 9 December 2014. This was

followed by further workshops with the Board's CMS committee on 28 and 29 January, 9 February, 16 and 17 February, 5 March, 9 April and 18 June 2015. In addition to the workshops, documentation and updates were provided by way of e-mail between the Conservation Board and the Department.

Requests for the CMS to include an appendix listing all publicly available huts on public conservation lands and/or managed by the Department within the CMS area were received. This listing is a deviation from the national CMS Template and was not included within the approved Northland, Auckland and Waikato CMS, but was approved in this case at the Department's Director of Conservation Services level. The list has been included as CMS Appendix 15 at present and referenced in Objective 1.5.3.4, and is specifically brought to the Authority's attention for its consideration.

- 17F(l) the Conservation Board affected shall send the draft received under paragraph (i) to the Conservation authority before –**
- (i) the expiration of 6 months after the date of its referral to the Boards by the Director-General; or**
 - (ii) such later date as may be fixed in that behalf by the Minister.**

The time period from when the Conservation Board received the revised Draft CMS on the 20 November 2014 exceeded the 6 month requirement set by section 17F(l) of the Conservation Act 1987. The Conservation Board sought an extension of time from the Minister until the next Conservation Authority meeting in August 2015. This extension was granted by the Minister, in accordance with section 17F(l)(ii) of the Conservation Act.

The Board reached agreement with the Department on all further revisions to the draft CMS. The Board also considered that there were 10 desirable revisions that could not be linked to any submission. These matters are listed in Appendix 3 and are brought to the Authority's attention for its consideration.

4. Giving effect to the Treaty of Waitangi through the implementation of the Ngāi Tahu Claims Settlement Act 1998.

The Ngāi Tahu Claims Settlement Act 1998 has specific provisions to be recorded and/or given effect through the CMS review. These provisions are set out in section 1.4 of the CMS and all have been given effect. Section 1.4 was developed in consultation with Te Rūnanga o Ngāi Tahu in the early stages of CMS reviews in 2008 and has been revised in responses to Ngāi Tahu submissions and legal considerations. Giving effect to the Treaty of Waitangi and section 4 Conservation Act 1987, has been built into the whole CMS text and the draft CMS revision process (see under 17F(f) above).

In accordance with section 242 of the Ngāi Tahu Claims Settlement Act 1998, the Conservation Board consulted Te Rūnanga o Ngāi Tahu to have 'particular regard to its views as to the effect (of the CMS) on Ngāi Tahu values' of Tōpuni; with there being five Tōpuni in Otago. Section 242 of the Act is slightly unclear in its intent as to whether both the Board and the Authority have to consult with Te Rūnanga o Ngāi Tahu, or whether it just needs to be the Board or the Authority (e.g. the final approving body). To cover this uncertainty, the Board has consulted with Te Rūnanga o Ngāi Tahu, and the response received (22 May 2015) was that Te Rūnanga is not seeking any amendments to the Otago CMS.

Attestations

The Director-General of Conservation certifies that sections 17D and 17F of the Conservation Act 1987 have been complied with as far as possible.



Barry Hanson
Director, Conservation Partnerships
South and Eastern South Island Region
By delegated authority from the Director-General of Conservation

Date: 7 July 2015

The Chairperson of the Otago Conservation Board certifies that section 17F(k) of the Conservation Act 1987 has been complied with as far as possible.



Pat Garden
Chairperson
Otago Conservation Board

Date: 3 July 2015

Appendix 1: Schedule of changes to public conservation lands and waters since 21 December 2012.

Area	Comment	Proposal
Whakaari Conservation Area - Temple Peak	Added as a result of tenure review process, as identified in the Draft CMS, to 2.3 Western Lakes and Mountains/Ngā Puna Wai Karikari a Rakaihautū Place	Add into revised CMS and apply existing provisions with no additional changed outcomes or policies. VMZ - Backcountry AAZ - Orange
The Larches Conservation Area	Added as a result of tenure review process to 2.3 Western Lakes and Mountains/Ngā Puna Wai Karikari a Rakaihautū Place.	Add into revised CMS and apply existing provisions with no additional changed outcomes or policies. VMZ - Backcountry AAZ - Green
Conservation Area - Ben Nevis Scenic Reserve	2.3 Western Lakes and Mountains/Ngā Puna Wai Karikari a Rakaihautū Place.	Added into revised CMS and apply existing provisions with no additional changed outcome and policies. VMZ - Backcountry AAZ - Orange
Long Gully Conservation Area	Added as a result of tenure review process. Within 2.4 Central Otago Uplands Place	Add into revised CMS and apply existing provisions, with no additional or changed outcomes or policies. VMZ - Backcountry AAZ - Orange
Earthquakes 'Scientific' Reserve	Acquisition to 2.4 Central Otago Uplands Place	Add into revised CMS and apply existing provisions, with no additional or changed outcomes or policies. VMZ - Frontcountry AAZ - Red
Mata-au Scientific Reserve plus Reserve addition	Added as a result of tenure review process. Within 2.4 Central Otago Uplands Place	Add into revised CMS and apply existing provisions, with no additional or changed outcomes or policies. VMZ - Backcountry AAZ - Red
Cluden Creek Conservation Area	Added as a result of tenure review process. Within 2.4 Central Otago Uplands Place	Add into revised CMS and apply existing provisions, with no additional or changed outcomes or policies. VMZ - Backcountry AAZ - Yellow
Omako Historic Reserve	Added as a result of tenure review process (ex Cluden Station). Within 2.4 Central Otago Uplands Place	Add into revised CMS and apply existing provisions, with no additional or changed outcomes or policies. VMZ - Backcountry AAZ - Green
Awa Nohoaka Conservation Area	Added as a result of tenure review - Deep Creek,	Add into revised CMS and apply existing provisions,

	compliments existing Conservation Area. Within 2.4 Central Otago Uplands Place	with no additional or changed outcomes or policies. VMZ - Backcountry AAZ - Orange
Lauder Basin Conservation Area	Added as a result of tenure review, compliments existing Conservation Area. Within 2.4 Central Otago Uplands Place	Add into revised CMS and apply existing provisions, with no additional or changed outcomes or policies. VMZ - Backcountry AAZ - Yellow
Contact "scenic" reserve	Acquisition of land and added to 2.4 Central Otago Uplands Place	Add to revised CMS and apply existing provisions with no additional changed outcomes or policies. VMZ - Frontcountry AAZ - Green
Kanes "scenic" reserve	Acquisition of land and added to 2.4 Central Otago Uplands Place	Add to revised CMS and apply existing provisions with no additional changed outcomes or policies. VMZ - Frontcountry AAZ - Green
Clutha river "scenic" reserve	Acquisition of land and added to 2.4 Central Otago Uplands Place	Add to revised CMS and apply existing provisions with no additional changed outcomes or policies. VMZ - Frontcountry AAZ - Green
Conservation Area - Waynes	Disposed of and sold to adjoining land owner, removed from 2.4 Central Otago Uplands Place.	No changes to outcomes and policies required.
The Nook "scenic" reserve	Acquisition of land and added to 2.4 Central Otago Uplands Place	Add to revised CMS and apply existing provisions with no additional changed outcomes and policies. VMZ - Frontcountry AAZ - Green
Potters Creek Conservation Area	Added as a result of tenure review process. Within 2.5 Old Man Range/Kopuwai, Old Woman Range, and Garvie Mountains Place	Add into revised CMS and apply existing provisions, with no additional or changed outcomes or policies. VMZ - Backcountry AAZ - Yellow
Young Australian Historic Reserve	Added as a result of tenure review, compliments existing Historic Reserve. Within 2.5 Old Man Range/Kopuwai, Old Woman Range, and Garvie Mountains Place	Add into revised CMS and apply existing provisions, with no additional or changed outcomes or policies. VMZ - Backcountry AAZ - Yellow
Kopuwai CA	Added as a result of tenure review process to 2.5 Old Man Range/Kopuwai, Old Woman Range, and Garvie Mountain Place.	Add into revised CMS and apply existing provisions, with no additional changed outcomes or policies. VMZ - Backcountry

		AAZ - Yellow
Omakau Local Purpose (Rural Fire) Reserve	Small piece of CODC administrated recreation reserve divided off for a new fire station. Within 2.6 Central Otago Drylands/Manuherikia Place	Add into revised CMS and apply existing provisions, with no additional or changed outcomes or policies. VMZ – Frontcountry AAZ - Red
Keddell Road Conservation Area	Disposal, removed from 2.6 Central Otago Drylands/Manuherikia Place.	No changes to outcomes and policies.
Conservation Area – Town of Nenthorn	Addition to the Town of Nenthorn 2.6 Central Otago Drylands/Manuherikia Place.	Add to revised CMS and apply existing provisions with no additional changed outcomes and policies. VMZ – Backcountry AAZ – Red
Gards Road “Scenic” Reserve	Acquisition of land and added to 2.6 Central Otago Drylands/Manuherikia Place.	Add to revised CMS and apply existing provisions with no additional changed outcomes and policies. VMZ – TBA AAZ – TBA
Silverpeaks Scenic Reserve	Small addition to Silverpeaks Scenic Reserve, to 2.7 Eastern Otago and Lowlands/Maukaatua Place.	Add into revised CMS and apply existing provisions, with no additional changed outcomes and policies. VMZ – Backcountry AAZ - Yellow
Garrison Hall Port Chalmers – Local purpose Reserve	Disposal, removed from 2.7 Eastern Otago and Lowlands/Maukaatua Place.	No changes to outcomes and policies.

Appendix 2: Conservation management plans proposed to be revoked or withdrawn

- 1977 Silver Peaks Forest management plan
- 1978 Little Hoopers Inlet Wildlife Management Reserve management plan
- 1980 Otago land district: Green Island Recreation Reserve management plan
- 1980 Rastus Burn Recreation Reserve management plan
- 1980 South-East Otago regional management plan 1980-1990
- 1982 Lake Hayes reserves management plan
- 1982 Moeraki Boulders Scenic Reserve management plan
- 1982 Shotover-Mt Aurum Crown Land Management Area management plan
- 1982 The South East Otago scenic & recreation reserves : management plan
- 1982 Trotters Gorge Scenic Reserve management plan
- 1982 West Wanaka Crown Land Management Area management plan
- 1983 Goodwood Scenic Reserve management plan
- 1983 Grahams Bush Scenic Reserve management plan
- 1984 Wharf Creek Recreation Reserve management plan
- 1985 Alexandra Courthouse Historic Reserve management plan
- 1985 Arrowtown Chinese Settlement Historic Reserve management plan
- 1985 Catlins State Forest Park management plan, April 1 1982-March 31 1987
- 1985 Cromwell Chafer Beetle Nature Reserve management plan
- 1985 Management plan for the Silverpeaks Scenic Reserve
- 1985 Reserves of the Maungatua Range and the Waipori Gorge management plan

- 1986 Gabriels Gully Historic Reserves management plan
- 1986 Katiki Point Historic Reserve management plan
- 1991 Mount Aurum Reserve : conservation management plan
- 1994 Coronet Peak Recreation Reserve : conservation management plan

Appendix 3: Desirable revisions not linked to any submission, brought by the Board to the Authority's attention for their consideration.

CMS reference	Issue raised by Board	Desired text revision
1.4 Text, and Policy 1.4.2.8, pg 32	The new paragraph added at the end of the introductory text of Section 1.4 (starts "Processes and protocols may be needed ...). While the intent of this statement has been reflected in the (new) policy 1.4.2.8 for commercial partnerships, it doesn't capture other partnerships with community groups or other agencies. Can we suggest changing this policy? This would be encompassing of all types of partnerships.	"Take into account Ngāi Tahu values when developing commercial partnerships with others to ensure the role and values of Ngāi Tahu in relations to such partnerships are fully considered."
2.2 Outcome, 1 st para, pg 51. 2.3 Outcome, 3 rd para, 63 2.4 Outcome, 2 nd para, pg 77 2.5 Outcome, 6 th para, pg 83 2.6 Outcome, 7 th para, pg 89 2.7 Outcome, 7 th para, pg 97 2.8 Outcome, 6 th para, pg 105	Delete "in accordance with Department funding".	"A network of Local Treasure and Backcountry destinations providing access and accommodation facilities are maintained by the Department and community organisations within..... in accordance with Department funding and facility provision priorities and design requirements. "
Policy 2.4.1 pg 77 and 2.5.1, pg 84	'Seek the creation of a 'tussock grassland park'....' Reword to Advocate' rather than 'seek'.	Policy 2.4.1 and 2.5.1 "Advocate for Seek the creation of a 'tussock grassland park
Policy 3.1.3 (c) iv., pg 122	Should refer to control as well as eradication.	"enable the control or eradication of pests using aerial bait operations;"
Policy 3.22.1 f), pg 155	The intent of this criterion was not clear with respect to public consultation prior to, and public notification after, granting a concession.	Policy 3.22.1 f): "it can be determined that adequate public notification of the event can occur before the event (and if required consultation) has occurred."
Policy 3.22.3, pg	The text was incorrectly revised	"May waive or reduce the

155	and needs to reflect the change to Policy 3.22.1 (f)	requirements for public notification consultation in circumstances where....”
Glossary, Statement of Intent, pg 177	As it’s a rolling 5-year document ‘longer term’ is not as meaningful.	“A document that sets out a rolling 5-year the longer term direction for the Department.”
Appendix 1, Hazardous goods, Management actions, pg 192	Need to recognise the use of treated timber and address the removal of off-cuts.	“Use Storage , transportation, storage and disposal application of hazardous substances...pesticides, and herbicides and treated timber.”
Appendix 2, Management responses, pgs 193-211	Where there is reference to ‘Advocacy and consultation’ there can also be partnership opportunities.	“Advocacy, and consultation and partnerships.”
Appendix 6, Table A6.1, pg 232	Change title to ‘Pest and wild animals’ to be consistent with terminology in text.	“Animal pests” Pest and wild animals.”

Schedule of documents for the New Zealand Conservation Authority 04 August 2015

Document name	Document link
Otago Conservation Board - cover letter	DM-2528848
NZCA agenda paper	DM-2517723
Certificate of Compliance	DM-1237608
NZCA CMS checklist	DM-2528853
Record of Board revisions Table One – Otago Conservation Board Revisions Table Two – Other Boards and DOC revisions for Otago approved by OCB	DM-1527176 DM-1549500
Record of Otago Conservation Board endorsement of revised CMS	DM-2535112
Revised CMS - showing tracked changes	DM-1588149
Revised CMS - clean version	DM-2535328
CMS maps – overview maps 2, 3, 4 plus CD of notified detail maps	Hard Copy and on CD
Copy of full submissions – volumes Volume 1 Volume 2 Volume 3	DM-2538469 DM-2538470 DM-2538471
Summary of submissions by submitter	DM-2535357
Summary of submissions by CMS section	DM-2535354
South Island CMS Common Issues Report	DM-1509367



OTAGO CONSERVATION BOARD

Pōari Papa Atawhai – ā-rohe ki Ōtāgo

Box 5244, Dunedin 9058 Tel: (03) 474 6944 Email: ahooper@doc.govt.nz

3 July 2015

Dr Warren Parker
Chairperson
New Zealand Conservation Authority
PO Box 10-420
WELLINGTON

RECEIVED
16/7/15

NZCA
File Reference:
SPA 08-17-01

Otago Conservation Management Strategy – Recommendation for approval

Dear Warren

The Otago Conservation Board is pleased to formally recommend the revised draft Otago Conservation Management Strategy (CMS) for consideration and approval by the New Zealand Conservation Authority in accordance with section 17F (1) of the Conservation Act 1987.

The Board has undertaken a thorough and comprehensive review of the draft CMS and is satisfied with the process that has been followed.

The public hearings were attended by members of the Board in October and November of 2013 and the Conservation Board CMS Committee held a series of eight workshops and numerous e-mail conversations to review the documentation and public submissions. Particular attention was given to consistency with the Southland and Canterbury CMS revisions and across boundary issues.

In accordance with section 242 of the Ngāi Tahu Claims Settlement Act 1998, the Otago Conservation Board consulted Te Rūnanga o Ngāi Tahu to have 'particular regard to its views as to the effect (of the CMS) on Ngāi Tahu values' of Tōpuni. The initial response from Te Rūnanga did not seek any amendments to the revised draft Otago CMS, however further information is still awaited.

There was a high level of interaction between the Board members and Department staff, in particular Robyn Roberts (Management Planner) and Ainslee Hooper (Board Support Officer) provided the Board with valuable support and input which made the process of review so much more productive for the Board.

There are no matters of CMS content on which the Board members and the Department disagree. The Otago Conservation Board considers the CMS to be a comprehensive and well researched document which provides an excellent basis for future conservation work within the Otago region.

We trust you will consider this CMS favourably and the Otago Conservation Board looks forward to working with the Authority during your deliberations. The Deputy Chairperson, Vance Boyd, is looking forward to formally presenting the CMS at the meeting on 4 August 2015.

Yours sincerely

Pat Garden
Chairperson

DM-2528848

New Zealand Conservation Authority Meeting No. 144	Agenda Item: 144.24
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REPORT

Meeting Date: 4 August 2015

Prepared By: Katherine Hughes, Statutory Management Planner,
Planning, Permissions and Land, Shared Services, Christchurch

Subject: **Draft Southland Murihiku Conservation Management Strategy**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	Statutory requirement under section 17F Conservation Act 1987, to consider and approve the draft Southland Murihiku Conservation Management Strategy (CMS) as recommended by the Southland Conservation Board.
Recommendation or Action Required	It is recommended that the Authority: a) Agree to accept for consideration, the draft Southland Murihiku CMS which is recommended for approval by the Southland Conservation Board. b) Agree to accept for consideration the Summary of Submissions on the notified draft Southland Murihiku CMS. c) Note that the Certificate of Compliance demonstrates that the draft Southland Murihiku CMS preparation process complies with all relevant statutory requirements, including Treaty Settlement legislation where applicable. d) Note that the draft Southland Murihiku CMS meets the standards of best practice and qualities as described in the NZCA content and format check for CMS (10 July 2009), including the national CMS template. e) Note the section 242 Ngāi Tahu Claims Settlement Act 1998 obligation for the NZCA or the Conservation Board to consult with Te Rūnanga o Ngāi Tahu regarding Tōpuni within the CMS area, and that as the Board has consulted in this regard the NZCA needs to consider if it should consult also. f) Agree to consider the two matters on which the Southland Conservation Board and the Department are unable to agree at this time, as set out in Appendix 3 to the Certificate of Compliance. g) Agree to consider the revisions sought by the Conservation Board and the Department, as itemised in Appendix 4 to the Certificate of Compliance, that are not able to be linked to any submission. h) Agree to send the draft Southland Murihiku CMS and other relevant information to the Minister and consider any written recommendations the Minister considers

	appropriate. i) Approve the Southland Murihiku CMS in accordance with the NZCA adopted procedure for the consideration of statutory management planning documents.
Context	The draft Southland Murihiku CMS is an output from the national review of CMS and is presented to NZCA in conjunction with the draft Otago and the draft Canterbury (Waitaha) CMS. The Certificate of Compliance records the processes undertaken in accordance with the Conservation Act 1987 and the Ngāi Tahu Claims Settlement Act 1998. The Southland Conservation Board has considered the draft CMS and, subject to two outstanding matters, forwards the draft CMS to NZCA for consideration and approval.

New Zealand Conservation Authority Meeting No. 144	Agenda Item: 144.24
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REPORT

Meeting Date: 4 August 2015

Prepared By: Katherine Hughes, Statutory Management Planner,
Planning, Permissions and Land, Shared Services, Christchurch

Subject: **Draft Southland Murihiku Conservation Management Strategy**

Background/Introduction

1. The Certificate of Compliance needs to be read in full to completely understand the processes followed for the Southland Murihiku CMS; what follows is a brief summary of that Certificate.
2. The Southland Murihiku CMS covers the area of the former mainland Southland Conservancy as at 2012, including the Fiordland National Park, as well as the subantarctic islands.
3. Public conservation lands and waters data in the draft CMS Volume II was correct as at December 2012. Additions and changes to those lands and waters since that date are listed in Appendix 1 to the Certificate of Compliance and the draft CMS data will be updated before CMS approval.
4. In reviewing the CMS, ~586 concessions, the Fiordland National Park Management Plan 2007 and ten older management plans were had regard to. The intention is to revoke the ten older plans once the CMS is approved.
5. Review of the Mainland Southland – West Otago Conservation Management Strategy 1998 and Subantarctic Islands Conservation Management Strategy 1998 started in 2011.
6. Pre-statutory consultation with Ngāi Tahu, local and central government and the community culminated in a draft Southland Murihiku CMS, notified in June 2013 together with draft Otago and Canterbury CMS.
7. The draft was available for public submissions from June 2013 to September 2013. It was distributed widely and was accessible on the Department's website. A total of 402 submissions were received, and 97 submitters attended hearings. Hearing committees comprising Department staff and Conservation Board members undertook hearings in October and November 2013.
8. Submissions were summarised and responses developed by the Department, including through the development of a Common Issues Report for issues that had multiple similar submissions and/or were common to all three CMS. The revised draft Southland Murihiku CMS and the Summary of Submissions was forwarded to the Southland Conservation Board in November 2014.
9. The Southland Conservation Board considered the revised draft Southland Murihiku CMS and Summary of Submissions, and negotiated revisions with the Department. In May 2015 the Board sought an extension of time and the Minister granted this until 04 August 2015.
10. The Southland Murihiku CMS meets statutory, policy, content, structure and style requirements and as such is fit for consideration and approval by the NZCA.

Details/Comment

11. Most matters within the Southland Murihiku CMS are common to other CMS, but matters particularly developed for the Southland Murihiku CMS include policies for:
 - The subantarctic islands
 - The Awarua Wetland of International Importance
 - Improved protection of indigenous vegetation, particularly wetlands, that are not public conservation lands and waters
 - Shark cage diving and the biogenic reefs within the Foveaux Te Ara a Kiwa Place.
12. Of the 402 submissions received, the majority came from mountain bikers, aircraft operators, owners of private accommodation on public conservation lands and waters, four-wheel drive users, recreational hunters, horse riders, and outdoor recreationists and environmental interests generally.
13. Submission issues that had multiple similar submissions and/or were common across the three southern CMS, and which are consequently addressed in the Common Issues Report as part of the submission responses, are:
 - Aircraft
 - Destination management and recreation
 - Commercial filming and photography
 - Horse riding
 - Hunting
 - Legal roads through public conservation lands
 - Mapping
 - Motorised vehicles
 - Mountain biking
 - Natural heritage management system
 - Over-snow vehicles
 - Private accommodation and related facilities
 - Wilderness areas
 - Marine protected areas
 - Stewardship areas and other public conservation lands and waters classification/reclassifications
14. The main revisions to the draft CMS include:
 - A more explicit Interpretation section, with policies.
 - Clarification of the Treaty partnership with Ngāi Tahu and additional statements on Ngāi Tahu values.
 - Format, numbering and wording consistency where possible in Parts 1 and 3, between the three southern CMS (and now in the CMS Template).
 - Clarification of the use of the National Heritage Management System (NHMS) and its priority ecosystem units; and of Destination Management (DM) and its recreation destinations.
 - Recognition of the addition of public conservation lands and waters, including three marine reserves around the subantarctic islands, since the draft CMS was prepared.
 - Correct naming of locations to avoid use of unofficial local names.
 - Refinement of policies regarding legal roads running through public conservation lands.

- Revision of the Milestones to make them more relevant in measuring achievement of the outcomes and objectives in the CMS.
- Revision of the visitor management policies within the Subantarctic Ngā Moutere O Murihiku Ki Tonga Place.
- Revision of the Part 3 (and the Template) format for consistency, legal precision and completeness.
- Revision of the aircraft policies and aircraft access maps to both clarify the policies and obtain consistency of approach between the three southern CMS.
- More thorough analysis of the private accommodation and related facilities on public conservation land.
- Updating provisions flowing from the amended Crown Minerals Act 1991 and the Game Animal Council Act 2013.
- Updating where needed of all Appendices.
- The addition of an Appendix listing publicly-available huts on public conservation lands and/or managed by the Department.

15. Particular attention is drawn to the two matters that are still to be resolved (as set out in Appendix 3 of the Certificate of Compliance):

- Removal of the Bulbinella visitor area on Enderby Island; and
- Mapping issues

Section 4 Conservation Act

16. The Southland Murihiku and the adjoining Otago and Canterbury (Waitaha) CMS areas are entirely within the rohe of Ngāi Tahu.

17. Giving effect to the Treaty of Waitangi and section 4 Conservation Act 1987, including through implementation of the Ngāi Tahu Claims Settlement Act 1998, has been built into the whole CMS text and the draft CMS revision process.

18. For Ngāi Tahu, the Department's consultation, submission and submission clarification processes, and the Board's consultation processes, are set out in the Certificate of Compliance.

Conclusion

19. The Southland Murihiku CMS meets the statutory and policy requirements and reflects the considerable contribution of the Southland Conservation Board, Departmental staff, Ngāi Tahu, communities, stakeholders, and agencies in its development.

**SOUTHLAND MURIHIKU
CONSERVATION MANAGEMENT STRATEGY
REVIEW 2010-2015**

CERTIFICATE OF COMPLIANCE

From the Southland Conservation Board to the New Zealand Conservation Authority

This Certificate of Compliance sets out the statutory processes followed, when preparing the recommended draft Southland Murihiku Conservation Management Strategy (CMS), in accordance with:

- the Conservation Act 1987 (CA87), particularly sections 17D and 17F;
- giving effect to the principles of the Treaty of Waitangi (section 4 CA87); and
- other relevant acts, including the requirements to consult under the Marine Reserves Act 1971 and the Marine Mammal Protection Act 1978.

1. Section 17D Conservation Act 1987

Conservation management strategies

17D(1) The purpose of a conservation management strategy is to implement general policies and establish objectives for the integrated management of natural and historic resources, including any species, managed by the Department under the Wildlife Act 1953, the Marine Reserves Act 1971, the Reserves Act 1977, the Wild Animal Control Act 1977, the Marine Mammals Protection Act 1978, the National Parks Act 1980, ... or this Act, or any of them, and for recreation, tourism, and other conservation purposes.

The CMS implements Conservation General Policy 2005 and the General Policy for National Parks 2005 (for Fiordland National Park), and establishes objectives (and policies) for the integrated management of natural and historic resources for conservation purposes. The relevant provisions of the other legislation listed above have also been taken into account. In addition, the CMS implements the Ngāi Tahu Claims Settlement Act 1998 (see section 1.4 of the CMS in particular). The relevant provisions of the other legislation listed above have also been taken into account.

17D(2) Within 5 years ... such conservation management strategies as may be necessary ... shall be prepared by the Director-General for approval by the Conservation Authority in accordance with section 17F.

The current conservation management strategies for the area covered by this CMS (see below) are the Mainland Southland-West Otago and the Subantarctic Islands conservation management strategies.

17D(3) ... the Director-General shall determine the boundaries of a conservation management strategy.

This CMS covers mainland Southland and the subantarctic islands. Stewart Island/Rakiura has a separate, approved conservation management strategy.

17D(4) Nothing in a conservation management strategy shall—
(a) derogate from any provision in this Act or any other Act; or
(b) derogate from any general policy approved under any of the Acts referred to in subsection (1); or

- (c) **affect any agreement or arrangement entered into under this Act or any other Act between the Minister and any land owner other than the Crown or between the Director-General and any such land owner.**

This CMS has been prepared in accordance with the national template, which addresses all relevant statutory provisions, and has been subject to legal review. The Department of Conservation (the Department) considers that the CMS meets the tests of section 17D(4).

- 17D(5) A conservation management strategy may require the preparation of a conservation management plan under any Act specified in the Schedule 1 to this Act other than the National Parks Act 1980**

This CMS does not require the preparation of any conservation management plan.

- 17D(6) Any conservation management plan approved in respect of any conservation park or under the National Parks Act 1980 may be approved as a conservation management strategy by the Conservation Authority in accordance with paragraphs (m) to (p) of section 17F, as if it were a draft conservation management strategy.**

There is only one such conservation management plan within the Southland Murihiku region—the Fiordland National Park Management Plan 2007 (FNPMP). The Department does not seek to approve this plan as a CMS.

- 17D(7) A conservation management strategy shall identify and describe all protected areas managed by the Department within the boundaries of the strategy.**

Volume II—Maps of the CMS includes Map 6: Public conservation land inventory—index maps and Maps (and their associated Map tables) 6.1-6.27, which identify and describe all public conservation lands and waters managed by the Department within the boundaries of the CMS, as at the time of notification.

Volume II maps have not been updated since public notification on 26 June 2013. Due to the Department's ongoing programme of land acquisition, disposal and exchange, Volume II will need updating prior to publication following approval by NZCA. In the meantime, a schedule of updates to the draft Volume II was provided for the Board so that any implications can be addressed. There have been no further changes to this schedule, which is attached as Appendix 1.

- 17D(8) When preparing a conservation management strategy, the Director-General shall have regard to any relevant concessions for the time being in force and to existing management plans under this Act or any Act specified in the Schedule 1 to this Act.**

In preparing this CMS regard has been given to existing concessions and management plans.

Concessions

There were 586 active concessions (including 140 for guiding, 86 for grazing, 48 for aircraft, 43 for access/easements, 41 for wild animal recovery operations, 39 for structures, 39 for telecommunications, 27 for accommodation, and 25 for boating) at the time the CMS was publicly notified on 26 June 2013.

All these concessionaires were informed of the draft CMS public notification by way of a letter or email.

There are no existing concession activities that will be significantly affected by the CMS. All concessionaires may continue to operate as before—assuming they continue to comply with their concession conditions. However, upon expiry of these concessions the holders will be required to seek new concessions, if they wish to continue undertaking the activity. At this point in time, applicants may find that there are additional, lesser or amended conditions imposed on their proposed activity, in order to comply with this reviewed CMS.

This CMS reflects a national approach to managing concessions, incorporating accepted best management practices.

Management plans

The only existing management plan affected by this CMS is the FNPMP. The CMS refers to and reflects the provisions in the FNPMP for the management of a wide range of activities (see revised policy 2.2.2). In addition, the CMS provides for or proposes some new provisions (e.g. new mountain biking and electric power-assisted pedal cycling opportunities in FNP), and the addition of Awarua Point Conservation Area to FNP.

There are 10 existing, albeit dated, conservation management plans (see Appendix 2) that are proposed be revoked (Reserves Act 1977) or withdrawn (Conservation Act 1987) once the CMS is approved. The CMS incorporates the provisions of these plans, where they are still relevant and needed.

2. Sections 17H and 17I Conservation Act 1987

Reviews of/amendments to conservation management strategies

Review or amendment of conservation management strategies (in whole or in part) is undertaken so that increased knowledge or changing circumstances are taken into account.

A whole review of a conservation management strategy is required within 10 years of its approval (section 17H(4)(b) Conservation Act 1987).

The current Mainland Southland-West Otago and Subantarctic Islands conservation management strategies were approved in 1998.

Preparation of the draft Southland Murihiku CMS started in 2011. Its progress has been affected by the national template re-design and two restructures within the Department that resulted in the loss of key management planning staff. The Southland Murihiku CMS will replace both the Mainland Southland-West Otago and Subantarctic Islands CMS.

3. Section 17F Conservation Act 1987

Procedure for preparation and approval of conservation management strategies

17F(a) every draft shall be prepared by the Director-General in consultation with the Conservation Boards affected by it and such other persons or organisations, as the Director-General considers practicable and appropriate ...

After consultation with the Southland Conservation Board, the Department began a review of the CMS in 2011. This included:

a) January – February 2011:

A pilot study of a self-administered online mapping interface and questionnaire method known as Public Participation Geographic Information Systems (PPGIS), jointly conducted by the Department, the University of Queensland and the University of Waikato in January and February 2011. This was used to collect information on public values, experiences and development preferences for public conservation lands and waters within the Southland Murihiku region.

b) June-July 2011:

A series of public workshops and open days held across Southland Murihiku to discuss the CMS process, draft Place boundaries and the values that people held regarding the draft Places. Workshops were held in Te Anau, Invercargill, Gore and Otautau and open days were held in Invercargill, Tapanui, Lumsden, Gore and Otautau.

c) September 2011:

A hui with Ngāi Tahu whānui ki Murihiku held, on 30 September 2011, at the Te Rau Aroha Marae to discuss the CMS process, draft Place boundaries and values (particularly cultural values) that representatives of the Ngāi Tahu whānui had regarding draft Places.

d) Throughout 2011:

Targeted one-on-one meetings with Kaitiaki Rōpū and other key stakeholders (e.g. district and regional councils) to discuss draft Places and issues, as required during 2011.

e) Ongoing:

Various meetings and liaison with the Southland Conservation Board to ensure that the Board was kept up to date throughout the whole process and involved in the resolution of any issues raised.

The national CMS review process was placed on-hold from late 2009 until April 2011 when the new CMS Template and national prioritisation tools were publicly launched along with new consultation requirements. These new tools were then incorporated into the CMS review process.

17F(b)-(e) subsections address the public notification¹ and submission process for a CMS. These sections identify who needs to be notified, how the notification occurs and the minimum time period for submission. It also enables the ability for the Department and the Board to obtain public opinion by other means and from any person.

The draft Southland Murihiku CMS was publicly notified for submissions on Wednesday 26 June 2013, concurrently with the Canterbury and Otago CMS, by advertisements in the national newspapers (The New Zealand Herald, The Dominion Post, The Press, Otago Daily Times) and selected local newspapers (Southland Times, Timaru Herald, Oamaru Mail, The Ashburton Guardian, The Wanaka Sun, Fiordland Advocate, The Geraldine News, Mountain Scene, High Country Herald, Greymouth Star, Kaikoura Star, The Ensign, Stewart Island News, Southland Express). The public notices detailed where the CMS could be obtained (in hard copy, CD or online), where it was available for public inspection and invited submissions.

In addition Te Rūnanga o Ngāi Tahu, community and environmental groups, concessionaires, regional, city and district councils, adjoining Conservation Boards and key stakeholders including those who had participated in pre-notification consultation were contacted directly by email or letter and invited to make submissions. All received or were provided web links to copies of the CMS, submission forms and a factsheet to assist in making submissions.

Copies of the CMS were available for inspection at: the Department's National Office; all Conservancy Offices (at that time); Te Anau Area Office; and main public libraries within Southland for the duration of the submission period. Material, including copies of the CMS, an online submission form and guide to making a submission were also available on the Department's website (www.doc.govt.nz). This included an email address (southislandcms@doc.govt.nz) that people could use to contact the Department for further information or to request a copy of the CMS.

The CMS was available for public submission for 57 working days. The submission period closed at 4.30pm Friday 13 September 2013. Late submissions were accepted until 20 September.

A national media release on all three conservation management strategies was also sent out.

Throughout the submission period, requests for information and for hard copies of the CMS were responded to. A number of meetings were held in conjunction with the Tourism Industry Association of New Zealand, to which tourism concessionaires were invited. Information was provided about the CMS and there was the opportunity for attendees to ask questions of clarification. For the Southland CMS the two relevant meetings were in Te Anau (12 August 2013) and Queenstown (13 August 2013). Staff met with four-wheel drive groups on 18 July 2013 and Film NZ representatives on 14 August 2013 to discuss all three South Island CMS. Local staff also

¹ Note this public notification has to occur in accordance with section 49(1) of the Conservation Act 1987.

met with Destination Fiordland on 27 June 2014, Southland District Council on 5 July 2014 and a number of other organisations during the submission period. Staff and Board members were also asked to ensure that they linked discussions on the CMS into various meetings they attended during the submission period.

Given difficulties for both the Department and Ngāi Tahu in engaging in consultation during the CMS development stages, further consultation was offered once the CMS was notified, but was declined by Te Rūnanga o Ngāi Tahu at this time.

Requirements for consultation under the Marine Reserves Act 1971 and the Marine Mammal Protection Act 1978

In accordance with the requirements of section 7(2) of the Marine Reserves Act 1971 and section 3C(2) of the Marine Mammal Protection Act 1978, the Department contacted the Ministry for Primary Industries and the Ministry of Transport (in July 2013) to ensure that these Ministries were aware that the CMS had been publicly notified and to identify any particular issues that needed clarifying or discussing prior to them lodging a submission. No issues of concern were raised.

17F(f) the Director-General shall give every person or organisation who or which, in making any submissions on the draft, asked to be heard in support of his or her or its submissions a reasonable opportunity of appearing before a meeting of the representatives of the Director-General and the Conservation Boards affected.

The Department received 402 written submissions on the CMS, 3 of which were received after the close of submissions on 13 September 2013. All submitters received an acknowledgement of their submission.

A hearing panel, comprising of two Southland Conservation Board members and two representatives of the Director-General of Conservation (one of whom chaired the hearing), heard submissions. A Department management planner attended to record notes from each hearing and advise the hearing panel. A Department solicitor also attended some hearings. Other departmental staff attended various hearings as observers.

The 160 submitters who indicated that they wished to be heard in support of their submissions were contacted individually by phone and/or email, some on several occasions, and arrangements were made for them to attend on one of the identified hearing days. Some of these submitters decided that they no longer wished to be heard and the remainder were allocated times and locations. In the end, 97 submitters eventually attended a hearing or were heard via telephone. Submitters were provided with a summary of their submission and a copy of a hearings information sheet prior to the hearing.

Hearings were held as follows:

Date & time of hearing	Venue	Location
Monday 21 October 2013 (10.30 am – 4.15 pm)	Department of Conservation Office	Invercargill
Tuesday 22 October 2013 (9 am – 4.30 pm)	Rydges Hotel	Queenstown
Wednesday 23 October 2013 (10.30 am – 2 pm)	Rydges Hotel	Queenstown
Thursday 24 October 2013 (8 am – 4.15 pm)	Department of Conservation Office	Invercargill
Friday 1 November 2013 (8.45 am – 3 pm)	Department of Conservation Office	Christchurch

Thursday 7 November 2013 (8.45 am – 4.45 pm)	Department of Conservation Office	Dunedin
Monday 11 November 2013 (12.45 pm – 5 pm)	Te Anau Hotel and Villa	Te Anau
Tuesday 12 November 2013 (8.15 am – 5 pm)	Te Anau Hotel and Villa	Te Anau
Tuesday 19 November 2013 (9 – 11.45 am)	Murihiku Marae	Invercargill
Tuesday 19 November 2013 (1 – 6 pm)	Department of Conservation Office	Invercargill

Panel members were provided with copies of the submissions for those who wished to be heard and a hearings information sheet for panel members to the hearings.

The hearings were conducted following the procedures set out in the hearings information sheets. Submitters were generally allocated 10 minutes for their presentation with an additional 5 minutes allocated for questions from the panel. Some submitters sought, and were given, 20 minutes due to the extent of their submission.

Most of the hearings were recorded and the files stored on the Department's computer system. A written record of the hearing was taken by way of notes from the management planner and the hearing panel members. The hearings record also included copies of presentations and supporting information tabled by submitters.

Following the hearings for all three southern CMS with Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga and Ngāi Tahu Tourism, and completion of their submission summaries, four meetings were held with Te Rūnanga o Ngāi Tahu staff from January to March 2014 to address all the Ngāi Tahu submissions, and emails exchanged to clarify submission points, including by providing research and land status information.

To more fully understand the Ngāi Tahu submissions, in accordance with Treaty obligations under section 4 Conservation Act 1987, draft submission responses and draft revised CMS texts were provided to Ngāi Tahu and further consultation occurred. Several points within the Ngāi Tahu submissions offered to provide additional information (e.g. aircraft access to Takitimu Topuni); this information was requested but has not yet been provided.

17F(g) representatives of the Director-General and the Conservation Boards affected may hear submissions from any other person or organisations consulted on the draft.

Neither the Department nor the Conservation Board sought to hear submissions from anyone else, other than those who made written submissions.

17F(h)-(i) subsections require the Director-General to prepare a summary of the submissions received and public opinion on the CMS, and send this, along with the revised CMS, to the Conservation Board.

A summary of submissions received on the CMS was prepared by the Department and presented in two report forms: listed by CMS section; and listed by submitter. The reports identify the concerns raised ('Submission summary') and any decision sought by the submitter. In the 'Decision sought' column some entries also include text identified as "HR[...text...]". This records any extra information that was provided by the submitter at a hearing. The 'Response' column gives the Department's response to each submission point, and whether the CMS text was revised.

In addition, 15 common issues reports were prepared for a number of issues that had multiple similar submissions and/or were common across all three CMS. These reports address:

- Aircraft
- Commercial Filming and Photography
- Destination management and recreation
- Horse riding
- Hunting
- Legal roads
- Mapping
- Marine Protected Areas
- Motorised Vehicles
- Mountain biking
- Natural heritage management system
- Over-snow vehicles
- Private accommodation
- Stewardship areas and other public conservation lands classification/reclassifications
- Wilderness areas

These reports provide summaries of the submissions received on the particular issue, a discussion of the various points made, and a response.

The draft CMS was revised to reflect public submissions and responses by the Department. Deleted text was shown as ~~striketrough~~, while text that had been added was shown as underlined, enabling all changes to be clearly identifiable for the Conservation Board.

17F(j) requires the Director-General to provide the summary of submissions and revised CMS to the Conservation Board within 8 months of the date of public notification or such later date as may be fixed in that behalf by the Minister.

The time period from public notification to provide the summary of submissions and revised draft CMS to the Conservation Board exceeded the 8 month requirement set by section 17F(j)(i) of the Conservation Act. The Minister however, granted the Department an extension of time (until 31 December 2014), in accordance with section 17F(j)(ii) of the Conservation Act.

17F(k) requires the Conservation Board to consider the revised draft CMS, request the Director-General to further revise the draft, and send the draft to the Authority for approval, together with a written statement on any matters of content on which the Director-General and the Board are unable to agree, and send a copy of the summary of submissions.

The Southland Conservation Board received the revised draft CMS from the Director-General on 20 November 2014. An initial workshop to discuss the revised draft CMS and accompanying documents was held between the Board and the Department on 17 December 2014. This was followed by five more workshops on 3 February (the management planner was phoned in for part of the workshop), 9 March, 19 March, 5 May and 24 June 2015. The Board reached agreement with the Department on further revisions to the draft CMS except for the two matters identified in Appendix 3. The Board also considered that there were 12 desirable revisions that could not be linked to any submission; these matters are listed in Appendix 4 and are brought to the Authority's attention for their consideration.

The Southland Conservation Board requested that the CMS include an appendix listing all huts on public conservation lands within the CMS area. This listing is a deviation from the national CMS Template and was not included within the approved Northland, Auckland and Waikato CMS, but has been approved in this case at the Director, Conservation Services level. The list has been included as Appendix 16 in the CMS at present and referenced in Objective 1.5.3.4. It is specifically brought to the Authority's attention for their consideration.

17F(1) requires the Conservation Board to send the revised draft CMS to the Authority within 6 months of its referral to the Board by the Director-General, or at such later date as may be fixed in that behalf by the Minister.

The Southland Conservation Board was not able to complete its CMS consideration within the prescribed six months and sought an extension from the Minister, for an additional 2 months, to send the revised draft to the Authority. The Minister granted this extension until 4 August 2015.

Despite this extension there is one matter that the Board has not yet been able to resolve, as it is has been waiting for a response from Te Rūnanga o Ngāi Tahu regarding Milestones for Tōpuni (see below).

4. Giving effect to the Treaty of Waitangi through the implementation of the Ngai Tahu Claims Settlement Act 1998.

The Ngāi Tahu Claims Settlement Act 1998 has specific provisions to be recorded and/or given effect through the CMS review; these provisions are set out in section 1.4 of the CMS and all have been given effect. Section 1.4 was developed in consultation with Te Rūnanga o Ngāi Tahu in the early stages of CMS reviews in 2008, and has been revised in response to Ngāi Tahu submissions and legal considerations. Giving effect to the Treaty of Waitangi and section 4 Conservation Act 1987, has been built into the whole CMS text and the draft CMS revision process (see under 17F(f) above).

In accordance with section 242 of the Ngāi Tahu Claims Settlement Act 1998, the Conservation Board consulted Te Rūnanga o Ngāi Tahu to have 'particular regard to its views as to the effect [of the CMS] on the Ngāi Tahu values' of Tōpuni; with there being three Tōpuni in Southland Murihiku. Section 242 of the Act is slightly unclear in its intent as to whether both the Board and the Authority have to consult with Te Rūnanga o Ngāi Tahu, or whether it just needs to be the Authority or the Board, e.g. the final approving body. To cover this uncertainty the Board has consulted with Te Rūnanga o Ngāi Tahu, and the response (22 May 2015) was:

Consultation with the Murihiku Rūnanga has not occurred to date given that the consultation period coincided with Rūnanga representatives being away birding on the Titi Islands. Te Rūnanga require additional time to provide a response to the Southland Conservation Board on the provisions in the Southland Murihiku CMS that relate to Tōpuni. Te Rūnanga will advise you [the Board] of the outcome of this consultation once it is complete.

The Board has not received any further response from Te Rūnanga. Therefore, the Authority will need to follow-up on this consultation.

Attestations

The Director-General of Conservation certifies that sections 17D and 17F of the Conservation Act 1987 have been complied with as far as possible.



Barry Hanson
Director, Conservation Partnerships
South and Eastern South Island Region
By delegated authority from the Director-General of Conservation

Date: 13 July 2015

The Chairperson of the Southland Conservation Board certifies that section 17F(k) of the Conservation Act 1987 has been complied with as far as possible.

A handwritten signature in blue ink, appearing to read 'John Whitehead', with a stylized flourish at the end.

John Whitehead
Chairperson
Southland Conservation Board

Date: 13 July 2015

Appendix 1: Schedule of changes to public conservation lands and waters since 21 December 2012

Area	Comment	Proposal
Ngāi Tahu Leaseback Conservation Area	Removed from inventory and maps, however it is still subject to management by the Minister of Conservation in accordance with Part 10 of the NTCSA98.	Retain the references to this area in the relevant policies for the Western High Country Mata-puke Koikoi Place. VMZ – Back country & remote AAZ – Orange
Oreti River, Mossburn Conservation Area	Added, complements existing Conservation Areas adjacent to Oreti River near Mossburn. Within Lowlands Te Rā a Takitimu Place.	Add into revised CMS and apply existing provisions, with no additional or changed outcomes or policies. VMZ – Front country AAZ – Green
Pomahaka Catchment Marginal Strip (moveable)	Added (links geographically separated blocks of the Pomahaka Conservation Area). Within Eastern High Country Mata-puke Taratara Place.	Add into revised CMS and apply existing provisions, with no additional or changed outcomes or policies. VMZ – Back country AAZ – Green
Pomahaka Conservation Area	Added as a result of tenure review process. Within Eastern High Country Mata-puke Taratara Place.	Add into revised CMS and apply existing provisions, with no additional or changed outcomes or policies. VMZ – Back country AAZ – Green
Robert Creek Conservation Area (name to be confirmed)	Added. Within Western High Country Mata-puke Koikoi Place (between Eyre Mountains/Taka Ra Haka Conservation Park and Taka Ra Haka Conservation Area).	Add into revised CMS and apply existing provisions, with no additional or changed outcomes or policies. VMZ – Back country AAZ – Green
Moutere Mahue/Antipodes Island Marine Reserve	Added. Proposed status identified in draft CMS and submitted on.	Add into revised CMS descriptive text, and apply the Outcome for the Subantarctic Ngā Moutere O Murihiku Ki Tonga Place and relevant CMS objectives and policies, consistent with the existing Auckland Islands—Motu Maha Marine Reserve.
Moutere Hauriri/Bounty Islands Marine Reserve	Added. Proposed status identified in draft CMS and submitted on.	Add into revised CMS descriptive text, and apply the Outcome for the Subantarctic Ngā Moutere O Murihiku Ki Tonga Place and relevant CMS objectives and policies, consistent with the existing Auckland Islands—Motu Maha Marine Reserve.
Moutere Ihupuku/Campbell Island Marine Reserve	Added. Proposed status identified in draft CMS and submitted on.	Add into revised CMS descriptive text, and apply the Outcome for the Subantarctic Ngā Moutere O Murihiku Ki Tonga Place and relevant CMS objectives and policies, consistent with the existing Auckland Islands—Motu Maha Marine Reserve.

Appendix 2: Conservation management plans proposed to be revoked or withdrawn

- Antipodes Islands Nature Reserve management plan (1983)
- Auckland Islands Nature Reserve management plan (1987)
- Bounty Islands Nature Reserve management plan (1982)
- Campbell Islands Nature Reserve management plan (1983)
- Forest Hill Scenic Reserve management plan 1980-1989
- Glenburnie Bush Scenic Reserve management plan (1983)
- Leithen Bush Scenic Reserve management plan (1983)
- Mavora Lakes Park conservation management plan (1993)
- Snares Islands Nature Reserve management plan (1983)
- Tuatapere Reserves management plan 1980-1989

Appendix 3: Matters of content on which the Director-General and the Board are unable to agree

The Conservation Board and the Department are unable to agree at this time on the following matters.

CMS provision ²	Issue	Detail of what the Board is seeking	Department's position
Subantarctic Place, Policy 2.10.15 & Table 2.9, pgs 140-141	Bulbinella visitor area	Remove the Bulbinella visitor area (Enderby Island) from the identified visitor sites as the snipe flushing activity is organised disturbance of wildlife involving rambling access across vegetation (no boardwalk).	The effect of this activity on the snipe has been assessed and is considered minor and transitory. Visitor monitoring has not picked up any impact at the site. Can develop targeted monitoring for this site in the visitor monitoring programme (Policy 2.10.13), assess the results through the Subantarctic Visitor Management Plan (Policy 2.10.14) and implement stricter management if monitoring shows that there are effects that need addressing. No change. Note: there is one existing concession that utilises this visitor area.
Volume II	Mapping	Numerous revisions are needed to the maps to improve their usability, including: • Having maps in Volume I	Due to the technical complexity of making revisions to the maps, these issues will be

² Reference is to the revised CMS showing tracked changes from the Board's consideration.

		• A fold-out legend • Improved clarity of background topographical map • Greater distinction in the colour shadings • Some bigger maps e.g. Map 5.1 • Show neighbouring maps on bottom margin • Organise inventory maps better so that there is less wasted space/pages • Show the two marine mammal sanctuaries on Map 5.9.1	addressed following CMS approval.
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Appendix 4: Revisions sought by the Southland Conservation Board, not linked to any submission, brought to the Authority's attention for their consideration

These revisions are already included in the revised draft CMS - Conservation Board version.

CMS provision ³	Issue	Revision sought
Takitimu Place, Policy 2.1.1c), pg 52	'Prevent' is better than 'avoid'.	c) <u>prevent</u> avoid the spread of pest plants ...
Subantarctic Place, Description, pg 129, 1 st sentence	The phrase "Words fail to adequately describe the unique ..." is too emotive.	Words fail to adequately describe the unique <u>The</u> intrinsic values of the Subantarctic Ngā Moutere O Murihiku Ki Tonga Place <u>are</u> <u>unique</u> .
Subantarctic Place, Outcome, Managing the ... Place, pg 138, 3 rd para, 1 st sentence	Need to eradicate or control existing pests, as per Policy 2.10.6	... no new pest species establish within this Place <u>and existing pest species are eradicated or controlled</u> .
Subantarctic Place, Policy 2.10.4, pg 139	'Prevent' is better than 'avoid'.	Continue to develop and implement biosecurity methods to <u>prevent</u> avoid the introduction of new pests ...
Subantarctic Place, Policies, pg 144	Need policy for biodegradable and non-biodegradable waste.	Add new policy 2.10.26: <u>Should not authorise, within the Subantarctic Ngā Moutere O Murihiku Ki Tonga Place:</u> a) <u>the disposal of biodegradable[#] waste, unless disposed of in such a way to avoid any adverse effects; or</u> b) <u>the disposal of non-biodegradable waste materials.</u> [#] <u>For the purposes of this policy, 'biodegradable' means organic material that can be broken down by microorganisms or other biological means, in the subantarctic environment, into non-toxic compounds.</u>
Policy 3.1.3c)iii), pg 145	Should refer to control as well as eradication of pests.	iii) enable the <u>control or</u> eradication of pests using aerial bait operations.
Policy 3.22.1f), pg 177	The intent of this	f) it can be demonstrated that adequate public

³ Reference is to the revised CMS showing tracked changes from the Board's consideration.

	criterion was not clear with respect to public consultation prior to, and public notification after, granting a concession.	notification of the event can occur before the event (and if required consultation) has occurred .
Policy 3.22.3, pg 177	The text was incorrectly revised and needs to reflect the change to Policy 3.22.1f) above.	May waive or reduce the requirement for public notification consultation in circumstances where ...
Glossary, Statement of Intent, pg 201	As it's a rolling 5-year document 'longer term' is not as meaningful.	A document that sets out a rolling 5-year the longer term direction for the Department.
Appendix 1, Hazardous goods, Management actions, pg 218	Need to recognise the use of treated timber and address the removal of off-cuts.	Use Storage , transportation, storage and disposal application of hazardous substances including ... pesticides, and herbicides and treated timber .
Appendix 2, Management responses, pgs 220-244	Where there is reference to 'Advocacy and consultation' there can also be partnership opportunities.	Advocacy, and consultation and partnerships .
Appendix 6, Table A6.1, pg 282	Change title to 'Pest and wild animals' to be consistent with terminology in text.	Animal pests Pest and wild animals

Schedule of documents for the New Zealand Conservation Authority, 3/4 August 2014

Document name	Document no.
Southland Conservation Board cover letter	DOC-2541289
NZCA agenda paper	DOC-2519693
Certificate of Compliance	DOCDM-1589039
NZCA CMS checklist	DOC-2534210
Record of Board revisions: Table 1 (as raised by the Southland Conservation Board) Table 2 (as raised by other Boards or the Department)	DOCDM-1547945 DOCDM-1547954
Record of Southland Conservation Board delegating authority to the CMS Committee to recommend the revised CMS to the NZCA – <i>unconfirmed minutes, Item 10, pg 5</i>	DOC-2524090
Record of the Chair of the Southland Conservation Board CMS Committee agreement to recommend the revised CMS to the NZCA	DOC-2541090
Revised CMS - showing tracked changes from the Board's consideration	DOCDM-1569500
Revised CMS - clean version	DOC-2539246

CMS maps	Hard copy and on CD
Copy of full submissions: Volume 1 Volume 2 Volume 3 Volume 4	DOC-2538481 DOC-2538485 DOC-2538486 DOC-2538487
Summary of submissions by submitter	DOC-2534270
Summary of submissions by CMS section	DOC-2534284
South Island CMS Common Issues Report	DOCDM-1509367

SOUTHLAND CONSERVATION BOARD

TE ROOPU ATAWHAI O MURIHIKU

File: SBC-09-04

17 July 2015

RECEIVED
16/7/15

NZCA
File Reference:
SBC 08-18-01

Dr Warren Parker
Chairperson
New Zealand Conservation Authority
P O Box 10 420
Wellington

Dear Warren

Southland Murihiku Conservation Management Strategy - recommendation for approval

The Southland Conservation Board is pleased to formally recommend the draft Southland Murihiku Conservation Management Strategy (CMS) for consideration and approval by the New Zealand Conservation Authority (in accordance with sections 17F(k)(ii) and 17F(l) of the Conservation Act 1987).

The Board has undertaken a thorough and comprehensive review of the draft CMS and is satisfied with the process that has been followed.

The public hearings were attended by members of the Board in October and November of 2013, and the Board has held a series of five workshops and numerous e-mail conversations to review the documentation and public submissions. Particular attention was given to consistency with the Otago and Canterbury CMS revisions and cross-boundary issues.

In accordance with section 242 of the Ngāi Tahu Claims Settlement Act 1998, the Southland Conservation Board consulted Te Rūnanga o Ngāi Tahu to have 'particular regard to its views as to the effect (of the CMS) on Ngāi Tahu values' of Tōpuni. Te Rūnanga was unable to provide a response due to Murihiku Rūnanga being unavailable at the time. The Authority will need to follow-up this consultation.

There was a high level of interaction between the Board members and Department staff, in particular Yvonne Service (Board Support) and Katherine Hughes (Management Planner) provided the Board with valuable support and input, which made the review process much more productive for the Board.

There are two matters of CMS content on which the Southland Conservation Board and the Department are unable to agree at this time, as outlined in the Certificate of Compliance. Otherwise, we consider the CMS to be a comprehensive and well-researched document, providing an excellent basis for future conservation work within the Southland Murihiku region.

2.

We trust you will consider this CMS favourably and the Board anticipates working closely with the Authority during your deliberations. I look forward to formally presenting the CMS and associated documentation at the meeting on 4 August 2015.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'John Whitehead', with a stylized flourish at the end.

John Whitehead
Chairman
Southland Conservation Board

REPORT

Meeting Date: 3 August 2015

Prepared By: Keith Briden, Allan Ross

Subject: **Wilding Conifer Update**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	NZCA Priority F: Game changers for conservation: pest control/biosecurity
Recommendation or Action Required	It is recommended that the Authority: a) Note the contents of this paper and presentation b) Endorse The New Zealand Wilding Conifer Management Strategy 2015-2030 c) Provide any feedback on the contents of this paper d) Discuss the role and actions the NZCA may take
Context	Summary • Wilding conifers are rapidly spreading. • There will be increasing impacts on conservation values, cultural and historic values, and economic impacts on the New Zealand economy. • Good control methods exist. • The NZ Wilding Conifer Management Strategy 2015 – 2030 was approved in Dec 2014 by Hon. Nathan Guy. • Significant new funding is required to implement the strategy. A proposal to Treasury in 2015 for new funding was not successful. A more detailed proposal will be submitted in 2016. • Hon Maggie Barry strongly supports more action on wilding conifers, as well as a wider programme of weed work.

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Keith Briden, Technical Advisor – Threats

Subject: **Wilding Conifer Update**

Background/Introduction

1. **The spread of wilding conifers is not a new problem.** In 2002 a DOC study of the Twizel area showed wilding conifers would be the dominant vegetation over most of the area within 50 years if control was not undertaken.
2. **Current situation.** The area of wilding conifer forest is now about the same as our commercial forest area of 1.7m ha. The area has been increasing by 5-6% per year since ca. 1930s and is now increasing at a rate of ca. 90,000ha / year.
3. **Future predictions.** Within the next 25 years more than 22% of New Zealand's land area will be affected. Currently 11% of DOC land is affected, but in 25 years time this is estimated to be 26%. After that it keeps getting worse. Ultimately nearly 50% of New Zealand's land area could be affected to some extent. Costs escalate over time. It can be as little as \$1 - \$10/ha to treat sparse infestations early. Treating dense infestations will typically cost \$2,000/ha to aerial boom spray and up to \$10,000/ha if you need to fell them with chainsaws. It can take less than 20 years for a site to move from light infestation to moderate to dense wilding conifer cover.

Details/Comment

4. **Increasing problem / decreasing budget.** In 2007, total regional council plus Government funding was \$5.8m/yr. In 2014 regional council plus Government funding was the same amount at \$5.8m/yr. After adjusting for inflation this equates to an 18% reduction in funding. Spread and increasing costs as trees grow mean the cost of not controlling wilding conifers escalates by ca. 30% a year (likened to having a mortgage rate of 30%). We are now at crisis point and soon we will have to make hard decisions if new funding does not eventuate. If we do not get new funding soon, we will have to walk away from some of the large infestations in order to deal with many small infestations which would grow to become large infestations. We can't do both. Walking away will result in biodiversity loss as well as social and political fallout. Walking away from infestations does not save costs - the wilding conifers can keep spreading and costs on neighbouring lands keep going up. Controlling occasional wildings costs \$1/ha. Controlling seed rain from nearby stands of wilding conifers can cost \$500/ha. Crown agencies are now bound to "good neighbour rules" in Regional Pest Management Plans and these costs will increase over time as wildings

spread from DOC land onto farmland. The cost of maintaining some biodiversity species and ecosystem programmes will increase where they become affected by seed rain.

5. **Wilding Conifer Impacts.** Wilding conifers impact upon New Zealand's economy. Our valuable water yields are reduced. In small catchment studies, water yields can be reduced by over 50% when native tussock is replaced by conifers. This can reduce the number of days farmers can irrigate. Other economic losses include loss of farmland, impacts on tourism, and biodiversity management costs. Cost of future fire control and damage caused by wilding conifer fires will increase. There are increasing impacts on biodiversity. If we do not get on top of wilding conifer spread, we will have extinctions and loss of entire ecosystems in the future.
6. **Controlling Wilding Conifers.** The spread of wilding conifers is predictable. Seeding can take between 6-13 years to occur which allows for timely management. There are now a range of good control methods. In recent years the development of new control methods has reduced control costs by half. If sufficient funding is provided, programmes are successful. A good example is the removal of contorta pine from areas of the central North Island. The problem we have had to date is "too little funding too late"
7. **New Zealand Wilding Conifer Management Strategy 2015 – 2030.** We now have a non regulatory National Strategy, that if implemented and funded can beat wilding conifers. MPI led the development of the strategy with DOC and LINZ support. Stakeholders, including Federated Farmers, forest industry, regional councils, and community trusts, helped develop the strategy. There is a remarkable level of support for its implementation. The strategy goal is to "Prevent the spread of wilding conifers and contain or eradicate established stands by 2030". Hon. Nathan Guy approved the strategy in December 2014. Conservation Minister Hon. Maggie Barry is very supportive.
8. **Implementing the strategy.** Implementing the strategy will require a significant amount of new Crown funding, as well as contributions from landowners and regional councils. Crown funding required is in the order of \$160-\$180 million over a 15 year period. This level of funding cannot be reallocated from existing DOC and LINZ budgets. A funding proposal to Treasury for the 2015 budget round was not successful. A more detailed funding proposal will be re-submitted for 2016. In the meantime MPI will lead aspects of the strategy implementation.
9. **Role of NZCA.** The Department is seeking the Authority's endorsement of the New Zealand Wilding Conifer Management Strategy 2015-2030. It is also asking that the Authority discuss what role and actions it can take in support of this Strategy, under its Pest Control/Biosecurity strategic priority.[We added this para in here because you hadn't really spelt out what you wanted from the NZCA. Is the above correct?]

Section 4 Conservation Act

10. Ngai Tahu have been approached but have not become involved to date. MPI plan to establish contact again, emphasising that as a landowner they have a responsibility, and more widely there is a value in becoming engaged.

Conclusion

11. New Zealand needs to implement the New Zealand Wilding Conifer Management Strategy 2015-2030 as soon as possible to reduce the impact economically and environmentally of wilding conifers. Implementation of the Strategy has widespread support. Getting the funding to implement the Strategy is a high priority for the Department.

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Andy Cox, Manager Threats; and Allan Ross, Director
Transformation and Threats (TAT)

Subject: **Island Biosecurity, update requested by NZCA**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	Following an island biosecurity briefing a year ago, NZCA requested this update.
Recommendation or Action Required	It is recommended that the Authority: a) Note the contents of this paper and verbal briefing. b) Provide feedback
Context	Prompted by mice becoming established on Maud Island, NZCA early last year requested a briefing on island biosecurity. Andy Cox provided this briefing on the Maud Island response and implementation of the then, just approved, review of DOC island biosecurity. The NZCA have now requested an update on progress with the review implementation and any other island biosecurity issues/events in the year since.

Update, general	1. Maud Island. With a mouse population established, the only option was a standard eradication. That was the first eradication attempt for a new mouse population, and only the 2nd for a new rodent population. Extensive monitoring since the eradication has found no evidence of mice. Eradication is not yet confirmed, we need a bit more time before absence of evidence can be accepted as evidence of absence. 2. The last 12 months have seen an unprecedented spike in incursion events. Most incursion events are false alarms or a single animal with no risk of population establishment but it takes a lot of work and expense to confirm this. Reasons for incursions, and this spike, include; better awareness and reporting, increased risk from the mast seeding driven pest plague, increased visitation, failure in quarantine, and the fact we have many more newly pest free islands with most of these near shore. 3. Other incursion responses have been successful but mice have become established on Adele and Tonga Islands, Abel Tasman National Park islands only recently cleared of rodents. Planning is underway for an eradication attempt next winter. 4. Recent mouse incursions have taught us a lot. The rate mice breed means that at best, with very good surveillance, we have a very short window of opportunity to prevent establishment. Often it will be too late by the time of first detection. Future responses have to be less delimitation of invasion and localised response and more hit them immediately with everything you have over larger areas. This costly reality increases the priority on quarantine over reliance on response. 5. This unprecedented level of incursion response has seriously stretched DOC's capacity. Individual staff have also responded at some personal cost. Management support for incursions has been outstanding. Incursion response has been at the expense of other work including other island biosecurity work. 6. There have been a number of initiatives to increase visitation to selected islands. Partnership, engagement and sponsorship opportunities are immense. This created real tension with island biosecurity staff whose focus is on the risk. The D-G has clarified his position. He has instructed that biosecurity implications are properly scoped and appropriate quarantine in place as a prerequisite. Quarantine reduces but can never eliminate risk. Nil risk means nil visitation. Quarantine risk analysis is complex and subjective, it will assist but it cannot resolve the question of what level of risk is justified by the benefit of respective visitor activities (including DOC's). Senior management will be required to make some very hard decisions.
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Update, island biosecurity review implementation progress	7. National Advisor appointed (Euan Kennedy). Pete Corson appointed to assist 20 hours a week. This has met a significant need; island biosecurity rangers have welcomed and leaned heavily on their support. 8. Island biosecurity networks have been formally established. They include specialists from DOC Partnerships, Services, Science and external associates. This has strengthened the practitioner basis of biosecurity work. The strengthened connections and information flows means staff no longer feel isolated. The value of this peer support is best seen in the collegial response to the incursions which has improved the standard of responses. 9. A number of incursion responses have trialled the use of the Coordinated Incident Management System (CIMS). This has improved response management and will be used for all future incursions. 10. Best Practice review and update is not yet complete but well advanced. 11. The review of the pest detection dog programme has been undertaken. The review report and recommendations have been approved in principle by senior management who are currently looking at implementation options. 12. Biosecurity standards: a) Nationally we have different quarantine standards set by local staff more reflective of their views than different local needs. We also have examples of standards being undermined by senior staff actions. The DDG Service and his Directors have decided that local standards will be written up, have a technical review and then be formally approved by them. This is not the solution to both problems but is an essential part of any solution. This is a recent decision, in implementing it we will no doubt expose widely differing views and that is the intention. We need to transparently determine an appropriate consistent approach. With formal approval, junior quarantine staff can more readily order compliance when putting VIPs through quarantine.
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	b) We have done a lot of work looking at communicating the biosecurity message and required behaviour, within DOC and to the public. Quarantine risk and consequence of failure is hugely different between islands. DOC's natural default position is to tailor quarantine to the specific needs of each island or class of island. The many different standards and rules are a nightmare to communicate to visitors controlled by permits (including staff), let alone the public who visit open islands. The islands networks (item 8 above) are working on the best compromise between the island's need for different standards and the communication needed for succinct simple messages. The outcome of this work will be included in the formal approval process (item 10 above). 13. The impact of the protracted restructuring process, and of the service/partnership structure itself, reduced island biosecurity capacity. This has affected implementation of the review approved actions. Items 8 (establishment of regional networks) and 10 (best practice review) are significantly affected. We have made very good progress under the circumstances but well short of where we need to be. Items 11 and 12 (biosecurity standards) have also been affected but to a lesser extent. Our peer to peer audit system lapsed in 2008 through a lack of auditors and management support. They were a powerful means to preserve and improve standards. The reintroduction of this has not been progressed at all. It is essential that we first get the networks fully set up to include all island biosecurity staff and we get the standards approved with manager buy in. The newly announced structure is going to make a positive difference to island biosecurity, in fact island biosecurity is likely the place it will make the most difference. We do however have to cope with the inevitable short term impact of the restructure process.
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REPORT

Meeting Date: 4 August 2015

Prepared By: John Hellström

Subject: **Animal Welfare**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	Hunting, fishing and pest management are all core activities undertaken on the conservation estate and are directly relevant to the NZCA's strategic priorities and the Department of Conservation's Statement of Intent.
Recommendation or Action Required	It is recommended that the Authority: a) Note the contents of this paper b) Provide feedback the contents of this paper
Context	Recent changes to the Animal Welfare Amendment Act may affect conservation approaches to hunting, fishing and pest management. John Hellström, of the National Animal Welfare Advisory Committee, is attending this meeting to discuss the changes.

REPORT

Meeting Date: 4 August 2015

Prepared By: John Hellström, Chair,
National Animal Welfare Advisory Committee

Subject: **Animal Welfare and the Animal Welfare Act 1999**

Background

1. The National Animal Welfare Advisory Committee (NAWAC) is established under the Animal Welfare Act 1999 to provide independent advice to the Minister for Primary Industries on:
 - the welfare of animals in New Zealand
 - research needs
 - legislative proposals
 - codes of welfare and regulation
 - traps and devices
 - promote or develop guidance on hunting and killing
2. The Animal Welfare Act has been amended to make it more enforceable, clear and transparent. Over 4,000 written submissions were received during the select committee process, underscoring the importance that New Zealanders' place on good animal welfare outcomes. The Authority's submission is attached as an annex to this paper.
3. The changes to the Act allow regulations to complement codes of welfare, as well as clarify trap provisions and the ill-treatment of a wild animal. The fundamental principles underpinning the Animal Welfare Act have not changed.

Changes to the Animal Welfare Act

4. The Animal Welfare Act has served New Zealand well. It shifted the focus of animal welfare from preventing cruelty, to addressing the care of and conduct towards animals. However, attitudes about animal welfare evolve over time, and standards need to keep pace with changes in scientific knowledge, good practice, available technology, and society's expectations.
5. Animals are sentient – they can feel pain and distress – and a humane society has responsibilities to ensure animals' needs are met. The sentience of animals is now expressly acknowledged in the preamble to the Act.
6. Pest management activities, including hunting deer and pigs help protect native species, conservation land and national parks. Hunting and fishing are important to New Zealand's heritage, and a source of food for some families.
7. The Act now makes it clear that deliberate or reckless acts of cruelty outside of generally accepted hunting or killing practices can be prosecuted. The change does not affect usual and accepted hunting, fishing, or pest management activities.

8. NAWAC is now working with the Game Animal Council, DOC, Deerstalkers, Game Estates Association and others to develop guidelines on 'generally accepted practice in New Zealand.
9. The Act also provides for restrictions on the types of traps and devices used in trapping and for other purposes, and for animals caught alive (e.g. during pest control) to be killed humanely. The maximum fine for failing to inspect a trap has increased to \$5,000 (for an individual) and \$25,000 (for a body corporate).
10. Regulations can now be made for the care of and conduct towards animals. NAWAC is currently working with MPI to develop regulations. Public consultation is anticipated in the first half of 2016. Some early conversations with key stakeholders have already been held on the process for developing this first set of regulations.
11. These regulations will complement the current codes of welfare by establishing specific and enforceable mandatory standards. The regulations will not cover animals in a wild state.

Other discussion points

12. NAWAC has a number of specific interest areas that I would like briefly comment on, namely:
 - Marine mammals on display
 - Use of anti-coagulants
 - Phone-monitored live traps
 - Rescued bird/marine mammal facilities
 - DoC registered aviaries
 - DoC controlled aviaries

Section 4 Conservation Act

13. The changes to the Animal Welfare Act will not affect the Authority's responsibilities to give effect to the principles of the Treaty of Waitangi.

Conclusion

14. Animal welfare is an important dimension of managing New Zealand's conservation values. The recent changes bring additional clarity and transparency to the Animal Welfare Act. NAWAC is now working with key stakeholders to help develop guidelines on 'generally accepted good practice' and regulations to further improve animal welfare.

Appendix

- NZCA submission on the Animal Welfare Bill October 2013

NEW ZEALAND

CONSERVATION AUTHORITY
TE POU ATAWHAI TAIAO O AOTEAROA

4 October 2013

Committee Secretariat
Primary Production Select Committee
Parliament Buildings
Wellington

SUBMISSION ON THE ANIMAL WELFARE AMENDMENT BILL

The Authority's interest in the Bill

1. The New Zealand Conservation Authority's interest in the Animal Welfare Amendment Bill is confined to animals in the wild. This interest traverses indigenous animals and introduced animal pests and their control, including animals in the wild upon which a recreational activity is based. The Authority has statutory functions relating to these interests under the Conservation Act and the National Parks Act. Specifically, unless the Authority determines otherwise, introduced animals in national parks should be exterminated and native plants and animals should be preserved. The Authority advises the Minister and the Department of Conservation on conservation matters it considers are of national importance. In addition the Authority approves conservation management strategies, statements of general policy for national parks, and national park management plans. Public conservation lands and resources are managed by the Department in accordance with the provisions of these strategies, policies and plans.

The New Zealand Conservation Authority supports the Bill

2. The New Zealand Conservation Authority supports the Bill's intention to increase enforceability, clarity, and transparency of New Zealand's animal welfare system provided there are no changes in wording, or unintended consequences, that would result in limiting generally-accepted hunting, fishing, native species management, and pest management activities.
3. In particular, the New Zealand Conservation Authority supports there being no change to the current principle that the Animal Welfare Act 1999 does not apply in relation to:
 - the proper use of toxins (section 181 Animal Welfare Act 1999)
 - binding the Crown to obligations or liability by virtue of ownership under the Wild Animal Control Act 1977, Wildlife Act 1953, or under any other Act where the Crown is the owner of an animal in a wild state (section 8 Animal Welfare Act 1999)
4. The clauses of the Animal Welfare Amendment Bill that the New Zealand Conservation Authority specifically supports are:
 - Clause 4(2) – insertion of "explosive" with the exclusion of firearms from the definition of explosive.
 - Clause 5(2) – excluding animals in a wild state from section 3(1A).

- Clause 17 – new 30A(3) and (4) which excludes generally accepted hunting or killing practices, and management under other Acts.
- Clause 17 – new 30B, retaining the clause specifying that nothing in the Act makes it unlawful to hunt or kill animals in a wild state.
- Clause 17 – new 30D, captured animals.
- Clause 56 – specifically the Authority supports the principle that new section 183A (providing for making regulations) does not apply to activities dealt with in sections 30A to 30E.

Animal pests require management

5. The Authority supports the approaches listed in paragraph 4 because without them, normal and generally accepted recreational, commercial and customary hunting and fishing practices and pest control could be significantly affected. Likewise, the Department of Conservation's (and others') ability to carry out its responsibilities to manage native species could potentially be affected, due to the very broad definition of "hunting or killing" in the Animal Welfare Act 1999.
6. Animal pests are controlled because of the damage they do. Consequences of pests include the extinction or near extinction of native plants and animals (e.g. kakapo by stoats and kokako by rats), degraded forest canopy and soil run-off (e.g. by possums), loss of taonga species and New Zealand identity (e.g. kiwi by ferrets and dogs). Economic and social benefits from healthy ecosystems such as clean water, carbon sequestration, and tourism, which are all based on these attributes are also adversely impacted. Economist, Geoff Bertram, quantified the cost of pests to the New Zealand economy as around 1% of GDP per year, plus intangibles, in his 1999 paper *The impact of introduced pests on the New Zealand Economy*, which was commissioned by the Authority.
7. Since the passage of the Animal Welfare Act in 1999, the Department of Conservation, from its own research and using its own resources, and also working with others (e.g. Landcare Research, inventors and the Animal Health Board) has made successive improvements in the field of animal pest control to avoid causing unreasonable or unnecessary pain and suffering of pests and non-target species. Constant improvement in practices and technologies is "business as usual" for the Department.

Conclusion

8. The New Zealand Conservation Authority **does not** wish to be heard in support of its submission.

Yours sincerely



Kay Booth
Chairperson

REPORT

Meeting Date: 3 and 4 August 2015

Prepared By: Warren Parker, NZCA Chair

Subject: **Chair's Report**

1. I have been attending to the long list of actions from the June meeting and some carried forward from April, with Rick and Katrina as per the correspondence etc in the Friday Updates.
2. I provided material to Radio NZ with Katrina's assistance and was interviewed regarding the Sonny Tau kereru incident. While the NZCA has done a lot of background work and provided policy guidance on customary rights (e.g. in 1995 and with a 2007 update), this contentious area of conservation is still evolving with nuances in interpretation and practice at the iwi level. At some stage, the Authority should revisit this subject, particularly as more Treaty settlements approach maturity and iwi engagement in co-governance and management increases.
3. I had a pre-meeting teleconference with Minister Barry on 29 July regarding the August agenda and matters on her mind. Rick attends these meetings with me to record matters for follow up. Areas of interest to the Minister include the Northland Kauri Park, the new Conservation Board in the Far North, and the War on Weeds initiative (including addressing the wilding pines problem).
4. The August agenda is full with three CMSs to be delivered. The already appointed subcommittees for each CMS will then be able to get their work underway. In light of delays in the presentation of the CMS to us, we should confirm timelines for the subcommittees to complete their work and report back to the Authority (in my view we should aim to have of them approved for implementation before Christmas). We will also meet the new DDGs and establish our working relationship with them.
5. The discussion on stewardship land and assessing net conservation benefit is strategically significant and I would appreciate you giving this serious thought prior to the meeting so that we can build on the foundations provided by Mark's paper.

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Rick McGovern-Wilson

Subject: **Conservation Board liaison reports**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	NZCA Priority J: NZCA's performance
Recommendation or Action Required	It is recommended that the Authority: a) Note the written and verbal conservation board liaison reports presented.
Context	Authority members are encouraged to attend at least one conservation board meeting or field trip per annum. Authority members are required to provide written liaison reports to the NZCA no later than two weeks before the following NZCA meeting, when there are substantive matters to report. Late papers or a verbal report will be accepted only where there is a board meeting within two weeks prior to an NZCA meeting. They shall also be taken as read.

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Warren Parker, NZCA Chair

Subject: **Bay of Plenty Conservation Board**

1. I attended the first part of the Bay of Plenty Conservation Board meeting on 23 June 2015 in Rotorua.
2. The Board has an active work programme and during the meeting they discussed:
 - Preparatory work for the refresh of the Bay of Plenty Conservation Management Strategy.
 - An iwi/DoC Conservation Management Plan (CMP) arising from a tribal settlement. As the Authority observed at its last meeting, there are a range of requirements arising from Treaty Settlements with respect to CMPs. It may be worth the Authority contacting the Office of Treaty Settlements to indicate the desirability of having some level of standardisation.
 - Stewardship land and reclassification within the Bay of Plenty region. Members requested more detail about particular blocks of land so that they could make an assessment of their conservation value. I highlighted the importance of net conservation gain and the Minister's request that reclassification of stewardship land be sped up.
3. Overall the Board appeared to be in good heart and working well with effective DoC partnership liaison support.
4. The Board was undertaking a field trip in the afternoon, familiarising themselves with conservation matters associated with Mt Tarawera and the Tarawera Trail.

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Waana Davis

Subject: **Wellington Conservation Board**

The Wellington Conservation Board Te Runanga Papa Atawhai o Te Upoko o te Ika

Hui held Southward Car Museum off State Highway 1, Taihanga Road, Otaihangā,
3 July 2015

Items on the agenda included:

- Election of Chair and Deputy Chair positions
- Conservation Management Strategies (CMS) and Conservation Plans (CMPs)
- Strategic advice to NZCA and DG on conservation matters relating to areas within the Boards jurisdiction.
- Liaison response by dedicated board members. Discussion on communication Information Sharing. To the wider communities and responding to the good stories that are already happening in their communities.
- Discussion on how to lift the profile of Wellington Conservation Board
- Media methodology utilised to get positive information to communities of interest.
- Public forums
- Board Administration.
- Board Financials.

The Wellington Conservation Board members are already addressing the challenges. The members collectively bring an incredible range of skills, expertise and knowledge. The journey of bringing together the CMS is a challenge and it is not seen as a daunting process at all.

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Jo Breese

Subject: **Taranaki / Whanganui Conservation Board**

Subject: Taranaki Whanganui Conservation Board – meeting held 12 June

The board has continued to build its capacity with the day-long meeting being divided into a morning training workshop and the afternoon for the meeting. I was not able to attend their meeting. The report is based on a conversation with the chair of the board.

1. Training workshop: Getting the board role clear

The chair and the board discussed the content of the Chair's meeting and in particular the update presentation given by Hon Nicky Wagner. She stressed a focus on getting out into the community and helping drive the partnership strategy and this is not where the board wishes to direct its energy. The board believes it can be most effective focusing on influencing policy making, being connected with the NZCA and the Minister. They do not feel they have the capacity to engage with a lot of interest groups beyond their own networks. They see engaging with a lot of interest groups as neither practical nor effective.

They agreed their focus will be on ensuring local communities have responsibility for natural resources, and in particular will focus effort on land, freshwater, coasts and bees. The chair will write up this approach.

The chair noted that she feels her board has synergy in its thinking with the approach taken by the Waikato Conservation Board.

2. Meeting

Election of the Chair

Anne – Marie Broughton was re-elected and she is delighted.

Strategy

Refer to discussion outlined above and approach adopted. Further they agreed to lift the board's profile. The board will develop a Communications Strategy.

This is now easier to do as the board member who has been grazing stock in the national park is stepping aside.

Forum

As part of the board's meeting process they hold a public forum. They have been presented previously with a petition and last meeting was a follow-up regarding the use of 1080 in the Whanganui River. They have asked the board to review its use. The Board and DOC have reiterated support for a case by case base approach to use of aerial 1080. The group felt last time there was inadequate consultation and they are requesting open discussion about the tools available. They want to understand what DOC is doing to develop and use alternatives. The board undertook to assemble a group of people to have the conversation as requested by the group. This matter has now been progressed with the board hosting a

workshop and coinciding with a planned Ministerial visit to Whanganui. After careful consideration the workshop will be held after the Waitotara 1080 drop.

Conservation board member

At the meeting the board member who has repeatedly been grazing stock within the national park, with no authority, announced that he will be stepping aside from his board role.

CMS monitoring report

On track

Code of Practice for Conservation Boards

Tabled for future discussion.

Next meeting to be held 14 August

Jo Breese

21/7/2015

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Gerry McSweeney

Subject: **West Coast *Tai Poutini* Conservation Board**

The WCTP Conservation Board met in Hokitika on June 12 2015 and we have had a range of discussions since then.

The West Coast Board has this year given priority to six issues:

- A. Ensuring the DOC pilot restructuring delivers beneficial conservation outcomes.
- B. Seeking the elevation of West Coast stewardship land to specially protected status
- C. Maintaining a close interest in Battle for our Birds and effective pest control throughout the West Coast.
- D. Monitoring the performance of the logging of wind thrown timber from West Coast conservation lands.
- E. West Coast CMS and Paparoa National Park Management Plan review.
- F. Monitoring tourism access to the retreating Glaciers.

Ensuring the DOC pilot restructuring delivers beneficial conservation outcomes

The new structure is awaited with enthusiasm and was being rolled out the week after the Board meeting. The Board sees the inclusion of most partnership staff into the services section of DOC as common sense and a return to the effective model in operation pre-restructuring. It means services staff and staff working on concessions for tourism, grazing, mining access, land exchanges and neighbour issues will all be working together. They will all be identified by land users and occupier/owners as being part of the one organisation. More importantly, single point accountability means that those interacting with the department on the West Coast will know where the buck actually stops and know where they can go to find solutions.

Seeking the elevation of West Coast stewardship land to specially protected status

The WCTP Board sub-committee continues to gather material for a proposed South Westland Rainforest National Park. This may culminate in a Section 8 National Park investigation request to the NZCA. The Board welcomed the decision of the NZCA to seek a Section 7 investigation of the Mokihiui Valley addition to Kahurangi National Park. The Board feel a great sense of being personally responsible for this initiative. That will be most helpful to us as the NZCA continues the Section 7 Park addition investigation process. The initiative has come from the West Coast flax roots rather than being forced on the Coast from Wellington.

Battle for our Birds and effective pest control throughout the West Coast

The WCTP Board expressed surprise at the substantial 63% reduction in DOC's 2015-2016 aerial 1080 programme throughout New Zealand from 686,000ha in 2014-2015 to only 250,000ha by DOC in 2015-2016. It was noted that: **(1) There is no National DOC "Battle for our Birds Taskforce" coordinating the programme nor is there any accountability mechanism to the NZCA or to Boards for what is planned or carried out.** Extensive pest control programmes are not covered in CMS's or National Park Plans. Decisions about ongoing effective aerial pest control are decided internally and no plan for forthcoming programmes is discussed with the Board before it happens. **(2) It is not clear that there is a designated budget established for this programme.** The money for the 2014-2015 programme (\$10.5 million) was apparently scraped up from savings from the non-appointment of staff. If that is the case and the plan for 2015-2016 is for 250,000ha then that is a commitment of at most \$5 million. It was felt to be ironic that DOC is prepared to spend between \$7-\$8 million per annum on funding the Community Conservation Fund (CCF) to get community groups to carry out small scale pest control and other programmes. However DOC itself with management responsibilities for nearly 1/3rd of NZ is only prepared to spend less than 2% of its annual budget to continue with effective extensive aerial pest control programmes. **(3) The WCTP Board fears that with half of NZ's remaining lowland forests in the Board's area, an existing established and very successful aerial 1080 programme in place the lack of coordination and funding will mean that the West Coast DOC funded 1080 programme will be severely curtailed compared to 2014-2015.**

[NOTE As an NZCA member and West Coast resident I endorse these concerns. Probably the largest South island kaka population on the West Coast inhabits the 50,000ha Mataketake – Whakapohai forest immediately north of the Haast River. A successful 10 year aerial 1080 programme by DOC here up until 2013 means that all these kaka will almost certainly breed here this year. This will only be successful if a spring 2015 aerial 1080 programme required here takes place to control rats and stoats. Without this programme breeding female kaka and chicks and other native birds breeding here will be largely be killed by stoats. Resource consents are in place and conservation science by Dr Graeme Elliott and his team confirms the need for the programme, however it is under threat because of a lack of aerial 1080 funding on the West Coast.]

Monitoring the performance of the logging of wind thrown timber from West Coast conservation lands.

Journalist articles were widely circulated on the West Coast in June (Greymouth Star, The Press) praising the wind throw timber logging operations on DOC conservation land, conservation parks and Scenic Reserves. Board members were very surprised that portable mills have been allowed to cut up logs inside Scenic Reserves rather than logs simply being extracted from the forests for milling elsewhere. The DOC revenue from the logging looks like being in the order of \$1 million rather than the figure of \$100 million as claimed when the West Coast Wind Throw Timber Logging Act was debated in Parliament. Very little beech is being extracted with very little demand. The rimu market is awash with wood and the market price has substantially dropped.



*Logs other than windthrow logs are still being extracted on the West Coast. Reefton
June 11 2015*

One challenge to the Indigenous Forestry Division within MPI is to distinguish logs from different sources on the West Coast to ensure they are all legitimately extracted in accordance with the Forests Act. The rimu logs I photographed here on June 11 2015 were being delivered to the Reefton Coastpine sawmill. They came from clearfelled virgin forest on private land at Dunganville just behind Greymouth. The native forest is being cleared to allow access to gold mining gravels underneath the forest and the logging was in accordance with the Forests Act (Alan Tinnelly MPI July 15 2015).

West Coast CMS and Paparoa National Park Management Plan Review.

The WCTP Board on June 12 received a presentation from DOC planning staff from Christchurch who advised that the top priority for their team was a review of the Westland National Park Management Plan. This is to ensure that this plan was compatible with the Mt Cook NP Plan being reviewed at the same time. The rationale is that the two plans should be similar and that glacier retreat had made access difficult for the tourism industry that wants more flexibility for helicopter and plane landings.

- The Board is very concerned that their wishes about planning priorities seem to be dismissed by the planning team.
- The WCTP Board continue to seek a management plan review for Paparoa National Park where the 10 year plan expired in 2002. 13 years after that date the Plan Review keeps on being pushed to the back in DOC planning priorities. Paparoa Park has nearly doubled in size since that original plan was prepared. It is a booming tourism area. There are major threatened species issues including penguins, kiwi and black petrel and the need for greater pest control particularly goats and possums that should be addressed. A review of appropriate Park boundaries is long overdue. Major walk development has taken place around Punakaiki without reference to the

plan. There is now a further 15% area addition proposed under Section 7 of the National Parks Act 1980 (Pike River).

- The WCTP Board went through a major partial plan review of the Westland Park Plan 2012-2014 that was primarily aimed at accommodating the changing needs of the Glacier tourism industry. It took a lot of time. There were large numbers of submissions and a lot of Board time involved in hearings. The resulting plan now has a great deal of flexibility to accommodate the tourism industry changing needs. The WCTP Board was puzzled why the tourism industry on the Mt Cook side should now be pushing DOC for more flexibility in Westland when the partial plan review actually delivered this.
- The Board feels that to further commit them to another major consultation exercise for Westland when the Paparoa Park Management Planning needs are so urgent is unacceptable. It also imposes a serious time and financial burden on the Board members involved.

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Wilderness Lodge Lake Moeraki
lakemoeraki@wildernesslodge.co.nz
03 7500881

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Mark Christensen

Subject: **IUCN Oceania Regional Conservation Forum
Suva, Fiji – 13-14 July 2015**

Summary

On 13 and 14 July I attended the IUCN Oceania Regional Conservation Forum in Suva. I was there in my capacity as a member of IUCN's World Commission of Environmental Law – I have been assisting the Oceania Regional Office with a review of its environmental law program – and was able to represent NZCA as well.

Attached is a report from Neil Gilbert, the chair of the New Zealand Committee of IUCN, which summarises the meeting. I will not repeat his comments, but add some additional matters of possible interest to the NZCA.

Membership

Attached is an extract from the "Information Briefing" for the Forum which lists the Oceania members of IUCN, together with the list of numbers of members of the various specialist commissions.

Global Programme

A copy of the draft Global Programme 2017-2020 is **attached**. As Neil notes, the programme is still open for submission by IUCN Members and members of commissions.

Oceania Regional Plan

Attached is the draft Oceania Regional Plan 2017-2020. You will see that its primary focus is on the Pacific but members are encouraged to provide input into the Regional Plan including specific things they might be working on in Australia and New Zealand. I am not sure that there is anything specifically NZCA would wish to add.

Healthy Parks/Healthy People – the "Promise of Sydney"

One of the more relevant aspects of the Forum to NZCA was a presentation on Healthy Parks/Healthy People by representatives from Parks Victoria and Parks Australia. It may well be useful for NZCA to maintain a separate connection with this initiative which arose out of the World Parks Congress held in Sydney last year. You might recall that Minister Barry and Lou Sanson attended that Conference (along with Jo Breese) and both the Minister and Lou are interested in promoting in the idea of Healthy Parks/Healthy People. A link to the relevant website is <http://www.hphpcentral.com/>.

Valuing Nature

Also attending the Forum were officeholders of the Australian National Committee for IUCN. Australia has some 30 IUCN members compared with New Zealand's nine members and has recently reorganised its national committee and has a full-time acting Director. Again, perhaps through the New Zealand committee, it might be useful for NZCA to maintain a connection with the Australian national committee – its website is at <http://aciucn.org.au/> .

The Australian National Committee IUCN has recently published a paper titled 'Valuing Nature: Protected Areas and Ecosystems Services'. This is an area of interest to NZCA – see <http://aciucn.org.au/index.php/publications-valuing-nature> .

Offsets policy

IUCN is also developing a global biodiversity offsets policy - see http://www.iucn.org/about/work/programmes/business/bbp_work/collaborative_platforms/www_iucn_org_offsets/ . The Australian federal and state governments are considerably further advanced in both their policy and legislation on biodiversity offsets and environmental compensation than NZ, and it again may be useful for NZCA to connect directly with those government agencies in relation to policy development here.

Oceania Regional Conservation Forum

13 – 15 July 2015, Suva Fiji

NZ IUCN Committee Chair's Summary Report

Summary

- An excellent and well-organised regional forum that has helped to foster a heightened sense of regional cooperation.
- The attendance of the IUCN Director General, Inger Anderson added great value. She indicated how impressed she was with the work being undertaken in the region and set out her vision for the future of the Union.
- The IUCN draft global programme and regional plan for the period 2016 – 2020 were discussed and the context and timetables for their further refinement were set out.
- Issues of relevance to the Oceania region were raised. Member's attention was drawn to other global IUCN matters, and timetables were set out for members to contribute to them.
- Regional preparation for and input to the 2016 World Conservation Congress in Hawai'i was considered.

Key issues

Director General participation

Inger Anderson provided a talk on her vision for the future of the Union, which was a summarised version of the talk she provided to the most recent Council meeting.

Against the backdrop of increasing global pressures on nature and ecosystem services, the tone of the DG's message was a call for a step change in the Union's global efforts. The DG talked about elevating the "noise of the Union" and her desire to "heighten the Union's audacity". Despite all the great work being done, the DG is keen to make IUCN more globally visible and "impact-full". She spoke of the need for IUCN to be setting the global conservation agenda. In particular the DG expressed concern about the dilution of the global message, which she felt is not helped by the plethora of Resolutions agreed at each World Conservation Congress (WCC). She felt the WCC should develop no more than 5 key "stand out" messages around which the Union could coalesce. She also talked about an annual flagship report on the state of global conservation. She is keen to see larger scale projects that are overseen by Gland and implemented by Regional Offices, Members and Commissions. She also noted her concern about the pace of work and expressed her desire for more adaptive and dynamic governance systems to support a more innovative and ambitious four-year programme of work.

Oceania Regional Plan

Mason Smith, the Oceania Programme Coordinator, introduced the draft Oceania Regional Plan. By way of context he noted the challenges facing the region including the diversity of nationalities, languages and cultures; increasing populations and what he referred to as the "tyranny of distance" with transportation challenges between Pacific Island nations. The region is also facing escalating demands for freshwater and food, as well as increasing climate change impacts.

He noted that the Regional Plan built on the Global Programme's framework, and that it added a fourth "Green Economy" programme area specific to the region.

In delivering the next four-year programme, Smith highlighted the desire of the Regional Office to expand the voice of conservation in the region; strengthen the IUCN ORO brand, and improve

communication and networking among regional members, national Committee's and Commissions, including through the establishment of Advisory Groups for each of the four programme areas.

Smith urged members to contribute to further development of the regional plan noting that ORO had had no feedback from members to date¹. On the margins of the forum, a small contact group developed context and a timetable for further development of the regional plan.

Members' input to the regional plan was requested with regard to:

- Commenting on the draft document itself (in tracked changes)
- Outlining Members commitments to implementing the plan
- Outlining Members commitments to supporting OR's delivery of the regional plan
- Identifying new activities being developed by Members that can be highlighted in the plan

It was noted that the regional plan should not become a huge shopping list of everything going on in the region. Instead it should highlight key initiatives only. For any new initiatives to be referenced in the regional plan, members were requested to provide a short narrative and rationale including key targets, accountabilities and budget. (NB: The Regional Director emphasised that inclusion of initiatives in the regional plan would not automatically make the ORO accountable for their delivery).

Timetable for completing the regional plan:

- Now to end of August – members to provide comments on the draft regional plan and submit proposals for initiatives to be highlighted in the plan
- August to October – ORO to further refine the draft document
- September – ORO to circulate a further draft
- September to February 2016 – members to further review
- February 2016 – regional plan finalised (possibly by means of a member's dialogue meeting)

All input to be directed to Mason Smith. mason.smith@iucn.org

IUCN draft Global Plan

Jane Smart, Global Director of IUCN's Biodiversity Conservation Group and Director of IUCN's Global Species Programme provided an introduction to the IUCN Global Programme 2017-2020.

Smart noted that continuity was important and that IUCN considered the three programme areas and the three high level global results to still be valid, though they need strengthening.

Smart said that the revised global programme would place greater emphasis on integration across programmes and strategies and that engagement of Members and Commissions would be a transparent core of the strategy for generating knowledge, delivering results and influencing policy and governance.

The structure of the Global Programme will be:

- 3 Global results (1 per each programme area)
- 9 Sub-results (3 per each global result)
- A series of quadrennial indicators, baselines and targets (for the periods 2020, 2024 and 2028)

The timetable for further development of the Global Programme will be:

¹ The draft Regional Plan was circulated to members on 19 June.

- June 2015 - Revised draft circulated
- June 2015 to February 2016 – consultation among members (at RCFs and on line)
- February to March 2016 – Revision of the draft to incorporate feedback
- April 2016 – Review and endorsement by Council
- June 2016 – Documentation for WCC dispatched to members
- September 2016 – Discussion and approval by WCC

The draft programme is available for comment on the homepage of the Union Portal.

World Conservation Congress Preparation

Enrique Lahmann, Union Development Group Director provided a summary of the plans for the World Conservation Congress to be held in Honolulu, Hawai'i, 1 to 10 September 2016.

The theme will be: **Planet and the Crossroads**. The Congress objectives will be to:

- ***Inspire*** the international community to take action for nature by showcasing inspiring examples of where conservation has delivered tangible benefits for biodiversity, people and sustainable development;
- ***Strengthen and mobilise the Union*** by bringing members and commissions together to agree on new priorities and actions for 2017 to 2020;
- ***Develop the Hawai'i Commitments***, which will be globally transformative and innovative conservation initiatives.

The Forum and Members Assembly will be run in series (rather than in parallel as was the case in 2012). The opening ceremony and Forum will run from 1 to 5 September and the Members Assembly from 6 to 10 September (though with an excursion day on 8 September). Early bird fees will be CHF540 for members.

The Forum will consist of a wide range of events and activities including workshops; debates; exclusive "breakfast with" sessions involving renowned experts; knowledge cafes; posters, and themed pavilions. The Secretariat has already put out a call for contributions, which will be open until October 2015 – see the WCC homepage <http://iucnworldconservationcongress.org>

Oceania Regional Involvement

The Regional Director called for Oceania members to give thought to regionally coordinated input to the WCC. Taholo suggested themes of: Indigenous Peoples culture and conservation; Oceans and Islands and invasives. He promoted the idea of large-scale marine protection and the potential establishment of a Pacific Ocean Fund. Taholo also promoted the idea of practical Oceania region 2020 commitments that might be built around climate change (e.g. emissions reductions and infrastructure and transport targets) and healthy oceans (targets on plastics, run-off and fisheries management).

The Regional Director also outlined plans for the fleet of vaka to sail to Hawai'i just as they had to Sydney for the World Parks Congress.

Taholo also issued a strong plea for members to get involved in planning for Oceania input to the WCC.

IUCN Governance Matters

The Regional Forum provided an opportunity to hear about and discuss a range of governance issues that are currently, or soon to be open for discussion and input among the membership. This included:

i. Indigenous and tribal peoples' organisations (IPOs) and local and regional governments and authorities (LRGAs)

Aroha Mead and Andrew Bignell provided a report on the current state of separate, though linked Council discussions around options to change the membership structure to give recognition and /or voting rights to IPOs and LRGAs.

With respect to IPOs, Resolution 7 (2012) called on the IUCN Council to establish an intersessional Council working group to identify options on how IPOs could be better represented within the structure of IUCN. The Working Group has come up with two options. The first option is to amend the IUCN Statutes to establish a new Category D with the right to vote. The second option is to establish a sub-category within Category B, known as "Indigenous and Tribal Peoples' Organisations" (IPOs).

The similar issue of recognition and voting for LRGAs has been around for some considerable time, though Council has agreed to keep discussions going given the closeness of previous voting. Again two options have been developed:

The first option is to state expressly in the current Statutes that government agencies at the local and/or regional levels of government (i.e. at any level below that of the State) may apply for membership in Category A as government agencies, without modifying in any way the voting rights for government agencies. The second option is to amend the Statutes by adding local or regional governmental authorities to the existing 'States and government agencies' in Category A and increase the number of votes for State Members from three to four, one of which would have to be exercised collectively by local and regional government authorities, if there are any in the State concerned (in addition to the collective vote of the government authorities, if any, in the State).

There are implications and subtleties to these various options, which were aired at the Forum.

The options and explanations will be put to members for consideration and voting later this year.

ii. The authority of the IUCN Council

Following a proposal from ECO New Zealand, Council is considering amending the IUCN Statutes so as to clarify that Council does not have authority to modify IUCN's mission or the nature of its membership, including membership admission criteria, and that such authority rests solely with the Members' Assembly. Draft amendments to the Statutes have been prepared and will be put to Members for consultation and voting.

iii. Procedures for the election of the IUCN President

Changes to the procedures for the election of the IUCN President have been developed to ensure that, given the importance of the position, the IUCN President receives the highest possible support in both voting categories.

The current situation provides for one election round. If there is a tie, Category A (government) votes are adjusted and added to the number of valid votes cast in Category B. The candidate with the highest number of votes is elected.

In the proposal, the rule is amended to include the requirement of a candidate to receive the absolute majority of the votes in both Categories A and B. Failing this, a second round of votes would be held between the two candidates with the highest combined rankings. If there is a tie in the second round, then Category A (government) votes are adjusted and added to the number of valid votes cast in Category B.

Amendments to the Statutes will be put to members for consideration and voting later this year.

iv. Review of the IUCN motions procedures

Enrique Lahmann, Union Development Group Director provided an overview of the changes to the Motions process, noting the overwhelming support for the change to an electronic voting process among members of both houses. Lahmann noted that the changes were intended to free-up time for debate at the WCC assembly.

The timetable and process ahead of the 2016 WCC will be:

- November to February 2016 – members submit motions on-line
- May to June 2016 – on-line consultations on motions
- June / July 2016 – Motions working group decides which motions will go to congress and which to be voted on electronically
- August 2016 – electronic voting on motions
- September 2016 – remaining motions tabled and discussed at the WCC

Motions going through to the WCC will be those that warrant debate at the global level because they are of significance for global conservation efforts and those that have been the subject of significant and/or inconclusive on-line debate.

The new process also requires proponents to provide additional information in support of draft motions including: information about consultations held during the development of the motion; the actions required to implement it; the resources proponents will contribute, and the name of the individual responsible for reporting on implementation.

An appeals process will also be implemented. Lahmann noted that the call for nominations to sit on the Motions Working Group has been opened.

v. Nominations for IUCN awards and medals

Every four years IUCN awards two medals and an honour, namely:

- The John C. Phillips Memorial Medal – awarded to an individual in recognition of outstanding service in international conservation
- The Harold Jefferson Coolidge Memorial Medal – awarded to an individual
- IUCN Honorary Membership – awarded to individuals

The request for nominations will be sent out soon. Members will have until 31 December 2015 to submit nominations.

vi. Development of an IUCN biodiversity offsets policy

In response to Resolution 110 (2012) a working group has been established to develop a policy on biodiversity offsets. Two technical papers and a policy options paper have so far been prepared (links to

these reports can be found on the biodiversity offsets consultation page of the IUCN website – see link below).

A draft policy has now been prepared and will be made available for comment by members. The consultation will be open **until 15 September 2015**. Comments are requested either via the on-line comment form or via email to rachel.asante-owusu@iucn.org and steve.edwards@iucn.org. Details on the consultation process and the form can be found at: http://www.iucn.org/about/work/programmes/business/bbp_work/collaborative_platforms/www_iucn_org_offsets/

vii. Development of IUCN climate change position paper(s)

Prof Brendan Mackey, Regional Councillor Oceania and Chair of IUCN's Council Climate Change Task Force provided an update on the task force's recent work, which has included the development of an IUCN policy statement to cover 2015 climate negotiations. Planned work for the task force includes the preparation and dissemination of a guide to support countries in their preparation of "Intended Nationally Determined Contributions"; mapping of IUCN's climate-related plans, activities, events, publications etc., *en route* to Paris, and the development of a web site and internal bulletin.

Members were requested to:

- Read and use the IUCN 2015 Policy Position Paper http://cmsdata.iucn.org/downloads/eng_iucn_2015_position_paper_for_unfccc_final.pdf
- Provide any comments and suggestions for preparation of the Paris Policy Position Paper
- Identify to what extent they are involved in supporting their national governments in preparation of INDCs
- Help in mapping IUCN climate change activities in UNFCCC

Responses were requested to be sent to Sandeep Sengupta sandeep.sengupta@iucn.org

Other matters

Other issues discussed or developed at the Regional Conservation Forum included:

- Potential Motions to be proposed to WCC from the Oceania region.

Several members spoke on issues of particular relevance to them or their country and which may form the basis of proposals for Motions at the WCC. Examples included:

- Palau Conservation Society raised the issue of law enforcement in the context of poaching in Palau waters by Chinese fishing vessels, as well as concerns over ocean microplastics;
- Tenkile Conservation Alliance, PNG identified logging, mining and palm oil plantations as being of particular concern;
- WCPA representatives called for a ban on mining in all IUCN protected area categories;
- ECO NZ, raised issues related to Antarctica, tuna fisheries, climate change and ocean acidification, and responsibilities and rights.
- Parks Victoria promoted the "healthy parks – healthy people" initiative which had gained significant traction at the World Parks Congress.

- Presentations from National Committees and from representatives of five of the six Commissions: WCPA, SSC, WCEL, CEESP and CEM².

Support for more regional involvement in the Commissions was called for by all those who spoke. The two regional Committees were also strongly encouraged to increase their engagement with the Commissions and Commission representatives in their respective countries.

- IUCN involvement in the Intergovernmental Panel on Biodiversity and Ecosystem Services (IPBES).

Laurence Perianin, IUCN's IPBES Programme Officer provided an overview of the IPBES process and deliverables. IUCN is heavily involved in the process not least by providing expert support. Perianin noted the limited involvement of experts from the Oceania region. For more information see:

http://www.iucn.org/about/work/programmes/global_policy/gpu_our_work/ipbes/

- Proposal for an Antarctic symposium.

ECO and Antarctica New Zealand proposed the idea of a regional symposium that aims to bring Antarctic climate related research knowledge to the Pacific. Climate change is a major concern for Pacific Island states and in many respects Island communities can be seen as a customer for Antarctic knowledge – for reasons of sea level rise, oceanic and atmospheric influence and change, as well as biological connectivity.

The idea was well received, including by the IUCN DG. Indeed Inger kindly raised the suggestion with the Secretary General of the Pacific Islands Forum Dame Meg Taylor with whom she met whilst in Fiji. Dame Meg also expressed interest in the idea given the significance of climate change and sea level rise in the region. The Regional Director has offered to facilitate further development of the proposal.

Summary note – personal perspective.

I thought this was an excellent meeting. I found it to be more constructive and with a stronger sense of regional coordination than perhaps was the case at the last ORCF (held in Brisbane four years ago). This may well be a reflection of the maturing of the Regional Office and its role in facilitating the event.

I also came away with a strong sense that New Zealand has more to contribute than we are currently – both through our current IUCN members and as a national Committee. I was impressed by the work of the ACIUCN (its coordination among members, its holding of regular symposia, its publication of resources etc.), though recognise of course Australia's larger membership base and resources at its disposal.

Nonetheless, I came away with a sense of opportunity for New Zealand to effect a step change in our IUCN engagement. There are a plethora of opportunities for members to engage as highlighted above, and I can see potential to improve IUCN's national visibility – not least through facilitating debate and knowledge sharing on issues of national importance; promotion of IUCN resources, and enhanced information sharing among members; all of which might be captured through the development of a

² WCPA = World Commission on Protected Areas, SSC = Species Survival Commission, WCEL = World Commission on Environmental Law, CEESP = Commission on Environmental, Economic and Social Policy, CEM = Commission on Ecosystem Management.

national plan or programme of action. The lead up to the 2016 WCC may well be the ideal opportunity to enhance our role as members and as a national committee.

Neil Gilbert
Chair NZCIUCN
20.7.15



Oceania Regional Conservation Forum

13-15 July, 2015

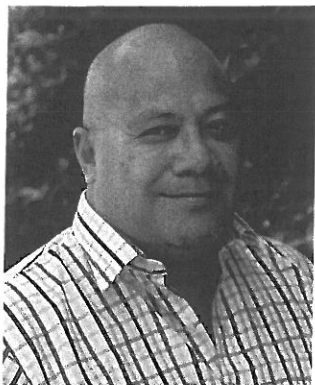
Great Council of Chiefs Complex, Suva, Fiji

INFORMATION BRIEF



"Resilience in a Climate³⁴¹ Challenged Planet"

Welcome



Four years ago, we convened the first Regional Conservation Forum (RCF) in Brisbane since the establishment of the Regional Office in Suva in 2007. Participants had the opportunity to share experiences, build partnerships for action and provide substantive inputs into the Regional Programme 2013 – 2016 which guides IUCN's current work in Oceania.

This year, the Regional Office is honoured to be hosting the Forum

in Suva, in collaboration with the Ministry of Local Government, Housing and Environment which is a state member representing the Government of the Republic of Fiji.

Therefore, it gives me great pleasure to welcome representatives from IUCN's Membership, Commissions, Secretariat, Council, donors and partners to the 2015 Oceania RCF. The Forum has the common purpose for enabling participants to review the progress on the implementation of the current Regional Programme 2013 – 2016, discuss challenges and successes that affects current progress and envision a way forward in terms of setting priorities for Oceania through collective inputs into the proposed global and regional Programmes for 2017 – 2020 and lay the ground work leading up to the World Conservation Congress in Hawaii next year.

The agenda for the coming days include themed sessions that promote facilitated interactive discussions and special side events that focus on various issues linked to themes for IUCN's next intersessional programme. We encourage you to share experiences and best practices on biodiversity conservation, climate change, food security, green growth and other significant issues where collective innovative effort can be mobilised to effect change.

Special highlights of the Forum include the participation of the IUCN Director General, Inger Andersen, the Chair of the World Commission on Environmental Law, Justice Antonio Benjamin, the Chair of the Commission on Environmental, Economic and Social Policy, Aroha Mead, the Chair of the Species Survival Commission, Dr Simon Stuart, the Chair of the New Zealand Committee of IUCN Dr Neil Gilbert, the Chair of the Australian Committee for IUCN (ACIUCN) - Dr Paul Sinclair, the Regional Chair of Commission on Ecosystem Management Dr Peter Smith and the Vice Chair of World Commission on Protected Areas, Penelope Figgis.

We look forward to a week of learning, acknowledgement of success, sharing innovative ideas and best practices and deliberating on key priorities that we can all work to implement in the next intersessional programme.

Finally, I take the opportunity to convey my gratitude to the Government of the Republic of Fiji for co-hosting this Forum, friends and partners of IUCN for your support, all the special presenters and participants for attending what we hope will be a constructive 3 days of Forum and the hardworking staff of the Regional office for your continuous support and organization.

I wish you all a fruitful Regional Conservation Forum.

Vinaka and 'ofa atu.

Taholo Kami, Regional Director

Meet Our DG



Inger Andersen was appointed Director General (DG), of the International Union for Conservation of Nature (IUCN) in January 2015.

Ms Andersen brings a passion for conservation and sustainable development with more than 30 years of experience in international development economics, environmental sustainability and policy-making, as well as in designing and implementing projects and generating on-the-ground impact. She has played a key role in supporting riparian countries on international water management and hydro diplomacy.

Prior to joining IUCN, Ms Andersen held various leadership roles at the World Bank and United Nations. Most recently, she was Vice President of the Middle East and North Africa at the World Bank, and previous to that Vice President for Sustainable Development and Head of the CGIAR Fund Council. Throughout Ms Andersen's 15-year career at the World Bank, her managerial roles focused on water, environment, and sustainable development with special emphasis on Africa and the Middle East. Previous to the World Bank, Ms Andersen worked at the United Nations for 15 years, starting in the UN Sudano-Sahelian Office working on drought and desertification issues, and was then appointed UNDP's Water and Environment Coordinator for the Arab Region.

Ms Andersen's educational background includes a BA from London Metropolitan University North and a MA degree from the School of Oriental and African Studies at the University of London with specialisation in development economics.

The Oceania Regional Conservation Forum

Every four years, IUCN prepares constituents to participate meaningfully in the World Conservation Congress. This preparation is known as the Regional Conservation Fora, (RCF).

The RCF in Oceania brings together IUCN Members and selected representatives from IUCN Commissions. Issues that will be discussed during the Oceania Regional Conservation Forum include:

1. IUCN Programme (Global and Regional)
2. IUCN Governance
3. Motions Process
4. Review Oceania related Resolutions
5. Regional Matters
6. World Conservation Congress 2016
7. Pressing conservation issues like Biodiversity Offsets, the Climate Change policy and IPBES.

The ORCF will discuss early drafts of the IUCN Programme with Members and partners, before the formal approval of the document at the IUCN Congress.

The dissemination of knowledge on the science, policy and practice of conservation, and the equitable and ecologically sustainable and equitable use of natural resources are critical topics to be discussed.

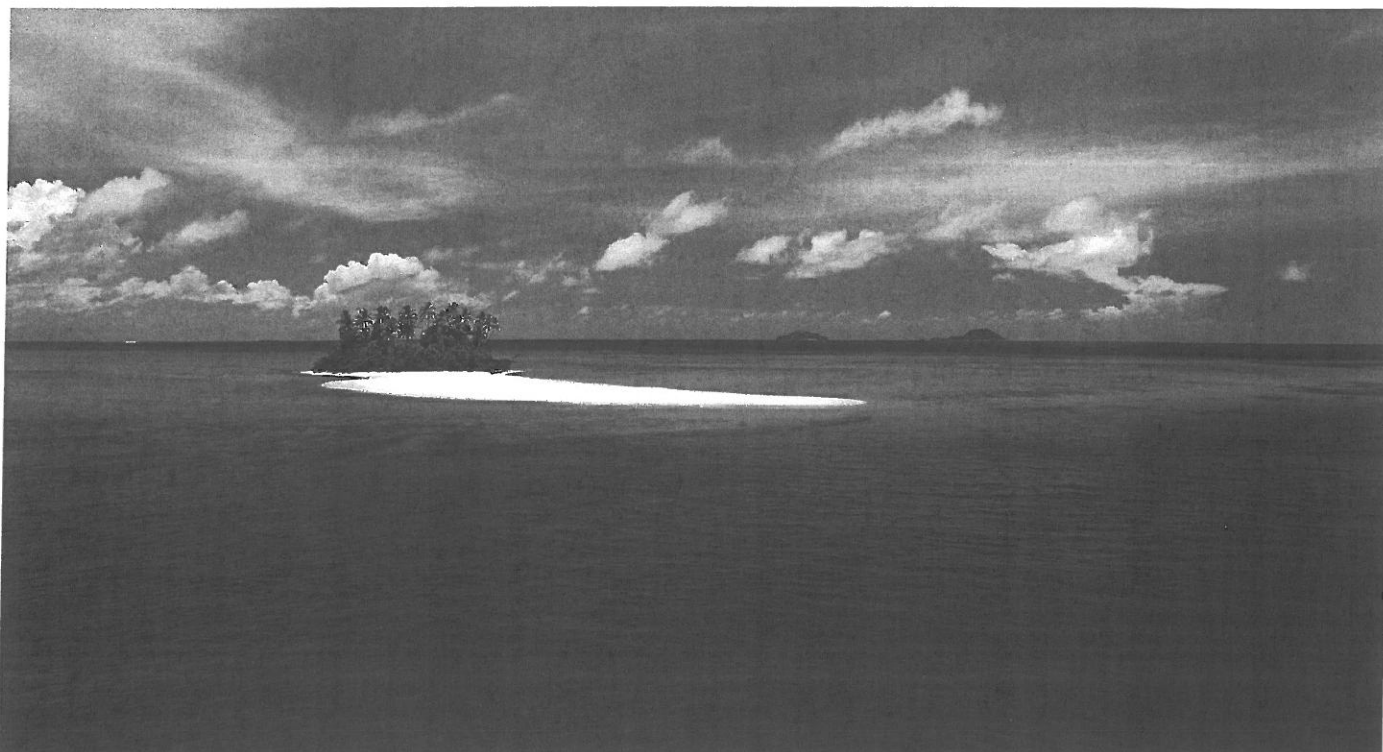
Mechanisms and concrete arrangements for Members and Commissions involvement in the implementation of the IUCN Programme at the global, regional, national and sub-national levels (the 'One Programme Charter') is important.

The Members Assembly at Congress is the highest decision making body of IUCN and the Forum provides an opportunity for Members to familiarize themselves with the preparations for and the rules for the conduct of the Members' Assembly.

Where possible Members are encouraged to discuss and possibly draft or negotiate proposals for motions to be presented by the Oceania Members to the 2016 Congress motions process, in particular the proposals concerning issues that warrant a discussion at a regional level with the purpose of assessing the degree of support for such proposals during the Forum and/or to identify solutions that might address the underlying issues thereby removing the need for them to be submitted as a Congress motion.

Finally, the Members have an opportunity to talk about how IUCN Oceania be organised during the World Conservation Congress in Hawaii in 2016.

How can we maximise the opportunity to discuss at the global level issues which the region. Mobilising the Union and encouraging the participation of members is critical as well – and this will need to be discussed. What do Members expect from the WCC?



IUCN Oceania Members

July 2015

Overview

IUCN has a total of 57 Members in the Oceania region, with 14 countries and territories represented.

This total includes 8 State Members, 13 government agencies, 33 national non-government organizations, 2 international non-government organizations, and 1 affiliate Member.

Within the region:

- Australia has 30 Members.
- New Zealand has 9 Members.
- The Pacific Islands have 18 Members, spread across Cook Islands, Fiji, French Polynesia, Nauru, New Caledonia, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga and Vanuatu.

Government Agencies with State Members

- » Antarctica New Zealand
- » Department of Environment and Heritage Protection, Queensland,
- » Department of Environment, Water and Natural Resources, South Australia
- » Department of Parks and Wildlife, Western Australia
- » Department of Sustainability and Environment, Victoria
- » Department of Lands Resource Management, Northern Territory, Australia
- » Great Barrier Reef Marine Park Authority, Queensland, Australia
- » Landcare Research New Zealand
- » New Zealand Conservation Authority
- » Parks Victoria, Australia
- » Territory and Municipal Services Directorate, Australian Capital Territory, Australia
- » Wet Tropics Management Authority, Australia

International Non-Governmental Agencies

- » International Federation of Landscape Architects
- » University of the South Pacific

National Non-Governmental Organizations

- » Association pour la Sauvegarde de la Nature Néo-Calédonienne, Nouvelle-Calédonie (Association for Nature Conservation in New Caledonia)
- » Australian Conservation Foundation
- » Australian Marine Conservation Society
- » Australian Network of Environmental Defender's Offices
- » Australian Rainforest Conservation Society
- » Centre for International and Environmental Law (Macquarie University), Australia
- » Conservation Volunteers Australia
- » Earthwatch Institute (Australia)
- » Environment and Conservation Organizations of New Zealand
- » Environment Institute of Australia New Zealand (EIANZ)
- » Environment Tasmania, Australia
- » Institute of Foresters of Australia
- » Lincoln University, Faculty of Environment, Society and Design, New Zealand
- » Micronesian Shark Foundation, Palau
- » National Environmental Law Association, Australia

- » National Parks Association of New South Wales, Australia
- » National Parks Australia Council
- » National Trust of Fiji Islands
- » Nature Conservation Council of New South Wales, Australia
- » Niue Island United Association of Non Government Organisations
- » North Australian Indigenous Land and Sea Management Alliance Limited (NAILSMA)
- » Palau Conservation Society
- » Palau Protected Areas Network Fund
- » Project Jonah Australia
- » Royal Forest and Bird Protection Society of New Zealand
- » Te Ipukarea Society, Cook Islands
- » Te Mana o te Moana, French Polynesia
- » Tenkile Conservation Alliance, Papua New Guinea
- » The Wilderness Society, Australia
- » Tonga Community Development Trust
- » University of Canberra, Faculty of Applied Science, Australia
- » WWF Australia
- » WWF - New Zealand

Affiliate

- » Direction de l'environnement de la province Sud, New Caledonia

State Members

- » Department of Commerce Industry and Environment, Nauru
- » Department of Conservation, New Zealand
- » Department of the Environment, Australia

- » Department of Environment, Fiji
- » Ministry of Environment, Conservation and Meteorology, Solomon Islands
- » Ministry of Meteorology, Energy, Information, Disaster Management, Environment, Climate Change & Communications (MEIDECC), Tonga

- » The Ministry of Lands and Natural Resources, Vanuatu
- » Ministry of Natural Resources and Environment, Samoa

IUCN Commissions in Oceania

The six Commissions unite over 10,000 volunteer experts from a range of disciplines. Members of the commissions assess the state of the world's natural resources and provide the Union with sound know-how and policy advice on conservation issues. In Oceania the relations and cohesion between members, the secretariat and commissions can be enhanced. Members have the same level of familiarity with the IUCN Commissions as they have with the IUCN regional and global thematic programmes. The question often raised is how can members get engaged and involved with Commissions and vice versa? What are the linkages and the synergies for closer relations between commissions, members and the secretariat? The current statuses of members in Commissions in Oceania are as follows:

Commissions	Total No. of Members in Oceania	Commission Members per Country										
		Australia	NZ	Cook Island	Fiji	FSM	PNG	Samoa	Vanuatu	Palau	Solomon Islands	Tonga
Commission of Education and Communication	91	66	13	-	7	-	2	2	-	-	-	1
World Commission on Protected Areas	388	325	42	1	9	1	2	7	1	-	-	-
Species Survival Commission	508	375	101	1	7	1	11	6	2	1	3	-
Commission on Ecosystem Management	80	63	8	3	5	-	-	1	-	-	-	-
World Commission on Environmental Law	158	115	30	-	5	1	2	1	4	-	-	-
Commission on Environmental, Economic and Social Policy	127	80	28	1	12	-	-	1	4	1	-	-

Oceania Regional Councillors



Andrew Bignell
Manager International,
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Brendan Mackey
Professor and Director
Griffith Climate Change
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Griffith University, Australia



Anna Tiraa
Director of Climate Change,
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IUCN Programme 2017-2020

**Draft for Consultation
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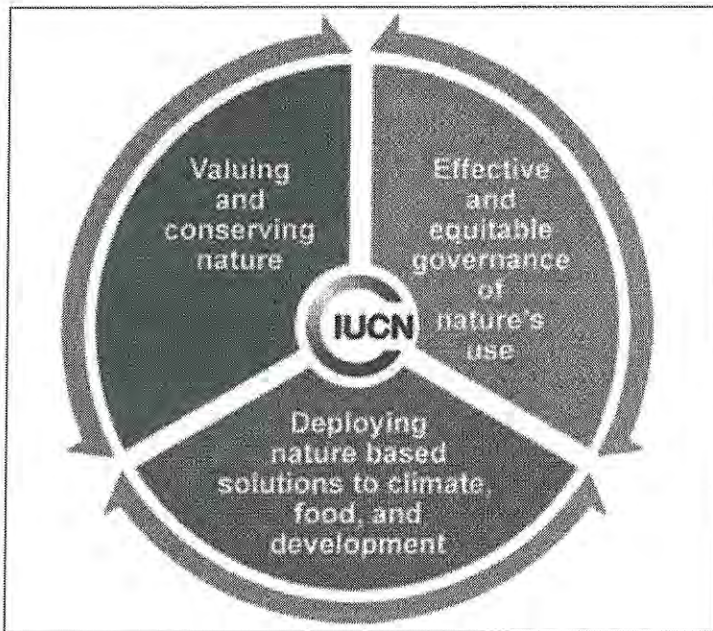
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I. Introduction

This draft of the IUCN Programme 2017-2020 was prepared on the basis of Council Decision C/84/15 (November 2014) which endorsed the process and expectations outlined in Council document C/84/9.2.3.1/1. In essence, the 2017-2020 Programme will be a refinement and continuation of work started in the 2013-2016 Programme.

Figure 1: IUCN's Programme Framework 2013-2016



The IUCN Programme 2013-2016 laid the foundation for IUCN's substantive work, creating an ambitious plan for developing and integrating new knowledge products for valuing and conserving nature, demonstrating effective and equitable natural resource governance and nature based solutions, while influencing a range of policy actors.

An internal review that was conducted in March 2014 revealed that the IUCN Programme 2013-2016 framework (Figure 1) has proved to be useful in integrating the work of communities engaged in biodiversity conservation, nature-based solutions and sustainable development. Several features of this Programme such as the narrative behind the new knowledge products and the nature based solutions approach have generated significant traction in the short time IUCN began deploying them widely.

Solid progress, but much work ahead. The review further revealed that solid progress has been made in implementing the Programme 2013-16, but also highlighted that further efforts lay ahead if the overall objectives are to be realized. While threats to nature can increase very rapidly, conservation responses typically take many years to achieve success. It is therefore essential that the 2017-2020 Programme be ambitious in addressing novel and increasing threats adaptively while maintaining and reinforcing achievements to date.

Raising our sights as well as our ambition. Core to the development of the IUCN Programme 2013-2016 was the goal of making a significant contribution to the implementation of the Strategic Plan for Biodiversity 2011-2020 and the associated Aichi biodiversity targets adopted under the auspices of the CBD at the launch of the UN Decade for Biodiversity. As IUCN enters the next four year programme cycle, it is noted that the conservation challenge

remains significant and that "raising of our sights" as well as our ambition will be imperative if global targets are to be reached - targets which IUCN considers imperative for safeguarding nature as well as human well-being and social justice. The 2017-2020 Programme, therefore, builds on the 2013-2016 Programme, but seeks to raise the ambition, outreach, impact and profile of the conservation effort, while also setting in place better metrics to measure the actual impact of the IUCN Programme.

In keeping with the notion of building on the work undertaken in the previous Programme, while raising our level of ambition, therefore, the following activities will be pursued:

- Knowledge products started in 2013 will be completed and strong policy engagement as well as on the ground action will be pursued to help ensure uptake by key actors and policy makers.
- Policy influencing work (e.g. in regard to major multilateral environmental agreements such as the three 'Rio Conventions' - CBD, UNFCCC, UNCCD - CITES, World Heritage, etc.) and new policy work started in 2013-16 (e.g. Disaster Risk Reduction, IPBES, Sustainable Development Goals, Global Environment Facility, Green Climate Fund) will be intensified. Environmental law will continue to be a critical input to strengthen the rule of law as a foundation for sustainable development and the valuing of nature upon which sustainability depends. This policy work will be accompanied by a more coherent communication and outreach strategy so that the Union can better communicate its collective commitment to impacting conservation-positive change.
- Targeted action to deliver scaled up results on the ground (including but not limited to field based pilot projects), emphasizing biodiversity conservation, good governance, nature based solutions and gender equality, will form an important foundation to generate measurable impact, and also to gather knowledge for science generation and evidence based policy influencing.
- The important work undertaken by IUCN Members as well as by IUCN Commission Members in support of delivering the Programme will form a key element in the delivery of the programme.
- New partnerships will be pursued or expanded, especially those that aim at inspiring a new generation of actors, in particular the youth with a deep personal stake in the future of our shared planet.

Broad involvement in Programme writing. Following the Council decision (C/84/15 already mentioned above), the Secretariat convened a Programme Writing Week workshop in January 2015. This workshop saw the participation of more than 70 members of the distributed Secretariat in addition to representatives from each of the six IUCN Commissions.

Programme 2017-2020. As an initial draft to allow IUCN members and partners to comment and provide feedback, the present document so far consists of the high level substantive elements of what IUCN intends to deliver in the period 2017-2020. An Operational and Financial Plan will be developed in later stages once there is more buy-in about the broad directions of the IUCN Programme and the feedback from the IUCN membership - arising in particular from the Regional Conservation Fora to be organized between June and December 2015 - will have been taken into consideration. As it stands now, this document contains (i) a preliminary analysis of the current situation facing IUCN and conservation, (ii) an elaboration of IUCN's theory of change as well as (iii) narratives of each of the three IUCN Programme Areas highlighting the intended results/sub-results. Indicators, baselines and targets will be developed during the later stages in the process of drafting and refining the thinking behind the 2017-2020 Programme priorities.

The One Programme Approach section will also be further developed including an IUCN value proposition and, based on this, an elaboration of programme delivery models to better leverage the capacities and comparative advantages of the various components of the Union (in

particular: Members, Commissions and Secretariat) in the 2017-2020 Programme implementation and delivery. Furthermore, the feedback from the on-going Framework of Action for Strengthening the Union (FASU) process led by the IUCN Council will also be a source of inputs in refining both the substantive and operational dimensions of the 2017-2020 IUCN Programme. It is expected that the final draft of the Programme with all these elements will be available around April 2016 to be shared with the IUCN Members in time for consideration and approval at the 2016 WCC.

II. Global Situation Analysis – Preliminary Executive Summary

A global situation analysis was prepared as background documentation to inform the development of the 2017–2020 Programme. It provides analytical answers to the questions “What does conservation need?” and “Where is IUCN working? On which issues and challenges?” Specifically, it examines the proportions of global conservation need comprised by different geographic regions, elements of biodiversity, ecosystem services, governance issues, and drivers. It then compares these to the proportions of total IUCN Commission, Secretariat, and Membership effort invested in addressing each region, element, service, issue, or driver. It is intended that this information will inform answers to the further questions, “What are IUCN’s niches and opportunities?” through the Programme development process.

IUCN’s Programme aligned with broader global conservation frameworks. The high-level structure of the 2013–2016 IUCN Programme is very closely aligned to that of other major, recent conservation-related frameworks, such as the Strategic Goals of the Convention on Biological Diversity’s Strategic Plan for Biodiversity 2011-2020, and the Intergovernmental Platform on Biodiversity and Ecosystem Services Conceptual Framework. The high-level structure for this situation analysis is based on synthesis of these three frameworks into “state of nature”, “benefits from nature”, “governance of nature’s use”, and “drivers of changing nature”, as complementary measures of conservation need. Within this high-level structure, standard classifications such as those developed by the Conservation Measures Partnership, the Millennium Ecosystem Assessment, the Aichi Biodiversity Targets, and the emerging Sustainable Development Goals allow detailed organization of the situation analysis.

IUCN generated knowledge – key for situational analysis; but more and different data is needed, including differentiated data that is gender-sensitive. The great volume of data now available through the IUCN Red List of Threatened Species is enormously useful in ensuring that the situation analysis for “state of nature” and (to a lesser extent) “drivers of changing nature” are data driven. This is much the strongest empirical basis for the IUCN Programme, and should be protected and strengthened as a priority. Little data exists that will allow comparative analysis related to “benefits from nature” or “governance of nature’s use” and the majority of the existing data is gender-blind. It is hoped that the emerging Human Dependency on Nature Framework and Natural Resource Governance Framework, respectively, will be a significant contribution in this regard. Additionally, the Environment and Gender Index (EGI) is the first accountability and monitoring tool of its kind to measure countries’ progress in meeting their commitments to gender mainstreaming in the environmental arena and likewise reveals significant gaps. The Union Portal has been very important in allowing geographic and thematic characterization of IUCN’s components, especially for the Commissions and the Secretariat. However, much data is missing for the Membership, and self-compilation of this is a high priority.

The situation analysis presents the following key findings:

1. Among IUCN’s eight Statutory Regions, the greatest conservation need lies in Africa, Meso & South America, and South & East Asia. This is matched by relatively higher

- IUCN investments into Africa, but the Union's efforts appear under-represented in Latin America and in South & East Asia.
2. IUCN's efforts are relatively well-aligned to needs related to the "state of nature" across terrestrial vertebrate species and for terrestrial ecosystems. However, invertebrate and aquatic conservation efforts are under-represented in the Union's investments.
 3. The Union's attention to "benefits from nature" appears to be broadly in line with estimated values of the primary categories of ecosystem services: provisioning, regulating, and cultural.
 4. About half of IUCN's investments in improving decision-making by improved "drivers of changing nature" focus on indirect drivers, the other half on direct drivers. No data exists to evaluate the importance of different indirect drivers, but for direct drivers, the sparse available data suggests that IUCN efforts are well matched to need.

The situational analysis is being completed in parallel with Programme. The situation analysis was circulated in zero draft in advance of the IUCN Programme Writing Week, at which participants provided comments and suggestions for improving the draft (e.g., to better reflect drivers of change such as urbanisation and consumption trends). These comments are currently being incorporated into a revised draft which will be available to inform the ongoing refinement of the 2017-2020 Programme, together with other feedback to come from various consultation processes such as the IUCN Regional Conservation Fora.

III. IUCN – Impacting Change for a Sustainable Future

In this section, we discuss how IUCN considers that it influences change – specific examples of work are covered in each of the programme area sections.

Influencing change – core to IUCN's mission. As a Union of Members, Commissions and Secretariat, IUCN aims to influence impact – on people's rights and livelihoods, species and ecosystems –by generating and using knowledge, influencing policy and by demonstrating solutions to conservation and development challenges.

Broad IUCN membership – Far reach. Building on a unique set of assets that includes the breadth of the Union, a long history of generating trusted knowledge, privileged access to policy and decision makers, IUCN is able to influence policies and behaviours in most corners of society. Key to IUCN's influence is its ability to bridge governmental and non-governmental as well as private and public and to mobilize organizations, individuals, women and men, young and old, to action in support of conservation and development. In practice, IUCN aims to secure the rights of nature and the vulnerable parts of society through the rights-based approach to conservation.

Generating knowledge for policy influence and action. IUCN is recognized and valued by its network for generating, managing, disseminating and facilitating the use of conservation knowledge. This includes standard setting, data and assessments, tools, science and lessons related to species conservation, ecosystems, meeting global challenges of development, climate change, food security and disaster risk reduction and the application of governance and the rights-based approach. Knowledge is disseminated widely and is taken up widely by the Union itself, the international system, governments, the donor community, individual scientists and practitioners. Uptake of IUCN's knowledge leads to action and policy influence, as well as the generation of new knowledge. Examples of IUCN's knowledge include well established products such as the IUCN Red List of Threatened Species and Protected Planet and newer products such as the IUCN Red List of Ecosystems and the World Heritage Conservation Outlook tool.

Influencing policy and actors for wider change. IUCN has privileged access to policy and decision makers at global, national and local levels, permitting opportunity for influence. IUCN frames its policy influence on the basis of science and access rather than on values and advocacy, which creates the opportunity for more direct and lasting influence. IUCN is reaching out to actors outside of the conservation community, influencing partners such as donors and United Nations to take up our standards and tools in their investments for development.

At the international level, IUCN is active in seeking to influence some key environmental governance mechanisms such as CBD, UNFCCC, CITES, and others in promoting the role of nature, biodiversity, ecosystem services, gender equality, rights and governance and environmental law for sustainable development outcomes. At the national level, IUCN advises governments on negotiating positions, translating international commitments into national policy and building capacity for implementation. At the local level, IUCN seeks to influence locally appropriate governance and legal frameworks favouring nature, biodiversity and the rights of local communities and natural resource users.

Delivering conservation results and learning. By virtue of its Union structure, IUCN has the opportunity to demonstrate rights-based conservation and nature based solutions and then influences its Members and partner organizations to scale up successful approaches. The learning and evidence from successful conservation action is used in a variety of way – to communicate and generated of successful approaches and to use influence partners' own actions and the policy contexts in which they are working. Particularly successful conservation action can be used to influence international and national policy.

Bringing it all together – a unique Union for change. To paraphrase several External Reviews of IUCN: "If the world didn't have an IUCN, we would have to invent it, but in today's world that would be very difficult." The Union's structure, the trusted science and knowledge, the focus on nature and people's rights and providing solutions to societal challenges and the access to decision and policy makers are all unique to IUCN. We know that if we can secure rights and governance in nature's use, then the environment can be conserved and benefits to human wellbeing can be secured, all of which has value [in an economic and cultural sense].

[Theory of change graphic- to be added]

The IUCN 2017-2020 Programme presents three programme areas within which the relevant knowledge will be generated and enhanced, responding to lessons learned through action on the ground and to policy demand on areas that are at the heart of the Union: valuing biodiversity, designing effective and equitable governance and turning knowledge and policy into action on the ground to deploy nature-based solutions.

IV. Programme Area: Valuing and conserving nature

a) Introduction

Biological diversity ('biodiversity'), including the provision of ecosystem services, is essential for human well-being. Its elements – ecosystems, species and genes – and the processes that maintain them interact in many and diverse ways, some as yet unknown, to sustain the life support systems of this planet. Amongst others, biodiversity provides food security, human health, medicines, well-being, clean air and water, cultural and spiritual fulfilment and also contributes directly to people's livelihoods and economic development.

b) Situation analysis

Continued biodiversity loss at unprecedented levels. Yet, despite the fundamental importance of biodiversity, it continues to be lost with overwhelming indications of continuing decline. This human-caused extinction crisis is unprecedented with extinction rates far higher than natural levels; animal, plant and fungi species have never been more threatened¹.

Indirect and direct drivers contribute to biodiversity loss. Indirect drivers include economic, socio-political, demographic, scientific and technological, as well as cultural and religious. The interaction of several of these drivers in turn affects the overall level of consumption. Direct drivers include habitat destruction, intensive agriculture (some agricultural practices are a major cause of biodiversity loss), forestry and aquaculture, climate change, air and water pollution, invasive alien species and unsustainable exploitation of species on land and in the ocean. Drivers are also changing. The human population and the global economy are growing, leading to increased demand for food, fibre, energy and water and there is an urgency to address sustainable management issues. Illegal wildlife trade has massively increased.²

Understanding drivers helps determine possible solutions. Understanding the factors that cause loss of biodiversity and ecosystem services is essential to design interventions that enhance positive and minimize negative impacts.

The 20 Aichi targets represent a call for action. In 2010, CBD adopted a Strategic Plan for Biodiversity 2011-2020³ to galvanize action for conservation. The vision of The Strategic Plan and its Aichi Targets is "Living in harmony with nature" where "By 2050, biodiversity is valued, conserved, restored and wisely used, maintaining ecosystem services, sustaining a healthy planet and delivering benefits essential for all people."

Policy frameworks: good targets – inadequate achievements. Implementing the Aichi targets would help to effectively address the biodiversity crisis. However, there has been insufficient action either by Parties at the national level or by the global community to respond to them. Lack of awareness about biodiversity in sectors beyond the conservation sector is also a constraint to their implementation. The challenge, therefore, for this IUCN Programme is to support urgent acceleration of the targets' implementation. The Global Biodiversity Outlook 4⁴ (GBO4) indicates that efforts need to re-double if The Strategic Plan for Biodiversity 2011-2020 and its Aichi Biodiversity Targets are to be achieved by 2020. Biodiversity is also essential to the achievement of the Sustainable Development Goals (SDGs), including poverty reduction and gender equality.

Nature is valuable and nature is priceless. IUCN recognises that biodiversity has many values, some of which can be quantified and valued in monetary terms, others which are more intangible. The value of nature to people is rarely recognised in economic policy. Integrating the value of nature into investment decision-making, increasing deterrents to destruction, removing perverse incentives to destroy nature, and making nature a viable target for investment are all needed.

Trends are reversible: conservation works for species, genes and ecosystems. Proactive and targeted conservation action can prevent and reverse biodiversity loss trends⁵ and establish countervailing action when compared with the no action alternative. Successful

¹ http://cmsdata.iucn.org/downloads/species_extinction_05_2007.pdf

² <http://www.unep.org/yearbook/2014/PDF/chapt4.pdf>

³ The Strategic Plan for Biodiversity: <https://www.cbd.int/sp/>

⁴ <https://www.cbd.int/gbo4/>

⁵ Hoffmann M, Hilton-Taylor C, Angulo A et al (2010). The impact of conservation on the status of the world's vertebrates. *Science* 330: 1503-1509.

interventions, sometimes through the enactment of law and policy, include species recovery programmes, establishment of protected areas, restoration of ecosystems, control of invasive species, re-introduction programmes, *ex situ* conservation and effective management programmes, all of which IUCN addresses through this Programme Area. For example, data from The IUCN Red List, which identifies species at risk of extinction, guides conservation action to deliver tangible and successful results. The Protected Planet Report⁶ attests to accelerating creation of protected areas to conserve biodiversity but also that many areas of importance to biodiversity remain unprotected.

Community engagement in conservation is a key tenet of many successful projects. It helps support societal backing for wild areas and species. Numerous local successes have been documented following targeted interventions, notably through the IUCN's SOS – Save Our Species initiative which supports on-the-ground conservation.

Current level of biodiversity action outpaced by threat. Nevertheless, the current level of action to prevent biodiversity loss is outweighed and outpaced by the magnitude of the threats. Action is therefore needed not only from the conservation sector, but from most other sectors (law, industry, extractives, agriculture, fisheries, forestry, transport, energy, waste management, water resources management, urban planning, amongst others). A step change is now urgently needed in ambition, urgency, investment and action to conserve biodiversity and combat the extinction crisis.

Conservation financing needs to be a common thread. Limited financial capacity is a major obstacle to the achievement of the Aichi targets, especially in developing countries. As a part of the drive to address biodiversity loss, resources need to be mobilised from all sources for research, tools and on-the-ground solutions. This is called for by Aichi Target 20 which states that "By 2020, at the latest, the mobilization of financial resources for effectively implementing the Strategic Plan for Biodiversity 2011-2020 ... should increase substantially from current levels". IUCN will support the implementation of biodiversity resource mobilisation strategies.

c) Justification

Valuing and conserving nature is the heartland and at the core of IUCN's work, with clear and strong mandates. Members have passed a significant number of Resolutions over the past five World Conservation Congresses, mandating IUCN to address the issues of valuing biodiversity (both the tangible and intangible values of nature), threatened species and habitats, species conservation and protected areas including those listed as World Heritage sites, and ensuring that the use of natural resources is sustainable.

The IUCN Programme 2017–2020 will support implementation of The Strategic Plan for Biodiversity 2011-2020. The Programme will show, monitor and report on how IUCN will contribute to the urgent achievement of the twenty Aichi targets. The Valuing and Conserving Nature Programme Area makes a direct contribution to many of the targets of The Strategic Plan for Biodiversity, in particular the achievement of the targets under Strategic Goals B⁷ and C⁸.

The IUCN Programme will implement the Promise of Sydney. The World Parks Congress in 2014 culminated in the Promise of Sydney⁹, a commitment to transform perspective, policy and

⁶ http://www.iucn.org/about/work/programmes/gpap_home/?18786/Protected-Planet-Report-2014

⁷ Strategic Goal B: Reduce the direct pressures on biodiversity and promote sustainable use: especially Target 5: Habitat loss reduced; Target 9: Invasive alien species combated

⁸ Strategic Goal C: Improve the status of biodiversity by safeguarding ecosystems, species and genetic diversity: especially Target 11: Protected areas increased : Target 12: Extinction prevented through species conservation; Target 13: Genetic diversity maintained

⁹ http://worldparkscongress.org/about/promise_of_sydney.html

practice to enhance protected areas as one of the best investments in our planet's and our own future. A wealth of new and compelling innovative approaches¹⁰ was generated to address biodiversity conservation while achieving sustainability.

d) [Baseline and lessons learned - to be added]

e) Approach, proposed results, targets

Addressing both direct and indirect drivers of biodiversity losses. The Valuing and Conserving Nature Programme Area will continue to address both the direct and indirect drivers of biodiversity loss and work to improve the status of biodiversity. It will also work to increase the value of nature by society, and work on the development and implementation of effective policies and legal frameworks for conserving nature. Addressing 'gaps' in necessary legislation, and ensuring enforcement of existing law is critical. Three sub-results have been developed for this Programme Area under one overall global result.

Global Result 1. The risk facing species and ecosystems is reduced.

This global result will be achieved through the pursuit of the following:

Sub-result 1.1. Credible and trusted knowledge for valuing and conserving biodiversity is in place leading to better policy and action on the ground.

IUCN the "go-to" source of biodiversity knowledge. IUCN has a long history of creating and providing credible and trusted knowledge on biodiversity. Currently, 7 of 22 indicators adopted by the CBD to measure implementation of the Aichi Targets are based on knowledge generated by IUCN¹¹. IUCN aims to further develop and integrate the knowledge mobilised through IUCN Commissions, Members and Secretariat, making such knowledge the 'go to' source to support implementation and monitoring of global biodiversity policy targets. We will aim to demonstrate improved linkages between this knowledge and implementation of policy (effective conservation).

The IUCN Red List of Threatened Species. A key priority is to further expand the taxonomic coverage of the IUCN Red List of Threatened Species by assessing more plants, invertebrates and fungi to make it representative of all biodiversity – a 'Barometer of Life'.

Protected Planet (World Database on Protected Areas). With UNEP-WCMC, IUCN will work to maximise uptake and influence through improvements to data quality, functionality, and coverage of all governance types, to ensure that information pertaining to all elements of Aichi Target 11 are made available. Information on positive biodiversity outcomes will be incorporated into the database derived from the Green List of Protected Areas.

The IUCN Red List of Ecosystems. The Red List of Ecosystems will be further developed in 2017-2020 to provide global scale information on the risk of ecosystems, complementing the information provided by the IUCN Red List of Threatened Species.

The KBA standard. The standard will bring together approaches to identify Important Bird Areas, Alliance for Zero Extinction sites, and other existing systems; it will be used to steer priorities within policy instruments such as the World Heritage Convention, the Ramsar Convention, and, in the marine realm, Ecologically and Biologically Significant Areas (EBSAs)

¹⁰ [http://worldparkcongress.org/about/promise of sydney innovative approaches.html](http://worldparkcongress.org/about/promise%20of%20sydney%20innovative%20approaches.html)

¹¹ <https://www.cbd.int/doc/decisions/cop-11/cop-11-dec-03-en.pdf>

defined under the CBD. Once identified, IUCN will seek to ensure the protection of these sites through appropriate designation and or recognition of protected and conserved areas.

The Natural Resource Governance Framework (NRGF) and the Human Dependency on Nature Framework (HDN). The NRGF will provide an independent and robust method to ascertain the strengths and weaknesses of natural resource decision-making and implementation processes. The HDN will provide policy makers and managers from the development, environment and other sectors with an independent assessment of the degree to which natural ecosystems and wild resources contribute to the material needs of rural and coastal communities.

Gender and Development Index. Knowledge on gender and biodiversity informs the Environment and Gender Index, which will utilise gender-based data as indicators for monitoring relevant Aichi Biodiversity Targets.

Client-focused decision-support tools. Integration of the knowledge products will enable positive influence on decisions relating to conservation and sustainable use of biodiversity. More focus will be on improving the way in which knowledge is understood and used by stakeholders whose decisions have the greatest impact on biodiversity. Delivery of client-focused decision support tools based on the knowledge products is a high priority, with a focus on the Integrated Biodiversity Assessment Tool (IBAT) which brings together The IUCN Red List of Threatened Species, Protected Planet and Key Biodiversity Areas (KBAs).

The IUCN Green List. It is very important to be able to measure the result of conservation action. The IUCN Green List, under development, will identify conservation success, and recognize, measure, and promote progress towards its achievement. Green Listing will be applied to protected areas (with IUCN World Heritage Outlook)¹², species, and ecosystems, to recognize the achievement of conservation targets and the reduction of risks to biodiversity; actions which secure and defend nature will be celebrated. A consistent approach, notably on the key issue of biodiversity outcomes, will be taken.

Sub-result 1.2. Accelerated implementation and enforcement of improved policies for the valuation and conservation of biodiversity leading to action towards the achievement of biodiversity conservation.

IUCN will leverage its knowledge, standards and tools. This will be done for policy influencing and implementation, for improved policy decision-making and legal frameworks as well as to support action on the ground, particularly by IUCN Commissions' and Members. IUCN will continue to contribute to CBD, World Heritage Convention (where IUCN has a statutory role), Convention on the International Trade in Endangered Species, Ramsar Convention and Convention on Migratory Species, among others. IUCN has unparalleled expertise and is specifically and consistently requested by governments to assist in their operation and implementation. The biodiversity-related conventions have agreed to adopt The Strategic Plan for Biodiversity as their own framework for action which increases synergies.

Engage decision-makers. To encourage accelerated policy implementation, IUCN will engage decision-makers, especially those with great impact in biodiversity but not involved in conservation. IUCN will further raise awareness about biodiversity in sectors such as agriculture, energy, academia and health. IUCN will continue to use its UN Observer Status.

Gaps in environmental protection. IUCN will initiate a mapping of gaps where biodiversity lacks environmental protection. It is anticipated that this information will allow us to engage with relevant jurisdictions with the objective of developing 'missing' legislation. Establishment of protection in areas of particular importance for biodiversity, including World Heritage sites, and

¹² <http://www.worldheritageoutlook.iucn.org/>

ensuring that all protected areas are increasingly connected, governed appropriately and well managed are key to implementation of Aichi Target 11.

Illegal trade in wildlife – a major priority. A major effort is now under-way to combat the illegal wildlife trade including through improved law enforcement, demand reduction and enhanced support for, and involvement of, communities. IUCN will continue to support international efforts to combat the illegal and unsustainable trade in wildlife. Source, transit and destination countries will be engaged to increase capacity to use existing laws to curtail illegal activities and incentivise the engagement of communities to derive sustainable benefits from conservation.

Importance of wild relatives - agrobiodiversity. Genetic diversity is the basis for increasing the resilience of agricultural systems and adapting to changing conditions, including climate change¹³. IUCN will work through its SSC Crop Wild Relative Specialist Group to minimise destruction of crop wild relatives from threats such as habitat loss and climate change.

Natural capital. IUCN will deploy economic valuation as a tool that can estimate the economic value of services that flow from natural capital. IUCN will encourage the incorporation of biodiversity values into national (capital) accounting and planning systems, development strategies as well as private and public sector decision-making.

Biodiversity and business. Within the private sector, a strong focus will be on providing client-focused decision support, including on investment for companies, countries and the finance sector. We will engage in particular with the finance sector to reduce negative impacts of investment through improved safeguards. A key approach will be making biodiversity-related risks and opportunities explicit and measurable using metrics based on the knowledge products.

Raising awareness of the cultural and spiritual values of nature is critical. This includes a specific need to include urban populations and youth in understanding nature's intrinsic and intangible values. IUCN will continue to promote the incorporation of diverse cultural values and practices into the establishment of protected areas (including World Heritage sites).

Inspire “new generations” of biodiversity champions: IUCN recognises that the focus on the human-dimension of biodiversity conservation, as advocated by the CBD, is an important success ingredient. IUCN is dedicated to inspire “new generations”, including the youth, to become engaged as conservation believers and champions. Helping IUCN members to deliver better on Aichi Target 1 on awareness raising will help produce better conservation results on the ground.

Sub-result 1.3. Improving the status of biodiversity by safeguarding ecosystems, species and genetic diversity.

IUCN will work to reduce the rate of loss of natural habitats¹⁴. This includes forests, peatlands, wetlands, mountains and drylands, principally through facilitating identification of areas of global significance for biodiversity (KBAs) and then working, as appropriate, through relevant policy mechanisms for the establishment and effective management of protected and conserved areas of all categories and governance types.

Invasive species are one of the greatest threats to biodiversity. They carry enormous economic costs. IUCN will continue addressing this through providing information on managing pathways for their introduction and guidelines for their control. IUCN will support eradication programmes and ensure measures are in place to prevent establishment.

¹³ http://www.fao.org/docrep/013/i1500e/i1500e_brief.pdf

¹⁴ <http://www.millenniumassessment.org/documents/document.331.aspx.pdf>

Enabling species conservation on the ground – support to Members. Through Save Our Species (SOS), IUCN has increased species and ecosystem conservation action on the 'front line' where it is likely to have the most impact. IUCN will scale up and institutionalise its species conservation work through SOS which we intend to become a permanent mechanism to deliver species planning and conservation 'on the ground'.

V. Programme Area: Effective and Equitable Governance of Nature's Use

a) Introduction

Natural resources governance defined. IUCN defines natural resources governance as being "the interactions among structures, processes, and traditions that determine how power and responsibilities are exercised, how decisions are taken, and how citizens or other stakeholders have their say in the management of natural resources – including biodiversity conservation".¹⁵

Why is governance important? Governance is the foundation of sound natural resource management. All societies have had governance structures that include norms, institutions and processes to regulate the management of natural resources. These governance structures link the different actors and mechanisms of social life. Natural resources governance is thus shaped by the norms, institutions and processes that determine how power and responsibilities over the resource are exercised, how decisions are taken, and how citizens at all levels – men and women, indigenous peoples and local communities, youth and older generations, etc. – participate in the management of natural resources. All decisions related to natural resources emanate from and are implemented by governance systems. Hence, conservation outcomes are highly dependent on the effective design and application of these governance systems.

Good governance refers to governance mechanisms that apply core principles identified by IUCN as essential to achieving a just world that values and conserves nature:

- *Transparency* – openness in decision-making
- *Access to information and justice* – accurate, effective and open communication
- *Public participation* – genuine involvement in decision-making
- *Coherence* – a consistent approach
- *Subsidiarity* – decisions taken at the lowest level appropriate
- *Respect for human rights* – interwoven with 'good' environmental governance
- *Accountability* – for economic, social and environmental performance
- *Rule of Law* – fair, transparent and consistent enforcement of legal provisions at all levels.¹⁶

Gender equality and women empowerment is included in the good governance principles and is a cross-cutting theme in all of IUCN's work.

Good natural resources governance is key to sustainable development. Good governance around natural resources' use is at the heart of IUCN's contribution to sustainable development to ensure that decisions that affect natural resources at local, national, bilateral and multilateral levels are well-informed, implemented equitably and are gender-sensitive. Good governance allows for partnerships between governments, civil society, indigenous peoples, local

¹⁵ Patti Moore, Xuemei Zhang, and Ronnakorn Triraganon. 2011. Natural Resource Governance Trainers' Manual. IUCN, RECOFTC, SNV, Bangkok, Thailand, p 105.

¹⁶ As per IUCN Programme 2004-2008 and various WCC Resolutions

communities and the private sector that respect the different roles and responsibilities and that lead to positive social and conservation outcomes. When the outcomes are not those expected, good governance allows for the appropriate accountability systems to address failures and non-desirable behaviours.

Human rights are the ethical foundation of good governance of natural resources. IUCN includes the respect of human rights as a core principle of good governance because of the close and now widely recognised inter-linkages between environmental degradation and the fulfilment/violation of human rights. In this context, the pursuit of conservation goals can contribute positively to the realization of many fundamental human rights such as those related to water, health, food, shelter. This is particularly important for indigenous peoples, poor rural and urban communities, and many other vulnerable and/or disenfranchised groups of citizens especially women and children. Likewise, secure rights – for example, land tenure and participation in decision-making – can enable more effective environmental stewardship. Conversely, conservation activities can also generate negative impacts where their links to issues of human rights and well-being are not sufficiently understood or addressed, and weak fulfilment of rights can also undermine conservation outcomes.¹⁷ Rights-based approaches (RBAs) is one of the tools to make rights and conservation mutually reinforcing. RBAs ensure the effective integration of rights considerations within any conservation policy, project, programme or initiative (ref. several WCC Resolutions, notably Res. 056 from 2008 WCC, and Res. 099 from 2012 WCC).

Rights-based also implies gender responsiveness. IUCN is committed to a rights-based, gender-responsive approach, meaning that rather than just identifying gender issues or only working under the “do no harm” principle, a gender-responsive process will actually help to overcome historical gender biases and “do better”, so that women may engage and benefit. Gender equality and women empowerment are integral to the achievement of IUCN’s mission and sustainable development, as well as fundamental to realizing human rights and social justice. IUCN systematically mainstreams gender considerations in its programmes and projects. IUCN regards “rights-based approach” as including a gender responsive position.

a) Situation analysis

Good governance of natural resources use is important now more than ever because of current global challenges. The concept of “planetary boundaries”, increasingly used by some scientists, makes the point that humanity’s use of natural resources is stressing critical Earth-system processes – by causing climate change or biodiversity loss, for example – to the point that Earth is pushed out of the stable state, known as the Holocene, which has been so beneficial to humankind over the past 10,000 years (ref: the work of the Stockholm Resilience Center, etc.). The challenge of eradicating poverty and achieving prosperity for all within the means of the planet’s limited natural resources will demand far greater equity – within and between countries – in the use of natural resources, and new and transformative models of governance of natural resources.

Increasing pressure on natural resource. The world is facing a number of global challenges which have impacts on the way natural resources are used and shared. To name but a few: i) with the increasing world population (expected to increase by 38%, from 6.9 billion in 2010 to 9.6 billion in 2050) the demand of natural resources to fulfil basic needs will also increase significantly, especially as regards food security and energy demands ¹⁸; ii) increasing conflicts as a result of scarcity of resources, exacerbated by the effects of climate change; iii) rapid

¹⁷ **Conservation and Human Rights: Key Issues and Contexts, Scoping Paper for the Conservation Initiative on Human Rights**, Jenny Springer and Jessica Campese with Michael Painter, October 2011

¹⁸ **People and the planet.** The Royal Society Science Policy Centre report 01/12. Issued: April 2012

urbanisation around the world¹⁹ is increasing population's vulnerability to natural disasters and climate change and accentuating the risks of human lives and economic loss already experienced in both developed and developing countries.

Unsustainable production and consumption models prevail. Furthermore, the current political economy with the unsustainable production and consumption models that underpin it, exacerbate some of the above-mentioned problems. Humanity is still locked into an economic and social model where consumption is the engine of growth without sufficiently taking into account the full costs inflicted on nature and ultimately, on people.

Fragmented governance and implementation gap. There is also an implementation gap of international environmental law and related policy frameworks. In the environmental field, this has been reflected in a series of influential publications [*references to be added*]. At the national level, legal frameworks allocating rights and responsibilities in many countries are not clear or are fragmented into different sectors often mirroring ministerial structures. In other situations, even when relevant and good legislative frameworks are in place, governments may lack the capacity to implement and enforce the prevailing laws. The increasing illegal wildlife traffic and crime is one such example, often exacerbated by rampant corruption.

Integrated governance will therefore matter. With all the above in mind, there is now wide recognition that more integrated governance at all levels is essential in order to have the ability to generate and implement coherent policies to achieve sustainable development.

Increasing global response to the global challenges related to natural resources governance. There is increasing recognition in many international frameworks that good governance is 'essential for sustainable development'. As an example, 'governance for sustainable development and poverty eradication' was one of the two main themes of the Rio+20 Conference in 2012 where the Outcome document "The Future We Want" was adopted with several concrete recommendations on the issue. The Post-2015 Development Agenda, currently under discussion in the UN General Assembly as a new framework to be adopted in September 2015 to succeed the Millennium Development Goals, has several elements that address governance, and the Sustainable Development Goals framework has a goal dedicated to governance issues (Goal 16 in the current draft of the SDGs) with several targets speaking to the issue across the whole framework. The SDGs and targets are also an attempt and opportunity to address fragmentation by taking a more integrated approach to sustainable development policy making and implementation and placing biodiversity within the development context, beyond the conservation realm.

Linkage between environment and human rights recognized. Several other international mechanisms and agreements have recognized the linkages between environment and human rights and therefore the need for governance structures that take this into account. To name but a few: i) the establishment by the UN Human Rights Council in 2012 of an Independent Expert on Human Rights and the Environment, a position turned as of March 2015 into the higher status of "Special Rapporteur" with a mandate to deepen analysis towards practical evidence on the ground of the mutual supportiveness of human rights and the environment; ii) the UNECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (1998), with a strong interest currently to replicate its spirit and elements in other regions, with the view to reinforcing and implementing Rio Principle 10 (1992) on access to information, public participation, and access to justice; iii) The Nagoya Protocol on Access and Benefit Sharing adopted in 2010 under the Convention on Biological Diversity to address issues of fair and equitable sharing of benefits arising out of the utilisation of genetic resources.

¹⁹ Numbers could be taken from World Bank, UN Population Fund, UNDESA.

Even the fast evolving UN Framework Convention on Climate Change is addressing governance at the core of mitigation and adaptation. A strong example of this is how the conceptualisation and implementation of REDD+ is being undertaken. Furthermore, major financial mechanisms related to environment have adopted gender policies, following the principles of the UNFCCC and 50 new decisions related to gender have been adopted under this Convention.

IUCN is at the centre of these changes in international environmental and sustainable development policies to accelerate its impacts and translate these elements in specific action in the ground and generating the necessary knowledge, including environmental law tools and frameworks for addressing environmental challenges, to measure progress towards good governance.

b) Justification

IUCN has a long history of working on governance issues, including on the linkages between human rights and conservation. Some of the key initiatives that IUCN has been undertaking are the Access Initiative, the IUCN Conservation Initiatives for Human Rights as well as governance work in specific biomes and areas such as the Forest Law Enforcement and Governance (FLEG). IUCN was instrumental in helping Rio Conventions elaborating their gender strategies ensuring a harmonised approach among them. Interventions have also been made at local (through specific projects) and regional and global levels (through programmatic support and policy influencing) to work towards strengthening institutions, promoting participatory mechanisms, creating multistakeholder platforms, influencing international policy, among many others.

Governance of natural resources as a Programme Area in the 2017-2020 IUCN Programme.

By elevating explicitly the issue of governance to a programme area in the 2013-2016 Programme, IUCN recognised that good governance of natural resources is not only a means to an end but it is a goal on its own right. It gives substance to the "just world" statement referred in IUCN's vision 2020 "A just world that values and conserves nature". It is therefore important to continue, reinforce and consolidate the work started in the 2013-2016 programme cycle, taking advantage of the impetus and momentum given to the issue through global policy frameworks.

IUCN's added value. IUCN is not (and should not be) the only organisation working on the theme of good governance of natural resources, but its involvement adds value. IUCN Members have provided substantial guidance, through numerous WCC Resolutions, on the need to promote good governance of the environment and natural resources to achieve conservation that goes hand in hand with justice, equity and gender-sensitive considerations. As an institution capable of convening and facilitating multistakeholder platforms to forge and promote consensus, and to leverage a wealth of knowledge products, tools and methodologies that have been developed and still being refined, IUCN is uniquely placed to make strong contribution to advancing this theme by capitalising on all these assets.

c) *[Baseline and lessons learned to be added]*

d) Approach

Governance is a complex area and improving natural resources governance requires action in a wide range of areas, not all of which can be addressed in one programme cycle. It is therefore important for IUCN to prioritize those elements that are expected to have the largest impact and are more amenable to effective replication and upscaling.

IUCN's focus: Enhance environmental governance regimes at all levels. A primary reason for weaknesses or failures to achieve conservation objectives and to provide local benefits and livelihood security continues to be lack of appropriate governance and insecure rights, including lack of awareness about rights and entitlements and the omission of gender perspectives. In this respect, and through some of the tools IUCN has developed through the years (e.g. ECOLEX, the Environment and Gender Index, the Green listing approaches, among other), activities in the 2017-2020 period will focus on enhancing governance regimes at local, national, regional and global level through promoting the application of the good governance principles and prioritizing support to the formulation, and/or implementation of relevant policies, laws and regulations at all levels, and strengthening of institutions that enable good governance. While undertaking these activities, IUCN will also continue to develop and reinforce existing tools and methodologies (e.g. The Natural Resources Governance Framework, The Green listing approaches) to assess governance regimes in specific areas such as the application of rights-based approaches.

Global Result 2. Natural resource governance systems at all levels integrate good governance principles to enable delivery of effective conservation and equitable social outcomes.

This global result will be achieved through the pursuit of the following:

Sub-result 2.1. Legal and institutional frameworks determining rights and responsibilities related to nature and natural resources in conservation landscapes are effectively assessed, designed and implemented.

This sub-result will seek to implement a rights-based approach to conservation and sustainable development at local and national level. It will enhance national governance systems in conservation landscapes (e.g. clarity in legislation and allocation of rights and responsibilities, access to justice to enforce those legislations). Traditional governance arrangements will be an important element considered here. This sub-result will generate knowledge and action feeding into some goals/targets of the SDGs framework. It will also increase equity, including gender equality.

Sub-result 2.2. Legal and institutional frameworks determining rights and responsibilities related to nature and natural resources in transboundary areas and areas beyond national jurisdiction are effectively assessed, designed and implemented.

This sub-result seeks to implement a rights-based approach to conservation and sustainable development in transboundary areas and areas beyond national jurisdiction. It focuses on transboundary areas and areas beyond national jurisdiction as they require special attention in terms of governance. Some activities that will contribute to this sub-result are: a) influencing of global policy processes such as those related to the governance of high seas and addressing climate change; b) supporting programmes and initiatives such as those addressing shared river basins and other biomes that fall under more than one jurisdiction (e.g. Antarctica).

Sub-result 2.3. The necessary tools and methodologies are elaborated, updated, completed for assessments of governance structures at all levels.

The development of tools and methodologies are essential to undertake analysis and assessment of current governance structures and their impact on biodiversity. IUCN has invested in the development of various tools and methodologies relevant for governance of natural resources (e.g. The Natural Resource Governance Framework, The Environment and Gender Index, ECOLEX) and this work will be pursued until their completion to enable uptake by key actors and policy makers.

VI. Programme Area: Deploying Nature-based solutions to address societal challenges

a) Background

The world is in urgent need of solutions to some of its most pressing problems. The IPCC 5th assessment estimates that the lowest cost route to avoid dangerous climate change would be for global greenhouse gas emissions to peak by 2020. Recent research has also radically revised the time-lag between an initial emission pulse to when the warming effect is maximised from several decades to 10 yearsⁱ. This means that generation that creates the emission is likely to live with and adapt to its impact. Land degradation and loss of productive soils and supporting ecosystem functions now impacts 24% of the global land area, which is equivalent to losing 20 million tonnes of grain per year. At the same time one third of the world's population live in water stressed regions, a figure that is likely to increase to 50% by 2050.

Scaling up of Nature-based solutions (NBS) to such global challenges is an ambitious but achievable aim over the latter part of this decade. NBS are interventions that deploy well-managed or restored ecosystems as a direct and effective response to major societal challenges; by doing so, they provide tangible human well-being and biodiversity benefits. The starting point for IUCN's approach to NBS is its knowledge, capacity and experience of sustainably managing ecosystems. IUCN Commissions, Secretariat and members have an established competency in understanding how natural and modified ecosystems functionⁱⁱ; how to manage them sustainably within their biophysical limitsⁱⁱⁱ; how ecosystem functionality can be valued^{iv}; how to strengthen the implementation of laws and policies that reflect these ecosystem values^v; how to facilitate equitable and just agreements among stakeholder and rights holder groups^{vi, vii, viii}; how the benefits should be shared^{ix}; how to identify durable and democratic institutional arrangements to manage natural resources^x; how to adapt management to changing circumstances^{xi}, and how to improve the resilience of the ecosystem and the livelihoods of the people who depend on it.^{xii, xiii}

We are beginning to accumulate the necessary know-how for up-scaling based on science and evidence of impact. Over the last four years, IUCN has invested in and developed additional tools and other science-based mechanisms to support the implementation of NBS at scale. These include:

- Comprehensive methodological frameworks such as ROAM (Restoration Opportunities Assessment Methodology) designed to undertake an interdisciplinary assessment of national restoration potential and opportunities,^{xiv}
- Independent scientific and technical advisory panels and other working groups composed of leading conservation and social scientists from IUCN Commissions to provide rigorous independent advice,^{xv}
- A methodological framework for the implementation of multi-level water governance reforms, including associated tools to help optimize investment flows in both built and natural water infrastructure,^{xvi, xvii, xviii, xix, xx}
- The six IUCN knowledge products all of which have direct application in either helping to identify and assess NBS opportunities or establishing metrics to track its implementation.
- The Environment and Gender Index (EGI), a global database that compiles the best possible variables and analysis of countries' progress in meeting commitments to gender mainstreaming in the environmental arena and specifically address the role women in designing and implementing nature-based solutions.

b) Situation Analysis

Ecosystems provide important services to humanity, including the regulation of climate and water. Both the Millennium Ecosystem Assessment and the Intergovernmental Platform on Biodiversity and Ecosystem Services have highlighted the importance of ecosystems and the services that they provide.

Recent research reckons that the threat posed by climate change to biodiversity may soon equal if not overtake the impacts from more established drivers of loss such as habitat conversion and invasive species.^{xxi,xxii,xxiii,xxiv} Climate change also has increasing impact on the livelihoods of people who live in close proximity to, or are directly depend upon on, natural resources by, *inter alia*, increasing the frequency and exacerbating the effects of extreme weather events such as coastal flooding^{xxv} and threatening the stability and security of food production systems.^{xxvi} Conservation and NRM by itself cannot ameliorate these impacts but it has the potential to shape and slow climate change trajectories at both a local and global levels.^{xxvii} Well managed and restored ecosystems offer a common platform to slow the impact of climate change on biodiversity, sequester and store atmospheric carbon and to provide additional, effective options for increasing the resilience of vulnerable people and communities.

According to World Bank statistics the global poverty rate has declined from an estimated 43% in 1990 to 14.5% today. Ongoing and rapid urbanisation^{xxviii} also means that the nature of poverty is changing and, while the International Monetary Fund's current estimates are that 63% of global poverty is still found in rural areas, it is generally anticipated that poverty will soon become a markedly urban issue with a set of quite distinct and different challenges. Poverty-natural resource linkages are not straight-forward and lack of hard evidence means that it risks being sometimes over-stated and sometimes ignored. While there is little concrete evidence that demonstrates that better natural resource management and conservation directly lifts people out of poverty^{xxix} there is a more convincing case that poor people's dependence on natural resources is still relatively high. CIFOR's Poverty Environment Network, which is perhaps one of the most comprehensive studies to date, estimates an average of 28% of income in tropical countries is still derived directly from the environment.^{xxx} While conservation can make some contribution to poverty reduction^{xxxi} greater emphasis needs to be given to understanding the nature of the relationship poor people have with natural resources and how this can be constructively and positively optimised to support their development trajectories. As a step towards this, IUCN's Commission on Environmental Economic and Social Policy has been working on the development of a Human Dependency on Nature assessment framework.

But these services remain undervalued and under-appreciated, providing IUCN and its members with a challenge of scaling up approaches that are based on ecosystem services. Furthermore, the status of the world's ecosystems ranges from intact to near collapse.^{xxxi} These ecosystems can be threatened by a variety of pressures including climate change, deforestation^{xxxi} and changes in productivity of land-use systems,^{xxxi} all of which, in turn, create or contribute to major societal challenges. Therefore while the degradation of ecosystems can exacerbate societal problems, the conservation, management and restoration of these same ecosystems present opportunities for improving local communities and indigenous peoples' well-being and resilience.

IUCN is working to help accelerate the effective use of NBS. Our work is aimed at improving the understanding of what constitutes Nature-based Solutions, exploring the key parameters that improve their efficacy while maintaining or enhancing their socio-ecological underpinnings and promoting their uptake and up-scaling. A comprehensive review of the scientific literature has, for the first time mapped out the relationship amongst various approaches (e.g. green and natural infrastructure, ecological restoration, ecosystem management) and led to a clear delineation of what approaches fall within the scope of NBS and how they are interrelated.^{xxxi} From the analysis of the scientific literature three important aspects to understanding NBS have emerged, many of which resonate with current resilience thinking.

- At the heart of NBS, lies well managed socio-ecological systems, where risks and opportunities are understood in the context of ecosystem management and people's well-being. This includes relatively untouched natural ecosystems, actively managed and modified ecosystems, and new or restored ecosystems; they can be found in wilderness, agricultural and urban settings.
- The following five emerging parameters seem to determine effectiveness of an NBS: (i) diversity, (ii) societal value, (iii) adaptive governance, (iv) time, and (v) scale. Ongoing work will clarify these parameters.
- As NBS rely on functioning ecosystems, they lend themselves to on-going improvement and adaptive management over time, unlike some hard infrastructure and engineering options. In this way it further reinforces the no-regrets nature of these types of interventions.

c) Justification

NBS builds on IUCN's extensive work on ecosystem management and is underpinned by over 200 IUCN resolutions that relate to the societal contributions from well-managed ecosystems, including their role in Disaster Risk Reduction,^{xxxvi} Ecosystem-based Adaptation,^{xxxvii} food security,^{xxxviii} gender equity and equality, and in advancing the role of Nature-based Solutions to climate change.^{xxxix}

Over the last four years the concept of nature based solutions (NBS) has evolved from a generic and somewhat aspirational term, used broadly to represent the utility of nature for human benefit, to a more precise and conceptually robust framing that articulates how well managed or restored ecosystems can make effective and efficient contributions to solving major societal challenges (e.g. climate change, water security, and environmental disasters). This sharper articulation has also meant that the concept of NBS has started to gain acceptance outside the conservation community.^{xi,xli,xlii,xliii} A significant factor in the growing awareness about NBS was the adoption of the term by the Union in the 2013- 2016 Programme and the subsequent work of Commissions, Secretariat, Members and partners in advancing early application of NBS in the field and in national and international policy fora.

NBS – what have we learned? In the 2013-2016 period, IUCN learned that in describing the role of nature as a "solution" to societal challenges to a broader audience, we need to:

- Keep the message clear and focus on the role (and the limits) of nature in solving a specific challenge within a defined geographic, political and socio-economic context.
- Acknowledge that NBS work best in combination with other policy and technical interventions.
- Provide robust, evidence-based, analytical work reflects how different parts of society value and benefits from ecosystem services.
- Articulate how legal and policy frameworks can recognize, encourage and complement NBS to meet societal challenges.
- Recognise that the use of natural resources is often contested, reinforcing the need for a 'rights-based approach', clarity on tenure and stewardship in indigenous peoples' territories and other community lands, and inclusive policies.
- Incorporate gender considerations and integrate measures for promoting gender equality and women empowerment, foster women inclusion and provide equal opportunities for women and men to derive social and economic benefits from NBS.

NBS – a central theme of the 2017-2020 Program. IUCN now anticipates that specific NBS will be embedded in national and international policies and programmes over the next four years, as evidenced by the following progress:

- The increasingly accepted role of NBS in climate-change policy, law, and financing mechanisms, including the increased profile of ecosystem-based disaster risk reduction in the post 2015 UNISDR framework, the focus on forest conservation and restoration as a partial response to climate change and managed realignment (which mixes hard and green infrastructures)
- The adoption of NBS by the European Commission's DG-Research and Innovation.
- Explicit recognition in national water policies of the role of nature in securing water supplies.
- The investment in NBS in 2013 totalling \$12.3 billion to rehabilitate and/or protect more than 365 million ha of water-critical ecosystems worldwide.^{xliiv}
- 60 million hectares of Bonn Challenge commitments.^{xliv}
- Support from the IUCN World Parks Congress 2014 on the role of well governed, protected, and conserved areas as part of productive landscapes, seascapes and watersheds.^{xlvi}

In being a recognised prime mover of the NBS concept^{xlvii}, IUCN has an advantage in applying its knowledge, standards and practices on nature and natural resource governance as solutions to issues of global relevance. IUCN's approach is built on science, informed through an understanding of policy processes and adheres to international standards on human rights.

The major 21st century challenges of global warming, food security^{xlviii}, disaster risk reduction, and economic and social development are complex in nature and so cannot be resolved through NBS alone; nonetheless, many of these issues have direct relationships to the health and functionality of the earth's ecosystems. Having made the case for NBS in the last four years, IUCN now must build partnerships to understand and demonstrate how NBS can be scaled-up in an equitable, effective and efficient manner.

Four years ago the debate centred on whether NBS provided effective contributions to resolving societal challenges and whether they made a net positive contribution to biodiversity conservation. Experience and evidence garnered by IUCN and its member's increasingly suggests that this is the case.^{xlix, l, li}

Needless to say, for IUCN and in accordance with our resolutions, the application of NBS needs to be guided by the principles of environmental law, the principle of non-regression^{lii}, and a rights-based approach.^{liii} NBS can be used in protected areas, indigenous peoples' territories and areas managed by local communities and private interests. NBS accommodate both local community and expert-driven approaches.^{liv, lv} This programme area therefore interfaces intimately with the programme area on the equitable governance of nature's use.

d) [Baseline and lessons learned to be added]

e) Approach

In the same way that IUCN can stake a claim to systematically assessing and addressing the threats to species and key biodiversity areas, so it has a comparative advantage in supporting, encouraging and influencing society on how ecosystems can be effectively and sustainably managed and restored to contribute to the resolution of key societal challenges.

In the 2017 to 2020 period IUCN will:

- More systematically capture and present the evidence for NBS including developing, testing, applying and refining analytical tools and methodological frameworks that help build the case for NBS and provide for their application.

- Support capacity building among IUCN members with an emphasis on hands-on, experiential transfer. Regional and Global Thematic Secretariat programmes will work directly with IUCN members in the application of NBS-related tools and methods, including the establishment of compelling cases and advocating for the adoption of NBS in relevant international, regional and national laws, judicial decisions, policies and programmes.
- Enable on-going technical support, advice and monitoring of “on-the-ground” application of NBS. The ultimate test of the NBS framing is not the development of tools or methods or its inclusion in policy but the application at scale and documented evidence of how NBS performance can be improved. Working closely with its State and Government Agencies, in particular, IUCN will support nationally-led programmatic initiatives to roll out NBS on the ground. While some of this may involve pilot activities, emphasis will be placed on scaling-up and on implementing NBS to climate change, water security and local and national economic development; however, IUCN will remain responsive to supporting other nationally defined societal challenges where NBS have a clear role to play.
- Promote engagement with other key land-use and natural resource sectors, including on the issue of agriculture and biodiversity, to identify and collaborate on evidence-based solutions to relevant policy, social and market-based trends.
- Support the role played by the business sector in developing, testing and promoting business solutions that build on NBS.

Global result 3. Healthy and restored ecosystems make cost-effective contributions to meeting societal challenges of climate change, food security and economic and social development.

This global result will be achieved through the pursuit of the following:

Sub-result 3.1. Intact and semi-natural terrestrial, inland water, coastal and marine areas that deliver direct high value benefits for society are effectively and equitably protected, monitored and resourced.

Not all areas of high biodiversity value are necessarily good candidates to deliver specific NBS, although many are. Priority activities will include the establishment of better frameworks to capture systematically and document NBS specific values supplied to society from natural areas; the incorporation of essential parts of protected area networks into appropriate national policy frameworks; the partnering with and building the capacity of local institutions and protected area authorities to improve inclusive and effective governance; and resource mobilisation so that the flow of key societal values can be sustained.

Sub-result 3.2. Management of productive ecosystems is optimised for the sustainable delivery of ecosystem goods and services that address societal challenges of, inter alia, climate change, food security and economic and social development.

Productive ecosystems such as fisheries, production forests and rangelands already provide significant contributions to meet societal needs, although this is sometimes done in a limited and unsustainable manner that erodes the integrity of the ecosystem itself. Priority activities will include the provision of greater economic, social and technical insights on the implications of management strategies, promotion of effective and equitable legal and governance arrangements to facilitate the delivery of NBS in national or sub-national circumstances and supporting the establishment of partnerships and resourcing arrangements to deliver action on the ground.

Sub-result 3.3. Degraded landscapes and seascapes are effectively and equitably restored to directly address major societal challenges including climate change, food security and social and economic development.

Ineffective or inequitable governance arrangements have left large tracts of land, inland waters and coastal areas supplying sub-optimal quantities of goods and services. Priority activities will include development and provision of knowledge, tools and approaches to assess and value the potential that individual degraded landscapes, seascapes and watersheds hold, inclusion of restoration strategies in international and national policies and supporting the development of partnerships and coalitions to pilot and scale-up activities on the ground.

VII. One Programme Approach for the 2017-20 Programme

The One Programme Charter states that the different parts of IUCN – government and NGO Members, Council, National and Regional Committees of Members, Commissions of experts, and the Secretariat – work together to develop, implement and advance IUCN's Programme of work.

The following principles guide the way all parts are committed to work together in the implementation of the IUCN Programme:

- To deliver the Programme at the most appropriate level, using the best-placed part of the Union to deliver national, regional or global results
- To cooperate and don't compete for roles and resources
- To allocate resources to the part of the Union responsible for delivery
- To communicate openly and transparently to keep each other informed of plans and activities.

The strengths of IUCN –as a Union- derive from the reach and influence of the Membership combined with the recognized knowledge of the Commissions and the technical and political capabilities of the Secretariat, including its UN observer status. This combination results in a respected, credible and capable Union of experts, scientists, practitioners, decision-makers and managers.

The Union has a culture of delivery. IUCN shares expertise, develops and strengthens capacities, engages in partnerships and provides strategic leadership in the conservation of Nature, from local to global settings, contributing to human aspirations and sustainability. To this end, it provides appropriate mechanisms for the inclusion of perspectives and contributions from women, youth and indigenous people.

In keeping with the One Programme Charter, the 2017-2020 Programme has been developed with the input of Members, in particular through the Regional Conservation Fora and other consultation mechanisms. Members will further contribute by indicating where they "intend to commit knowledge, expertise or resources and participate in the implementation of the Programme. As series of Resolutions and Recommendations to be approved at the 2016 Congress will further strengthen the 2017-2020 Programme.

Finally, achieving the 2017-20 Programme might require more than an improvement in how the current constituents of the Union work together - new expertise, Members or partners may be required, and new ways and means to inspire a new generation of actors, in particular the youth with a deep personal stake in the future of our shared planet. An updated Membership Strategy will help guide this process.

VIII Suggested Criteria for Selecting Global Programme Priorities

Programme priorities will be determined to ensure that IUCN focuses on a limited number of issues and challenges for which it is best placed to achieve successful delivery given the resources and expertise available in the Union. The criteria provided below are an initial attempt at developing a framework for setting priorities, and they will be refined on the basis of feedback to be received.

For selection as a global programme priority, the priority must:

- Link to the core mandate of IUCN and address one of the programme areas of the IUCN Programme 2017-2020;
- Increase One Programme collaboration through the participation of one or more global thematic programmes, one or more Commissions, multiple regions and multiple Members to achieve;
- Respond to a clear demand from internal sources (e.g. Resolutions) or external sources (e.g. international environmental conventions);
- Be something to which IUCN can add clear value, be best placed to deliver, show leadership or fill an empty niche;
- Be viable with clear expertise, clear opportunities for policy influence and in terms of resourcing;
- Have a clear and tangible potential for impact, with a clearly articulated target for delivery (by 2020) that is both ambitious and realistic.

The process of determining global programme priorities will be supported by a clear decision making process, tools and incentives/sanctions, including:

- Clarity on who decides and how decisions are taken – both when something is a priority and when it is not;
- Tools – e.g. Programme planning guidelines, Project Guidelines and Standards, rules on responding to global calls for proposals – that can be applied transparently;
- Incentives (often financial) and sanctions correctly and consistently applied to encourage alignment and collaboration and avoid special pleading.

IX Programme Framework Table

The Programme Framework Table will summarize the intended results/sub-results, indicators and targets of the three Programme Areas. Indicators, baselines and targets will be developed during the process of completing the drafting the new IUCN Programme 2017-2020. Specific targets will be defined for 2020, 2024 and 2028, reflecting the need to measure progress against a broader time frame. This would help to assess IUCN's contribution towards impact in a progressive way. The periodicity to collect all of this information, as well as the data sources from where the information would be retrieved will be defined along the process.

Valuing and conserving nature						
Global results	Sub-results	Indicators	Baselines	2020 Targets	2024 Targets	2028 Targets
Global Result 1 The risk facing species and ecosystems is reduced	Sub-result 1.1 Credible and trusted knowledge for valuing and conserving biodiversity is in place leading to better policy and action on the ground					
	Sub-result 1.2 Accelerated implementation and enforcement of improved policies for the valuation and conservation of biodiversity leading to action towards the achievement of biodiversity conservation					
	Sub-result 1.3 Improving the status of biodiversity by safeguarding ecosystems, species and genetic diversity					

Effective and Equitable Governance of Nature's Use						
Global results	Sub-results	Indicators	Baselines	2020 Targets	2024 Targets	2028 Targets
Global Result 2 Natural resource governance systems at all levels integrate good governance principles to enable delivery of effective conservation and equitable social outcomes.	Sub-result 2.1 Legal and institutional frameworks determining rights and responsibilities related to nature and natural resources in conservation landscapes are effectively assessed, designed and implemented.					
	Sub-result 2.2 Legal and institutional frameworks determining rights and responsibilities related to nature and natural resources in transboundary areas and areas beyond national jurisdiction are effectively assessed, designed and implemented.					
	Sub-result 2.3 The necessary tools and methodologies are elaborated, updated, completed for assessments of governance structures at all levels.					

Nature Based Solutions						
Global results	Sub-results	Indicators	Baselines	2020 Targets	2024 Targets	2028 Targets
Global Result 3 Healthy and restored ecosystems make cost-effective contributions to meeting societal challenges of climate change, food security and economic and social development.	Sub-result 3.1 Intact and semi-natural terrestrial, inland water, coastal and marine areas that deliver direct, high value benefits for society are effectively and equitably protected, monitored and resourced.					
	Sub-result 3.2 Management of productive ecosystems is optimised for the sustainable delivery of ecosystem goods and services that address societal challenges of, inter alia, climate change, food security and economic and social development.					
	Sub-result 3.3 Degraded landscapes and seascapes are effectively and equitably restored to directly address major societal challenges including climate change, food security, social and economic development.					

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IUCN Oceania Regional Plan 2017-2020

Draft for Consultation
13 July 2015

Forward

Being drafted by the Regional Director and team- to be finalized after the IUCN Oceania Regional Conservation Forum

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Introduction

The IUCN

Established in 1948, the International Union for Conservation of Nature (IUCN) is the world's largest environment network working to build recognition of how human lives and livelihood, especially the poor, depend on the sustainable management of natural resources.

It brings together 89 states, 123 government agencies, more than 960 non-government organizations (NGOs), about 11,000 scientists to support and develop progressive conservation science in countries around the world, linking research and results to policies at local, national, regional and global levels through policy dialogues between governments, civil societies and private sectors.

IUCN Oceania Members

There are currently 58 Members in the Oceania Region. Australia has 30 Members, New Zealand has 9 Members, and the Pacific Islands have 19 Members, spread across the Cook Islands, Fiji, French Polynesia, Nauru, New Caledonia, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga and Vanuatu. The diversity of members in Oceania presents a unique opportunity for engagement within the Union in the region. Linking the work of the secretariat and the membership are national committees, namely the Australian Committee of IUCN (ACIUCN) and the New Zealand Committee of IUCN (NZIUCN).

The Australian Committee for IUCN was founded in 1979. The ACIUCN contributes to the conservation and restoration of the natural environment in Australia and the appreciation of its diverse values by providing a forum for Australian members of the International Union for the Conservation of Nature and IUCN Commissions. The ACIUCN is a strong constituent of IUCN in Oceania. It provides a network of members, government and non-government Members; experts in voluntary Commissions, including task forces and specialist groups and members of the secretariat based in Suva, Fiji. It links the three parts of the Union in Australia to the secretariat and to members in Oceania. ACIUCN plays an important role where the secretariat is unable to reach the membership because of its location and distance.

ACIUCN has grown from year to year, with an established and registered entity; it has an Executive Director and works to fostering co-operation and co-ordination in conserving the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable; facilitating the involvement of Australian members of IUCN and of IUCN Commissions in the development and implementation of IUCN policies and programmes; stimulating and fostering the use of scientific, legal, economic and other expertise, professional skills, practical experience, research and resources of government and voluntary bodies to further nature conservation; contributing to international conservation activities with special reference to the Oceania Region; expanding membership of IUCN and ACIUCN.

The ACIUCN has gone through a major process of revitalisation since 2011 with the appointment of a Director. The Executive Committee and the Director have worked closely to create an effective National Committee which assists members to contribute to conservation outcomes in Australia and the global mission of IUCN. However, given the growing role and support for Australia, there is an opportunity to revitalise ACIUCN and increase the role of the Executive Director to provide linkages to strategic partnerships for members within Australia, to the secretariat based in Fiji and to members in

New Zealand and Oceania. The ACIUCN may widen the scope to more interactions, communications and synergies to IUCN as a whole under the One Programme Approach.

The New Zealand Committee of IUCN connects members and provides a platform for engagement. Both the ACIUCN and NZIUCN aspire to provide an equal and constructive partnership to exchange information and views and, through consensus, to develop policy advice, publications and actions to promote 'a just world which values and conserves nature' in accordance with the mission and policies of IUCN.

Since the establishment of the IUCN Oceania Regional Office, the growth of the membership has been steady. The challenge of growing the membership has been weighed against retaining members, particularly where efforts to work together have not been as active as professed. The secretariat is mindful that similar interests and complementary capacities are increasingly important in allowing information and experience to be shared. One of the key reasons for the growth of IUCN globally and regionally is being part of a rich network. This is a value which is often forgotten. The question of enhancing and enriching this network will be one focus of the 2017-2020 Regional Plan. Clearly there is a need to promote and facilitate the active involvement of Members.

Sharing information through various networks and co-authoring or co-producing knowledge products are examples of areas where IUCN can engage the Union effectively. IUCN ORO staffs need to proactively reach out to members to maximise the value they derive from membership. How many members are involved with IUCN global and regional programmes? What are the main areas of potential involvement of Members? Are they interested in protected areas, species, ecosystem management, biodiversity policy, forest conservation, water, livelihoods and poverty alleviation, environmental law, and marine issues and development? These are fundamental questions that are being addressed.

IUCN Commissions in Oceania

The six IUCN Commissions unite over 10,000 volunteer experts from a range of disciplines. They assess the state of the world's natural resources and provide the Union with sound know-how and policy advice on conservation issues. In Oceania there appears to be very little understanding of the role of Commissions. Members have the same level of familiarity with the IUCN Commissions as they have with the IUCN regional and global thematic programmes. The question often raised is how can members get engaged and involved with Commissions and vice versa? What are the linkages and the synergies for closer relations between commissions, members and the secretariat? The current statuses of members in Commissions in Oceania are as follows:

	Commissions	Members in Oceania	Commission Members per Country										
			Australia	New Zealand	Cook Island	Fiji	FSM	PNG	Samoa	Vanuatu	Palau	Solomon Islands	Tonga
1.	Commission of Education and Communication	91	66	13	-	7	-	2	2	-	-	-	1
2.	Commission on Protected Areas	388	325	42	1	9	1	2	7	1	-	-	-

3.	Species Survival Commission	508	375	101	1	7	1	11	6	2	1	3	-
4.	Commission on Ecosystem Management	80	63	8	3	5	-	-	1	-	-	-	-
5.	Commission on Environmental Law	158	115	30	-	5	1	2	1	4	-	-	-
6.	Commission on Environmental, Economic and Social Policy	127	80	28	1	12	-	-	1	4	1	-	-
											Source: IUCN Portal		

IUCN Oceania Regional Office

The IUCN Oceania Regional Office (ORO) was established in Suva, Fiji Islands in 2007. It has grown from a small Secretariat to one of over 40 full time Suva-based employees and 7 staff based in the region. The Secretariat is headed by a Regional Director. Staffs are housed in three separate offices; the main office is at 5 Ma'afu Street and the other two offices are at 15 Ma'afu Street and 12 Denison Road respectively.

There are 58 Members handled by the Oceania Regional Office (out of 55 Members in the statutory region of Oceania) of which there are 9 State Members, 13 government agencies, 33 national NGOs, 2 International NGOs and 1 affiliate Member.

Strategic Objectives

In this plan, IUCN ORO expresses its commitment to its vision through strategic goals and objectives that it believes must be accomplished to arrest and reverse the threats to biodiversity and ecosystems in Oceania.

The objective of this Regional Plan is to set out the purpose, goals and direction of the IUCN Oceania Regional Office (ORO). It establishes a basic framework within which the IUCN ORO will work to achieve the IUCN global vision and mission of valuing and conserving nature, demonstrating effective and equitable natural resource governance and deploying nature based solutions. It is also designed so that stakeholders can determine the progress and achievements of ORO as a secretariat.

IUCN ORO recognizes the efforts that are already underway, and it looks to its Union members for their expertise to focus its resources and to continue to recalibrate its activities based on the needs of the countries that IUCN ORO is mandated to serve. IUCN ORO is committed to examining that everything done, every decision taken ensures that there is value adding and that there are demonstrated results at the national and regional levels.

The IUCN ORO acknowledges that no single organization can address current environmental challenges without collaborating with others in partnerships across the Oceania nations and around the world. IUCN Oceania will continue to find synergies and work in partnership with other conservation agencies on technical expertise, knowledge and experiences; at the same time relying on the talents, creativity and energy of current staff. IUCN Oceania recognizes the great potential in working with and engaging the private sector, civil societies and national governments, regional and international organizations to work together to conserve Oceania's biodiversity and ecosystems.

IUCN Oceania endeavours to bring together members and stakeholders to engage in dialogue; identify common interests and goals; and define innovative, collaborative, and effective strategies for addressing these shared challenges. IUCN Oceania recognizes that the future success in building the resilience of the Oceania biodiversity and ecosystems will depend on how well efforts are integrated with those of its partners, how best needed technical, technological capacities and capabilities are made available, and how technical assistance is strategically used given limited resources in addressing ecosystem changes.

Strategic Context

In its work IUCN demonstrates how sound ecosystem management to conserve biodiversity is fundamentally applied to addressing the world's greatest challenge of climate change, sustainable energy solutions, building a green economy and improving human well-being.

IUCN works as a Union to deliver IUCN's One Programme. Governments, NGO members, national and regional committees of members, commission of experts and the Secretariat share the same mission and vision of working together to develop, implement and advance IUCN's programme of work.

The work of IUCN ORO is framed by a Global framework with the:

Vision:

"A just world that values and conserves nature"; and

Mission:

"To influence, encourage and assist societies throughout Oceania to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable".

Planning Process

The process for developing the new 2017-2020 IUCN Regional Plan started in 2014 with the development of the environmental, situational analysis – this situational analysis has already been revised and will continue to be reviewed on a regular basis to inform ORO of any amendments that may be needed in the 2017-2020 Regional Plan.

Drafting of the IUCN 2017-2020 Regional Plan began in early 2015 with feedback sought from the Staff retreat in February 2015. The Plan was also analyzed during the Members dialogue and on-line survey with an external consultant hired to facilitate the drafting of the Plan. More focused work was done by a selected group within ORO in May-June 2015 after the review of the IUCN Programme 2017-2020. On 19 June the revised Plan was circulated to members for their review and comment and the final revised draft will be submitted to members before the Oceania Regional Conservation Forum in Suva Fiji from 13-16 July 2015. It is envisaged that the Plan will be endorsed during the Forum for onward transmission and consideration by the World Conservation Congress in Hawaii in September 2016.

The Strategic Planning process undertaken by ORO is framed by and parallels that of the 2017-2020 Global Programme development. It is underpinned by the 2017-2020 Global Programme development imperatives, uses similar time frame and focuses on the global core and thematic areas. It includes an internal review of the ORO Secretariat, a regional situational analysis and a review of its current programmes and projects to provide the backdrop to its 2017-2020 Regional Plan.

Situational Analysis

Preliminary Summary¹

IUCN works as a Union to deliver IUCN's One Programme. The One Programme approach strengthens the delivery and impact of the IUCN Programme, leveraging the respective roles, capacities and unique features of the constituent parts of the Union – our Members, Commissions, National and Regional Committees and Secretariat. IUCN's work focuses on valuing and conserving nature, ensuring effective and equitable governance of its use, and deploying nature-based solutions to global challenges in areas such as climate, food and development. The focus of conservation efforts in the Oceania region is similar to the conservation priorities for the Union, including our current programmatic priorities which will flow into the 2017-2020 Regional Plan.

Oceania has an area of ocean of approximately 62,761,420 sq. km including international waters or 28,645,345 sq. km of Exclusive Economic Zones (EEZs). The EEZ area of Australia is made up of 8.2 million square kilometres. The EEZ area of New Zealand is approximately 4 million square kilometres. This large area poses a myriad of challenges to the many small Pacific Islands in areas such as sea & air transport and communications. Whilst this vast ocean, which links the Pacific, is an integral feature of the diversity of the region, it also contains much of the Pacific's marine based economic resource such as tuna. Furthermore, the challenges posed in working in a region of increasing population, diverse nationalities and over 7000 languages and dialects makes it imperative for the ORO Secretariat to retain the capacity and ability to speak the region's major languages including French.

Regional challenges include a rapidly increasing urban population and urbanization, escalating demand for fresh water and food, high dependency on natural resources and the diminishing value of nature. These growing pressures on the environment, including the visible effects of climate change, especially sea level rise, coral bleaching and loss of biodiversity continue to demand the attention of Governments and stakeholders in Oceania.

Conservation and environmental organizations are often challenged to secure funding and financial security to support and sustain its programme of work. Sourcing resources to fund the diverse and ever increasing programmes and projects in Oceania under the One Programme Charter is critical in sustaining programmatic initiatives.

The Oceania Regional Plan captures development priorities and trends in the region. There is a heightened interest in responsible, green growth, sustainable development goals, particularly that of the SDG post 2015 targets, renewable energy, blue-green growth, climate change, disaster risk reduction, fisheries management, mining and deep sea mining, freshwater, soils and agriculture, restoration, biodiversity and oceans and the sustainable use of natural resources. Undoubtedly, Oceania-wide discussions on sustainable fisheries management, local community involvement in

¹ This situational analysis on the regional environment and the state of conservation in the region is “work in progress” and will be reviewed regularly.

coastal fisheries management, high seas fishing in areas beyond national jurisdiction, overcapacity of fishing fleets, regional fisheries management organisations and large marine protected areas are relevant not only for the secretariat but importantly for members and commissions to address.

In addition, the state of conservation in Oceania paints an outlook where forestry and natural heritage restoration, mining, deep sea mining, agriculture and water have become prominent challenges to tackle. A holistic ecosystem-based management approach and in particular species conservation and invasive alien species management are matters that cannot be ignored. The IUCN Oceania Regional Plan is mindful of the current situation, the emerging trends, the diverse priority focus of donors, of members, states and governments and aspires to connect these and transform conservation efforts in Oceania.

ORO's Committed Response

IUCN ORO Secretariat acknowledges the need for increased intra collaborations and lateral synergies between the different programmes or projects for effective and efficient implementation of the 2017-2020 Regional Plan.

IUCN has a proud legacy within the environment and conservation community. It is a convener and a standard-setter and is the voice of the Union on strategic sustainable development issues which have a bearing to the region and the world.

Effective engagement with members, influencing policy with on the ground impact, capacity support in regards to multilateral instruments like CBD, CITES, Ramsar, World Heritage and IPBES are renewed focus areas of IUCN in Oceania.

Through concerted leadership by Members, Commissions and the Secretariat efforts to ensure that conservation positive actions are mainstreamed in policy and that Aichi targets are achieved. Integrating the model where nature-based solutions are a mainstay of economic development is a long term aspiration. IUCN in the Oceania region focuses on:

Membership. Communications and networking with members and commissions, were in the past, found wanting and a recognition that concerted efforts needs to be explored to find new ways of engaging Members and Commissions is needed. As a start IUCN ORO will appoint a focal point for the French Pacific Territories to improve our communication and engagement on this front. In time and funds permitting, a French desk will be established within ORO – this will be manned by a French speaking staff member.

Fundraising and financing. Developing programmatic strategies to effectively tackle the threats and challenges will be a mammoth task, especially in the face of limited resources. Hence, a need to be pragmatic in our approach and implement only those programmes which IUCN has a comparative advantage, resources and where impacts will be sustainable will be pursued.

How can the funding base expand significantly? The intentions are to improve reporting on IUCN-generated results, highlight consistently through all communication mediums and channel the efficient and effective delivery of conservation efforts, instill a strong basis in science and knowledge position, and improve outreach to achieve the funding base.

The Global Environment Facility provides a platform to support programmatic work in countries in Oceania and while IUCN is new to the regional GEF process it will amplify its engagements to secure

funding. The support and engagement of members to source funding for collective and concerted efforts will need to be explored.

Outreach and Communications. The voice for conservation beyond the region and beyond the “usual audience base” will be developed. Strengthening the IUCN “brand” where all stakeholders are reached is important in creating visibility for the work and efforts undertaken in Oceania. Effective communications, media engagements and outreach to all sectors and all levels of society is required.

Science, policy and knowledge. Strengthening the scientific base and ensuring that knowledge is shared and curated, that knowledge products are widely disseminated and made available and accessible is critical to ensuring impact on conservation and that we expand our influence on policy and on the ground both at the national and regional levels.

Monitoring and Evaluation. IUCN Oceania is committed to evaluating its performances and will do so through assessments of the effectiveness and impact of its programmes against the indicators identified. With the exception of Australia and New Zealand, there is a limited human, technical, institutional and financial capacity within the Pacific Island Countries and Territories (PICTs) to address most of these issues, and these, combined with the wide geographical distribution of PICTs contribute to poor monitoring. Consequently, there is a need to build capacity, find appropriate resources and funding to provide for the level of data collection, management and analysis for the much needed environmental monitoring in the Pacific Islands region. Monitoring will be evidence-based and lessons learnt aggregated across programmes and fed back into future design of programmes and projects

IUCN ORO Secretariat. The secretariat will require empowerment as the demands for conservation efforts grows. Building capacity, responsibility and willingness of staff and the institutions to plan, manage, conserve, and use nature and natural resources will be mapped and assessed.

Improving governance policies and enabling systems and structures are imperative, particularly where effective delivery and use of knowledge, competent management, information, finance, human resources, and communications system are required.

Advisory Groups for the four thematic clusters are to be formed and is to comprise the Secretariat, and selected Members and Commissions whose expertise relate to the thematic clusters. It is intended that the Advisory Groups are to meet at least once a year to review progress of the thematic clusters and to make recommendations for future work plans. This will not only reinforce the One Programme Charter its will also provide a sense of belonging and ownership of programmes and projects to Members and Commissions in Oceania.

As in previous years, the 2017-2020 Regional Plan will need to be resourced by capable and multi-skilled staff. The Pacific Center for Environmental Governance will require staff will specialized skills in environmental law as will the focus on resource economics, finance, HR, communication and IT. As ORO strives to set the regional agenda and influence policy, much focus will also need to be given to growing our leadership team within the Secretariat.

Oceania Thematic Areas & Framework

Introduction

Developing programmatic strategies to effectively tackle threats and challenges mentioned above will no doubt be a mammoth task, especially in the face of limited resources, hence there is a need to be pragmatic in our approach and implement only those programmes which IUCN has a comparative advantage, resources and where impacts will be sustainable.

The programme of work of IUCN in Oceania is aligned with and guided by the IUCN Global Intercessional Programme for 2017 – 2020. It is focused on three pillars. Given the special focus on sustainable development in Oceania – there is a fourth pillar to guide the programme of work in the region. The pillars are:

- **Valuing and conserving nature** enhances IUCN's heartland work on biodiversity conservation, emphasizing both tangible and intangible values of nature.
- **Effective and equitable governance of nature's use** consolidates IUCN's work on people-nature relations, rights and responsibilities, and the political economy of nature.
- **Deploying nature-based solutions to global challenges in climate, food and development** expands IUCN's work on nature's contribution to tackling problems of sustainable development, particularly in climate change, food security and social and economic development.
- **Green Economy** in the context of sustainable development and poverty eradication is underpinned by an ethical framework of shared values and principles that extend our thinking beyond technical matters and mainstreaming into the economic system.

The programme of work will require the involvement of the wider IUCN Constituency in the region. Synergies, meaningful partnerships and the support of governments, development partners, conservation agencies, the technical expertise, knowledge and experiences of staff and partners is essential to the successful implementation of the IUCN Oceania Regional Plan.

This is shown in figure one.

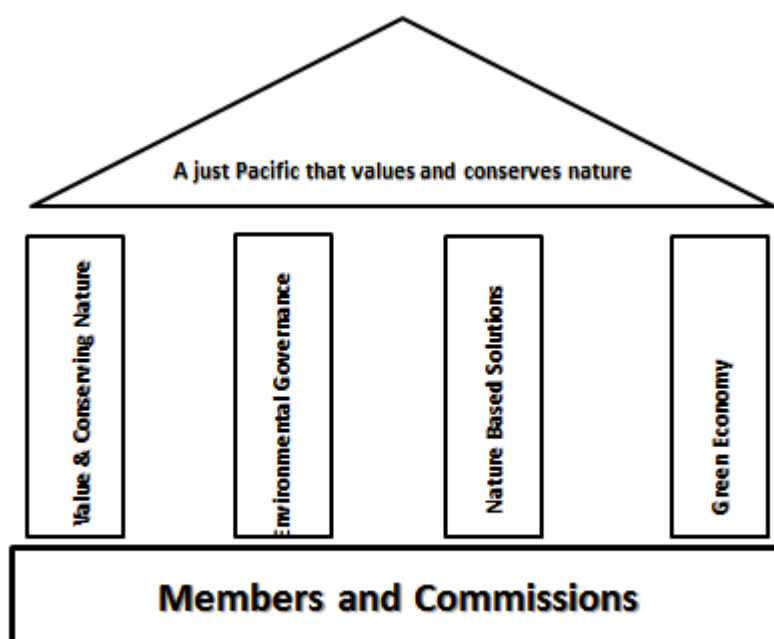


Figure 1: The IUCN ORO Thematic Areas 2017-2020

Valuing & Conserving Nature

Goal: By 2020 IUCN ORO will work with countries to ensure that the direct and indirect pressures on biodiversity are reduced and its use is sustainable in order to safeguard ecosystems, species and genetic diversity.

Brief Outline:

Across vast and immeasurably valuable ocean expanses, Oceania and its ecologically rich island groups, hosts an enormously precious share of the planet's biodiversity. Natural resources across the Pacific are not only used, but customarily owned, governed and managed by indigenous and local communities. Nature is the central element of island identity, society and provides that mainstay of social and economic livelihoods of people. However, like many developing regions, the natural environment and the communities of the Pacific are facing unprecedented pressures driven by climate change (some low lying countries are now on the very edge of survival), increasing population, urban population growth, demand for resources (fish, timber, minerals) and invasive species. With their small populations and economies, Pacific countries have relatively low management resources (including finances, information, technologies and required skill sets), yet they are stewards of immense and globally important ecosystems.

Valuing and conserving nature is the heartland and at the core of IUCN's work. Despite the magnitude of threats and pressures, there is ample evidence that conservation works, and IUCN Oceania will continue to address direct and indirect pressures on biodiversity. It will achieve this through:

- partnering with organisations and engaging countries to access and provide better information and tools for planning and management

- supporting members, particularly state and government, with coordinated efforts to strengthen policy and planning to meet national biodiversity protection targets
- build understanding of the economic value of natural resources;
- coordinating species assessments and preparing reports on biodiversity status, trends and responses;
- providing technical expertise and improving capacity development opportunity;
- convening critical information sharing and decision making forums so that the immense value of nature is understood and recognized at all levels;
- identifying innovative funding mechanisms for on the ground conservation action; and
- creating networks and collaborations.

Valuing & Conserving Nature			
Oceania Result: By 2020 the direct and indirect pressures on biodiversity are reduced and its use is sustainable in order to safeguard ecosystems, species and genetic diversity.			
Protected Areas Goal	To safeguard Oceania's distinct ecological, biological and cultural characteristics		
Results	Strategy	2020 Targets	Indicators
- Protected areas valued for biodiversity and societal benefits - National MEA reporting improved - Well informed policy and planning, and management - Threats, pressures and management options understood	- Enable access to information that assists in establishing, reporting on, and effectively managing all types of protected areas - Partnering with organisations and engaging countries to access and provide better information and tools for planning and management	- A comprehensive range of open access, baseline spatial and attribute data and information relevant to protected areas to members - More accurate reporting on protected areas and other effective conservation measures by the World Database of Protected Areas WDPA	- Regional facilities established that provide data and information as online and open-access resources, merge effectively with related global, regional and national data-sharing and have the right capacities and means, technologies, technical and institutional support, and ongoing funding sources - Data (including meta-data) and information from diverse sources is being submitted, acquired, exchanged, harmonized and displayed to present indicators, reports, maps, trends and analysis tools - Availability of relevant knowledge products about protected areas, and associated tools, strategies, planning standards, reports and analyses - Reporting on the state of protected areas is occurring, trends are being monitored and required responses initiated
Strengthen knowledge, skills and attitudes for protected area management Decision makers, government staff, protected	Implementation of a regionally appropriate capacity development program for protected area planning and management	The availability and variety of regionally suitable capacity development opportunities Number of people receiving competency certifications	MEA reporting reflects improved management effectiveness Policy and decision making is receiving stronger influence from a growing cadre of suitably skilled regional practitioners

area managers and stewards gain the specialized skills they require Greater political recognition of, and leadership on, the importance of suitable capacity development		Increase in peer-to-peer social networks, open educational sources, learning management systems and online advising and coaching Increase in Facilitate the use of knowledge and expertise available through IUCN and across Oceania Strengthen knowledge, skills and attitudes for protected area management Facilitate the use of knowledge and expertise available through IUCN	Engagement with wider regional learning collaborations Reducing demand for expertise from beyond the region
Systematic planning leads to the inclusion of important biodiversity areas in protected area networks The contribution to nature conservation through community resource management is acknowledged by governments and demonstrated by increased institutional and financial support	Support the establishment of protected areas of all types within, and in association with, important biodiversity areas Supporting members, particularly state and government, with coordinated efforts to strengthen policy and planning to meet national biodiversity protection targets	An increase in the extent, representativeness and connectivity of protected areas , and their inclusion within important biodiversity areas The variety of protected area types documented and formally recognized within national policy	A large number of Countries using spatial planning and design processes, integrated island management approaches, and economic assessments of ecosystems, biodiversity and associated services, to optimize conservation outcomes The importance of protected areas of all governance types given is receiving greater attention in national planning and opportunities for enhancing protected area networks is better understood Countries are making demonstrable progress toward Aichi Target 11

A well mobilized network contributing collective knowledge, resources and skills Implementation of the Framework for Nature Conservation and Protected Areas in the Pacific Islands Region 2014 – 2020	Convening critical information sharing and decision making forums so that the immense value of nature is understood and recognized at all levels Facilitate regional collaboration to promote and implement improved protected area planning and management	A functional and effective regional protected areas working group successfully facilitating regional collaboration A regional information hub established for networking and exchange of information, knowledge and experience	Higher level of active exchange, networking and sharing between protected area practitioners improve Degree of interaction between IUCN regional programs
Species & Ecosystems Goal	Improve the status of biodiversity by safeguarding ecosystems, species and genetic diversity in Oceania		
Results	Strategy	2020 Target	Indicators
Knowledge of the conservation status of species in Oceania is generated, compiled, and shared	• Make available more comprehensive IUCN knowledge, standards and tools such as the IUCN Red List to support decision making at national and regional levels • Improve linkages and collaboration within ORO	• Species information is updated in the IUCN Red List for at least 4 PICs • 4 PICs develop national species management, monitoring strategies and policies using the IUCN Red List data • Funding and expertise secured for 3 x training & workshops for selected individuals • IUCN Red List mainstreamed into 3 other IUCN Oceania	• Knowledge products on updated species information produced • National species management & monitoring strategies and policies is mainstreamed into national developments plans • At least XX individuals are trained in at least 3 PICs • Cohesion and linkages between IUCN Red List improved in at least 3 other IUCN ORO

	programmes	programmes	programmes areas
The work of the Threatened Species WG under the PIRT is facilitated and supported	Promote technical exchanges amongst members	A Pacific Islands Species Forum is conducted annually to exchange information and collaborate	- The Threatened Species WG is recognized as a regional planning & coordination expert group for knowledge and information on threatened species - A list of activities (events, conferences, publications, journals and articles etc.), is successfully organized and coordinated by the Species WG of the PIRT
PICs knowledge and capacity in Multilateral Environment Agreement (MEAs) negotiations and in-country implementation is strengthened	Provide technical assistance, knowledge and capacity the PICs participation in Multilateral Environment Agreement (MEAs) negotiations and in-country implementation Provide IUCN tools, knowledge, best practices and relevant capacity to enhance and strengthen the implementation of National Biodiversity	- At least 4 PICs have integrated the relevant Aichi Targets through in-country implementation - At least 4 PICs have mainstreamed relevant articles contained in MEAs like CITES, CBD, and CMS into national strategies/policies for in-country implementation - In-country implementation and reporting of MEAs such as CITES, CBD, CMS and the Aichi Targets by PICs is enhanced through IUCN's technical assistance - Selected PICs develop and strengthen in-country implementation of National Biodiversity Strategies and Action Plans	- Number of countries meeting the Aichi Targets based on reporting a global level - Number of countries that have successfully adhered to national strategies/policies that include MEA provisions for in-country implementation - Number of countries that have developed national species monitoring & management strategies (which enable them to report on the Aichi Target 12 – extinction prevented) and other MEAs

Transparent and accountable mechanism in place for donor funding	Strategies and Action Plans Provide assistance to selected parties for making non-detriment findings under CITES • Set up relevant systems to administer CEPF funds • Develop framework for monitoring and reporting of grants	• Up-to-date species data is integrated into NBSAPs in at least 3 PICs Enhanced implementation of CEPF Investment in the East Melanesian Islands	• Number of PICS where CITES implementation is strengthened • Percentage of CEPF grantees adhering to approved administrative mechanism • Percentage of grantees effectively using the developed monitoring reporting framework
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Marine Goals		To support Pacific Island Countries enhance the sustainable use and conservation of their marine resources	
Result	Strategy	2020 Targets	Indicators
Oceans			
Marine spatial planning promoted to improve sustainable use and conservation of marine resources.	Contribute to in-country efforts in marine spatial planning	At least three Pacific Island countries are implementing well-designed and effective large-scale marine spatial plan.	Number of countries implementing marine spatial planning.
Marine Protected Areas			
Marine biodiversity is better protected within adequately designed and effectively implemented EEZ wide systems of marine protected areas.	Support in-country strategies to improve protection of marine biodiversity	At least three Pacific Island countries are effectively implementing well designed EEZ wide systems of marine protected areas, including highly protected areas for their EEZ.	Number of countries implementing more effective marine resource protection through well designed EEZ wide systems of marine protected areas, including highly protected areas.
Marine Biodiversity is better protected within large scale marine protected areas.	Support in-country strategies to improve protection of marine biodiversity through the declaration of new Marine Protected Areas and the development and/review of management plans for existing marine protected areas.	At least 3 countries have large scale marine protected areas that have management plans that include IUCN categories with adequate proportion of highly protected areas and clear timelines for review.	Number of countries with management plans for existing marine protected areas including IUCN categories with adequate proportion of highly protected areas and clear timelines for review.
Capacity building	Improved in-country	In-country dependence upon	Number of countries implementing marine

Mentoring and technical guidance provided to Pacific Island Countries.	knowledge and ability to implement effective: marine spatial planning and management of marine protected areas including systems of marine protected areas.	external advice and technical input to marine spatial planning and marine protected area processes diminished in countries working on these processes.	spatial planning and marine protected areas with little or no external technical support.
	Quantum increases in equitable, transparent and accountable funding support, from external sources, for in-country efforts to improve marine resource management is available.	A large, autonomous fund of money is available to countries for marine resource management.	Amount of new money available dedicated to improvements in marine resource management in Pacific Island countries.
	Networking and consultative processes lead to enhanced political will and associated government support and resources to improve marine resource management.	Political will to support improved marine resource management demonstrated by increased government allocations.	Number of countries with increased appropriations dedicated to marine resource management.

Effective & Equitable Governance of Natures Use

Goal: By 2020 to ensure the integrity (governance and equity) and conserve the diversity of nature of the Oceania Region through the promotion of ethical, legal and practical governance concepts & instruments and leadership.

Brief Outline

In Oceania, millions of people are directly dependent on land, terrestrial and marine resources for their daily food, housing, medicine and needs. Good environmental governance allows for people living in Oceania to have access to fresh drinking water, a clean, healthy and sustainable environment. Good governance also ensures that people in Oceania will have access to and equitable benefit to the use of natural resources.

IUCN ORO is committed to working with the Oceania Regional Members, respective Commissions, Governments, Partners, relevant stakeholders and communities in promoting good environmental governance through sound policies and legislations, through its leadership coalition and through the delivery of world class environmental governance services under the Pacific Centre for Environmental Governance.

The Environmental Governance thematic area aims to be proactive in delivering a world class environmental governance service through its four programmatic areas outlined below under the IUCN Pacific Centre for Environmental Governance. It will aim to provide environmental governance advice and support to Oceania countries and provide expert support to the IUCN Oceania Regional Programme. This will ensure the effective and equitable governance of nature's use in Oceania.

The Centre will continue to support countries within the Oceania Region to meet its obligations under the Multilateral Environmental Instruments. These include the Convention on Biological Diversity, its Strategic Plan (2011-2020), the Aichi Targets and the Nagoya Protocol on Access and Benefit Sharing. It will also use its Leadership coalition platform to work closely with key decision makers in ensuring green economy policies and frameworks are embedded in national planning policies.

Environmental Governance in Oceania covers the following programmatic activities:

- a. Environmental Law
- b. Environmental and Social Policy
- c. Natural Resources Economics; and
- d. Leadership.

Environmental Law

Environmental law will continue to be one of the core activities of IUCN Oceania. IUCN Oceania will support Governments in the Oceania region with an emphasis placed on better and sound policies and laws that address climate change resilience mechanisms in all its forms and promoting a rights-based approach to biodiversity conservation. Such support will be enhanced through the delivery of service under the IUCN Pacific Centre for Environmental Governance.

It is envisaged that the Environmental Law Programme of IUCN Oceania will implement all environmental law related activities by working closely with all relevant stakeholders for the development of a rights based approach to its environmental governance work within the Oceania region, strengthening work already in existence and targeting government and the legal fraternity, through awareness raising, capacity building, research and knowledge building.

Environmental and Social Policies

The Oceania region is changing rapidly. Changes to our environment are driven by the want of development and being at the forefront of economic supremacy, at least in the Oceania region. Our social systems are changing due to increased populations, urbanisation, and globalisation. Policies that reflect the consideration of environmental and social impacts of economic development is needed in the region. IUCN will contribute towards this by supporting Governments in Oceania in their pursuit of finding the balance between the three pillars of sustainable development and ensuring a robust consultative process for environmental and social policies.

The Environmental and Social Policy Programme aims to work with the Environmental Law Programme and Leadership Programme to promote stakeholder participation and effective integration of top-down and bottom-up processes for the development, implementation and monitoring and review of environmental and social policy instruments.

Natural Resource Economics

Natural resource economics can help decision-makers to better understand market and other values associated with resource and environment use and management decisions, as well as help decision-makers make more informed decisions about allocation of scarce resources to achieve optimal social benefits net of costs. Natural resource economics can also provide policy advice on incentives for individual actors and stakeholders to produce desired outcomes.

IUCN Oceania will continue to support the role of the Pacific Regional Environmental Economics Network (PREEN), network of resource and environmental economists and those interested in the use of economics to inform resource and environmental management in the Pacific. The minimal application of economic considerations to environmental issues and problems is due to the limited capacity in natural resource economics in the Pacific. Consideration of economic factors or opportunity cost considerations is needed in modern natural resource governance interventions. A focus on gathering of quality information on environmental economics, costs and benefits of sustainable and unsustainable environmental management options, is needed for informed decision making.

Leadership

The Leadership, Green Growth and Sustainability Initiative (LeGGASI) seeks to consolidate the Green Growth platform in providing key leaders, from the selected Pacific countries, the necessary safe space to discuss common development challenges to sustainable development and seek collective advice and counsel on the proposed strategies to promote Green Growth. The eminent result is a paradigm shift in development strategies. The current model of exponential, cumulative growth with less consideration of

environmental, social and inter-generational values goes against the grain of sustainable development. Climate change is the largest threat to environmental sustainability the region faces which the leaders in the Pacific can turn into an opportunity to force change and re-invent the future of the Pacific based on values and not on vulnerabilities. For the above to eventuate, strong leadership is critical. The ORO will work with leaders in the Oceania Region to adopt Green Economy best practices to ensure sustainable development.

Effective & Equitable Governance of Natures Use			
Oceania Result: Promoting Environmental Governance through a rights based approach			
Programmatic Result	Strategy	2020 Targets	Indicators
Environmental Law			
Enhanced protection of biodiversity and ecosystems in Pacific Island Countries through effective natural resource governance arrangements.	Supporting Oceania countries efforts through technical legal advice in the development and enhancement of natural resource governance frameworks.	- At least 2 Oceania countries have mainstreamed Environmental Impact Assessment (EIA) processes into legislations. - At least 2 Oceania countries have in place frameworks for the accreditation of EIA Consultants and Standards of EIA Reporting. - At least 2 Oceania countries have mainstreamed Access and Benefit Sharing in policies and/or legislations.	- Number of Oceania countries with legislations that promote effective EIA processes. - Number of Oceania countries implementing Legislations that promote the accreditation of EIA Consultants and provide reporting standards for EIA Reporting - Number of Oceania countries (ratified or acceded to the Nagoya Protocol) with policies and/or legislations relating to access and benefit sharing.
	Provision of technical legal advice to IUCN Oceania programmes and projects for effective and equitable governance of nature's use	- Energy policies integrating strategic environmental and social impact assessment pertaining to renewable energy policies and plans in 3 Oceania countries - At least 2 Oceania countries implementing protected areas policies and best practice guidelines for the management of protected areas in the region - At least 1 Pacific Island country is implementing a policy and/or law that promote good governance measures or practices for big marine park	- Number of countries with system planning or management in place for management of protected areas. - Country X implementing policies promoting best practice good governance measures for marine park area

		areas.	
Improved awareness of natural resources governance issues, challenges and best practices in the Pacific Islands region through publications of IUCN's environmental and natural resource law work in the region.	Supporting the development and publication of natural resource governance knowledge products	• At least 3 knowledge products developed and published. • Increased knowledge sharing; promotion and dissemination of information on good governance of natural resources. • Raise awareness and actions of ELP for interest groups including members, Commissions, NGOs and academia.	• Number of knowledge products produced and disseminated. • Survey on use and re-use of knowledge. Number of returning users in databases. • No. of access or number of contributions to the database, number of newsletters featuring Environmental law • Inclusion of ELP in the Pacific Centre for Environmental Governance • Increased collaboration between IUCN Oceania and Environmental Law Centre in Bonn, Germany.
Improved knowledge and ability of Oceania countries to effectively implement and enforce natural resource legislations, policies, plans and other natural resources governance frameworks.	Support national capacities for effective implementation, compliance and enforcements of natural resource legislations.	• At least 2 countries have established Environmental Law Associations (ELA) and linked to Pacific Network of Environmental Law.	• X number of countries with ELA in place. • X number of ELAs networking governance working in the Oceania region
Environmental Law Programme strengthened to provide environmental legal and governance	Strengthen human resources and budgetary provisions for Environmental Law Programme	• Dedicated financial and human resources for ELP increased	• Dedicated legal adviser to deal with IUCN ORO corporate services appointed. • Increased budgetary provisions for ELP realized.

advice and support to Oceania countries and IUCN Oceania Regional Programme			
Environment & Social Policy			
Evidence-based decision making processes is strengthened	Improved evidence-based policy processes that integrate traditional and local knowledge with scientific and technical knowledge that supports the use of coordinated analytical, including economic and legal analytical, inputs into policy development and implementation.	At least two trainings or workshops focusing on the components of evidence-based policy processes.	Two training or workshop implemented.
	Improved leadership qualities in local and national champions of participatory, evidence-based policy formulation and decision-making processes.	At least two trainings or workshops focusing on evidence-based policy formulation for policy officers in the Oceania Region.	Two training or workshop implemented
	Encouraging Oceania countries in sharing and exchanging of knowledge, experience and lessons learnt in the development and strengthening of environmental and social policies, laws and other instruments.	At least one annual regional meeting.	One annual regional meeting taking place in Suva, Fiji or another regional country.

Natural Resource Economics			
Supporting Oceania countries through the provision of technical assistance in natural resource economics	Strengthened biodiversity conservation and improved livelihoods through the consideration of natural resource economics as a tool for decision-making on the better management and use of natural resources.	Two countries undertaking a cost benefit analyses of marine resources to support the development of an Oceans Policy.	Country X implementing an endorsed Oceans Policy that integrates results of cost-benefit analyses.
Strengthen in-country capacity to apply natural resource economic analyses.	Strengthened knowledge in the area of natural resource economics that provides better informed decisions by decision makers.	At least two trainings undertaken for Oceania countries on natural resource economics; At least one Regional University making offering Natural Resource Economics as a full-time course under an Environment Science Programme or Valuation Programme.	Two trainings undertaken for natural resource economics. University X offering Natural Resource Economics as a full-time course.

Leadership Support Pacific Island Countries mainstream green growth and green economy principles and best practices into their national development and national strategic development policies and plans.	• Provide a safe space for a coalition of leaders and champions from selected PICs to discuss common challenges to developments and seek collective advice on proposed strategies to promote Green Growth/ Green Economy	• Guidelines on green growth best practices developed and used by X number of countries • Green economy mainstreamed into national policies by X countries Developing mechanisms for mainstreaming green growth practices	• Two meetings held of GG coalition held • Two outcome statements developed • Ha'apai Green Growth Development Plan Operational as a model • Number of countries with national policies that have mainstreamed green economy

Nature Based Solutions

Goal: By 2020 to support the development of sustainable livelihoods of Pacific island communities by the maintenance of healthy ecosystems.

Brief Outline:

The conservation of natural infrastructure is, in the long run, more cost-effective than engineered options. Mangroves act as natural seawalls buffering coastal communities from extreme wave action, storm surges and strong winds. Wetlands act as water purification plants while lakes serve as reservoirs. With the impacts of climate change being increasingly felt by Pacific island communities, the need to strengthen the management and conservation of these ecosystems is imperative.

Evidence demonstrates that nature based solutions not only reduce risks through strengthening preparedness; it can also be a cost-effective and a functional means to address restoration and recovery of ecosystems and communities that depend on them.

There are catchments in Oceania that are critical for the economic growth of the countries and yet extensive damage caused by flooding is becoming increasingly frequent. Poor land use practices, deforestation, gravel extraction from river beds and poor disaster preparedness have all contributed to the huge economic losses incurred by floods. There are multiple users of the water resource and for there to be water of sufficient quantity and quality and equity for all users, the management of these catchments, out of necessity, must be multi-sectorial. Traditional resource owners, tourism, agriculture, forestry and utilities all have a stake in keeping catchments and coastal ecosystems healthy. Co-management is a means by which the current disconnect that exists between traditional management systems and government systems can be bridged. It will impact on water and food security which ultimately affect the livelihoods and wellbeing of communities.

Economic empowerment of communities is dependent on the goods and services provided by catchments and coastal ecosystems. Communities need to be presented with options other than the constant harvest of raw products. Value chain analysis can identify where profits can be made to turn income-generating activities into viable businesses. Capacity-building in business skills and natural resource management are critical for social development.

Due to sea level rise and increasing frequency of floods, droughts, severe storms and other natural disasters, Pacific Island governments and regional agencies have instituted policies and frameworks to address climate change and disaster risk reduction, however, the role of healthy ecosystems has often been neglected. This oversight is rather startling given that donor agencies are investing significant funds into ecosystem based approaches to climate change adaptation. There is a need to mainstream the ecosystem based approach into national and regional frameworks for disaster risk reduction which can be done through information exchange and training (eco-DRR).

The livelihoods of communities on the islands of Oceania are being impacted by climate change from the severe droughts that have been experienced in recent times in Tuvalu and the Republic of Marshall Islands to the extreme floods in Fiji and Solomon Islands. Devastating cyclones like the most recent TC Pam cause destruction on water sources and agricultural crops thus food and water security are very pertinent issues that need to be addressed both at the policy level and through practical measures on the ground. The institutional frameworks differ in complexity in regional countries but there is a common

need for strengthening these frameworks in order to enhance the livelihoods of communities. The profile of coastal ecosystems in the provisioning of water, food and environmental protection during times of natural disasters needs to be raised at both policy level and on the ground thus the promotion of nature based solutions. Wetlands serve as natural reservoirs while mangroves serve as natural sea walls, forests play a critical role in the recharging of aquifers all of which contribute to healthy catchments that serve as the economic backbone of many regional countries.

Nature Based Solutions			
Oceania Result: By 2020 to support the development of sustainable livelihoods of Pacific island communities by the maintenance of healthy ecosystems			
Programmatic Result	Strategy	2020 Targets	Indicators
Water & Wetlands			
Livelihoods improved by transforming income generating activities from harvest of natural resources into sustainable businesses.	Capacity building of local communities to improve resource management and business skills. Work on improved business skills and expertise with communities in PNG, Solomon Islands, Vanuatu and Fiji where IUCN and its partners are already doing work on the ground.	• At least 8 communities to have received training by end of 2019. • At least ten business ventures in PNG, Solomon Islands, Vanuatu and Fiji have moved into long-term sustainable business models.	• Number of communities that have received training • Number of communities that have received training
Food and water security strengthened by maintaining healthy catchments and coastal ecosystems.	• Provide policy makers with decision support tools e.g. Management plans, sustainable financing mechanisms that are technically sound and politically possible. • Assist stakeholders with skills, expertise, information and knowledge to enable development of co-management plans.	• MOUs established with governments of at least three Micronesian countries. • Management plans for catchments and coastal ecosystems successfully implemented in at three countries	Development of management plans for catchments and coastal ecosystems in at least three countries in Micronesia.

Ecosystem based management approach in disaster risk reduction promoted throughout Oceania	Work with IUCN Commission on Ecosystem Management to provide training on Ecosystem based management as a solution to DRR to national and regional agencies in the Oceania region.	One regional strategy and one national plan of action include the role of ecosystems as a response to disaster risk and climate change adaptation response.	At least one regional agency and three national governments in Melanesia adopt Ecosystem-based management approach in DRR.
Fresh Water			
Fresh Water strategies promoted and mainstreamed into PIC's responsible sustainable development goals	Conduct national and regional consultations on the threat posed by climate change on the availability of fresh water and the benefits of mainstreaming strategies to improve access to and safety of water sources in national and regional development plans	At least 2 countries mainstream strategies into their national policies for improved access and safety of freshwater sources.	- One regional symposium on the threat posed by climate change on the availability of fresh water and the benefits of mainstreaming fresh water strategies into national and regional development plans is organized - knowledge product on Pacific water issues released - Water policy drafted or finalized for 2 countries
Forests			
Forest restoration and sustainable management strategies promoted and mainstream into PIC's responsible sustainable development goals	Conduct national & regional dialogue, consultations, awareness and training on forest restoration and sustainable management options for mainstreaming into national and regional development plans	At least 2 countries mainstream Forest restoration and sustainable management strategies into their national policies	- One regional symposium on the threat posed by unsustainable forest management practices and the benefits of mainstreaming forest restoration strategies into national and regional development plans is organized - One Forest restoration knowledge product released - Forest Restoration policy drafted for

			2 countries
Soils & Agriculture			
Best practice in Soils & Agriculture strategies are promoted and mainstreamed to strengthen food security in PIC's.	• Conduct national and regional level dialogues and consultations, awareness & training on the potential impact of climate change on soils and agriculture in the region and the benefits of mainstreaming Soils & Agriculture strategies into national and regional development plans	At least 2 countries mainstream Soils & Agriculture climate change adaptation & mitigation strategies into their national policies	• One regional symposium on the threat posed by climate change on soils & agriculture and the benefits of mainstreaming strategies into national and regional development plans that will strengthen food security. • Knowledge product released on soil, agriculture and food security in the Pacific. • One Soils & Agriculture policy drafted for 2 countries

Green Economy

Goal: By 2020, Pacific Island Countries have mainstreamed green economy into national development policies and strategies and are committed to energy solutions that are ecologically sustainable, efficient, and socially equitable.

Brief Outline:

Recognizing that green economy could play a pivotal role in achieving sustainable development in the Oceania region, IUCN Oceania Regional Office (ORO) has made a strong commitment to include it as one of the main thematic areas of focus for the quadrennial period 2017 – 2020 work programme. The ORO's Green Economy thematic has three programmatic components:

- Mining (including Deep Sea Mining),
- Fisheries and beche-de-mer and
- Sustainable Energy programme.

The economic cost associated with mineral exploration and extraction is quite prohibitive. Equally, the social and environmental costs to the small island nations can far outweigh the benefits many folds. While the environmental and social impacts of land based mining are quite obvious, the impacts of mining on the deep ocean floor ecosystems are still very much unknown. The lack of information on ocean floor ecosystems and the type of technology that will be used for mineral extraction makes it critical that a sectorial green economy scoping study focusing on deep sea mining ought to be high in the sustainable development strategies of small Pacific island countries.

Coastal and near shore fisheries, including some high value products such as beche-de-mer are the main lifeline of coastal communities. Traditionally, these resources have been used in a sustainable way with usually a small amount extracted to meet the daily subsistence needs. However, the pressure on communities to meet the necessities of the market economy and the temptation of the attractive prices offered mostly by the Asian markets has led to the over exploitation of beche-de-mer in particular in several Pacific island countries.

The ORO energy programme focuses on helping the Pacific Island countries have a better appreciation of the linkages between energy systems and the ecosystems and builds on IUCN vision of *a just world that values and conserves nature*.

In the PICs the high dependency on imported petroleum fuels is taxing their economies. Changing this burden is the main driver for sustainable energy, followed by climate change. IUCN ORO seeks to use this driver while highlighting the value of ecosystems and nature-based solutions in building a new approach to sustainable development. The energy programme aims to accelerate the transition to energy solutions that are ecologically sustainable, efficient and socially equitable by:

- Developing renewable energy and energy efficiency demonstration projects;

- Developing knowledge products and tools on best practices and the linkages between energy systems and ecosystems; and
- Supporting beneficiary countries in the development and implementation of environmentally sound, sustainable energy policies.

The trend in the exploitation of the mineral and fishery resources with their potential social and environmental impacts coupled with the shift towards greater use of renewable energy resources (including biofuel) have strengthened the rationale for a more inclusive green economy in Oceania.

Green Economy			
Oceania Result: By 2020 to ensure long term economic development while minimizing social and environmental impacts of development in Pacific Island Countries.			
Programmatic Result	Strategy	2020 Targets	Indicators
Mining			
Countries mainstreamed green economy principles into their national mining development plans.	Hold national and regional dialogue and consultations on the benefits of mainstreaming green economy in mining development plans Hold national level consultations, awareness & training on potential impacts/benefits of deep sea exploration and mining	Green economy practices mainstreamed into national mining and seabed mining policies	• One regional symposium on green economy best practices on mining organized • One green mining knowledge product released • A green mining policy drafted for one PIC
Fisheries and BDM			
Countries have a better appreciation of the economic value of their coastal fishery resources	Hold regional and national dialogue and consultations on the value of a green economy quantitative assessment of coastal fisheries and beche-de-mer	Green economy practices mainstreamed into national coastal fishery policies	• At least one country conducts a green economy quantitative assessment of its beche-de-mer resources • One coastal fisheries or DBM knowledge product released • A coastal fisheries or BDM policy drafted for one PIC
Sustainable Energy			
Improve the quality of life for the Pacific people in the Pacific through sustainable energy solutions while maintaining the integrity of the	Support PICs transit to low carbon economies Support one PIC explore	• Low carbon energy strategies integrated into national energy policies	• Feed-in tariff principles integrated into the electricity tariff calculation process in three countries (Nauru, Niue and Tuvalu)

biodiversity and ecosystem services on which people depend on	renewable sea transport	• Training undertaken on renewable and energy efficiency technologies	• 1000 tonnes of CO2 saved. • Two countries using locally produced biofuel for land transport vehicles • Two financing institutions administering an energy efficiency loan subsidy programme • Two solar PV projects, one biogas project and one small hydro project fully operational • At least four training undertaken on renewable energy efficiency technologies
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Funding and Fundraising

Critical to the achievement of the work of IUCN ORO and to deliver on outcomes across the range of the strategic areas, will require core funding or long term donor funding. It is clear that specific programmes will have to actively pursue potential sources of funding.

As a strategy and to address staff shortages in key technical areas, the IUCN ORO Secretariat will actively seek collaborations of its Union Members and Commissions. Joint partnerships will be defined by certain fundamental principles, including: shared vision and values, complementarity of purpose and value adding, transparency and mutual accountability and a commitment to joint learning.

Addressing internal human resource requirements will also be necessary if the Programmes are expected to deliver on results. Options for the establishment of a Strategic Partnership Unit within the IUCN ORO Secretariat will be pursued. The unit will be tasked to plan and secure funding support for its programmatic work.

Conclusion

In this plan, IUCN ORO has re-committed itself to the vision of a just world that values and conserves nature. The plan sets out the purpose, goals and direction that the IUCN Oceania Regional Office will pursue from 2017 to 2020.

It establishes the framework from which our annual plans will be derived from. It is also a call to work – all IUCN ORO staff are encouraged to take ownership of the plan. Let us rise to the challenge and influence, encourage, and assist societies throughout the region to conserve the integrity and diversity of nature and ensure that any use of natural resources is equitable and ecologically sustainable.

Abbreviations

BIOPAMA	Biodiversity and Protected Areas Management Programme
CBD	Convention on Biological Diversity
CITES	Convention on International Trade in Endangered Species
CMS	Convention on Migratory Species
CEPF	Critical Ecosystem Partnership Fund
EGLP	Environmental Governance and Law Programme
EIA	Environmental Impact Assessment
ELA	Environmental Law Associations
ELP	Environmental Law Programme
ESIA	Environmental Social Impact Assessment
IUCN	International Union for Conservation of Nature
LEGGASI	Leadership, Green Growth and Sustainability Initiative
MESCAL	Mangrove Ecosystems for Climate Change Adaptation & Livelihoods
MACBIO	Marine and Coastal Biodiversity Management in Pacific Island Countries
MPA	Marine Protected Areas
MOUs	Memorandum of Understanding
MDGs	Millennium Development Goals
MEAs	Multilateral Environmental Agreements
NBSAP	National Biodiversity Strategies and Action Plans
NGOs	Non-Government Organizations
ORO	Oceania Regional Office
PICs	Pacific Island Countries
PICTs	Pacific Island Countries and Territories
PIRT	Pacific Islands Roundtable for Natures Conservation
PREEN	Pacific Regional Environmental Economics Network
SPREP	Secretariat of the Pacific Regional Environment Programme
SDGs	Sustainable Development Goals
TEEB	Economics of Ecosystems and Biodiversity
UNFCCC	United Nations Framework Convention on Climate Change
WCPA	World Commission on Protected Areas
WDPA	World Database on Protected Area
WG	Working Group

REPORT

Meeting Date: 3 & 4 August 2015

Prepared By: Katrina Edwards

Subject: **Correspondence**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	NZCA's performance (Priority J)
Recommendation or Action Required	It is recommended that the Authority: a) Receive the inwards correspondence, and b) Approve the outwards correspondence
Context	Attached is the correspondence schedule for the Authority's inwards and outwards mail since the last meeting. The mail log is emailed weekly to members, giving members the opportunity to request copies of correspondence. The correspondence is available for inspection at each Authority meeting.

**NEW ZEALAND CONSERVATION AUTHORITY (NZCA)
MAIL LOG FOR PERIOD 16 MAY 2015 TO 17 JULY 2015**

INWARDS & OUTWARDS CORRESPONDENCE

INWARDS CORRESPONDENCE			
Date Received & File Reference	From	Topic	Comment/Status
21 May 2015 SBA-13-06-01	Paul Pretorius, CEO, Grey District Council	Grey District Council proposal for tracks in the Southern Paparoas	FYI
22 May 2015 SBA-13-06-01	Paul Pretorius, CEO, Grey District Council	Further analysis by Grey District Council of the proposal for tracks in the Southern Paparoas	FYI
22 June 2015	Southland Conservation Board	Confirmed minutes of 16/04/2015 meeting	FYI
28 May 2015 SBA-13-08 SBA-09-05-08	Copy of letter from Mike Legge, Chair WCTP Conservation Board, to LINZ Head Office	Proposed addition to Kahurangi National Park, lack of progress on transfer of Mokihinui River	FYI
3 June 2015	ECOLink	Publication/newsletter	FYI
3 June 2015 SBA-13-08 SBA-09-05-08	Copy of letter from Mike Legge, Chair WCTP Conservation Board, to Ron Hazeldine (DOC)	Proposed addition of Mokihinui River Catchment to Kahurangi National Park	FYI
8 June 2015	Otago Conservation Board	Notice of meeting to be held on 3 July 2015	FYI
8 June 2015	West Coast Tai Poutini Conservation Board	Agenda for 12 June 2015 meeting	FYI
8 June 2015	Southland Conservation Board	Agenda for 18 June 2015 meeting	FYI
8 June 2015	Northland Conservation Board	Unconfirmed minutes of 15 May 2015 meeting	FYI
12 June 2015	Nelson/Marlborough Conservation Board	Confirmed minutes of 30 April 2015 meeting	FYI
16 June 2015	West Coast <i>Tai Poutini</i> Conservation Board	Confirmed minutes of 30 April 2015 meeting	FYI
17 June 2015	Canterbury Aoraki Conservation Board	Agenda for 26 June 2015 meeting	FYI
19 June 2015	Southland Conservation Board	Confirmed minutes of 16 April 2015 meeting	FYI
22 June 2015	Southland Conservation Board	Confirmed minutes of 16/04/2015 meeting	FYI
3 July 2015	Otago Conservation Board	Agenda for 3 July 2015 meeting	FYI
10 July 2015 SBA-13-06 & SBA-09-05-08	Lou Sanson, Director-General, Department of Conservation	Response to letter of 22 June 2015 requesting report on national park values of Pike River Areas D & E	FYI
16 July 2015 SBA-08-18-01	John Whitehead, Chair, Southland Conservation Board	Hand-over of the Southland CMS ready for the meeting	FYI – formal paperwork will be in the August papers
16 July 2015 SBA-08-17-01	Pat Garden, Chair, Otago Conservation Board	Hand-over of the Otago CMS ready for the meeting	FYI – formal paperwork will be in the August papers
16 July 2015 SBA-08-16-02	Robert Wynn-Williams, Chair, Canterbury Aoraki Conservation Board	Hand-over of the Canterbury CMS ready for the meeting	FYI – formal paperwork will be in the August papers
17 July 2015	Mark Brough, Chair, Waikato Conservation Board	Follow-up letter to December 2014 letter re the future viability of whitebait species in NZ	FYI – to be discussed as part of the Status Report at

			the meeting
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OUTWARDS CORRESPONDENCE			
Date Sent & File Reference	To	Topic	Comment
8 June 2015 SBA-13-06-01	Hon Dr Nick Smith, Acting MOC for Pike River Issues	NZCA recommendations on proposed additions to Paparoa National Park	FYI
11 June 2015 SBA-08-01 & SBA-10-01	Hon Maggie Barry, Minister of Conservation	Forwarding the Waitaiki Management Plan to the Minister to consider, with recommendation that it be approved	FYI
11 June 2015 SBA-08-01	Juanita Oates, Ashton Wheelans	Waitaiki Management Plan - replying to email that provided the Plan to the NZCA, included copy of letter to the Minister	FYI
15 June 2015 SBA-13-10 SBA-09-05-08	Ron Hazeldine, Senior SLM Advisor, Department of Conservation Hokitika	NZCA's support of the disposal of approx. 863m ² from Westland <i>Tai Poutini</i> National Park for road alignment for safety reasons	FYI
18 June 2015 SBA-09-07-08	Liane Gilbert, Permissions Advisor, DOC	Transfer and release of grass carp into Lakes Tutira, Waikopiro and Opouahi. Committee recommends approval subject to conditions.	FYI
22 June 2015 SBA-13-06 & SBA-09-05-08	Lou Sanson, Director-General, Department of Conservation cc: Marie Long, DOC Planning Manager	Request for report on national park values of Pike River areas D & E	FYI
22 June 2015 SBA-09-07-03	Hon Maggie Barry, Minister of Conservation	Recommending approval be given for the release of broom gall mite at Molesworth and Matai Flat Reserves	FYI
24 June 2015 SBA-13-08 & SBA-09-05-08	Lou Sanson, Director General, Department of Conservation, cc: Ron Hazeldine, SLM Hokitika	Request for section 7 report on Mokihinui River Catchment	FYI
24 June 2015 SBA-11-03 SBA-09-06	Mark Brough, Chair, Waikato Conservation Board	Response to their request for the Department's stance on honeybees	Copy sent to Wellington Conservation Board (requested)
25 June 2015 SBA-11-03 & SBA-09-04	Mark Brough, Chair, Waikato Conservation Board	Response to their request for research into the interaction between tourism and conservation	FYI
1 July 2015 SBA-09-05-08	Marie Long and Wendy Evans, Department of Conservation	Re Stewardship Land - request for information on specific areas of land for August 2015 meeting	FYI
2 July 2015 SBA-09-05-08	Lou Sanson, Director-General, Department of Conservation	Reclassification of Stewardship Land, request for briefing for August 2015 meeting	FYI
8 July 2015 SBA-11	Chairpersons of Conservation Boards	April and June 2015 meetings	Copy to members 10/07/2015

NEW ZEALAND CONSERVATION AUTHORITY (NZCA)
TE POU ATAWHAI TAIAO O AOTEAROA
3 & 4 August 2015
One hundred and forty fourth meeting, to be held at
Conservation House, 18 – 32 Manners St, Wellington, starting at 10.00am.

D means Decision required, A means Advice required, I means Information only

AGENDA				
<i>Item</i>		<i>#</i>	<i>Priority</i>	<i>Pages</i>
1	Welcome and Chairperson's Introduction – Introduction to Mervyn English and Bruce Parkes (new DD-Gs) and Chair's overview	I	-	
2	Apologies – receive	A	-	
3	Conflicts of Interest for the Meeting – identify	A	-	1-2
4	Minutes			
	4.1 – approve minutes for the meeting held on 2 & 3 June 2015	D	J	3-12
	4.2 – approve “in-committee” minutes for the meeting held on 2 & 3 June (<i>expected to be taken “in-committee” with public excluded</i>)	D	J	13-16
5	Status report – note progress in actioning resolutions from the meeting held on 2 & 3 June 2015	I	J	17-20
6	NZCA work programme 2015-2017 – summary of planned elements	I	J	21-24
7	Management Planning update – Sarah Bagnall	I	A/B	25-36
8	Stewardship land: general issues/exchanges – Paula Warren	I	C	37-54
9	Stewardship land: specific issues – Wendy Evans	I	C	55-74
10	Kahurangi National Park additions	D	C	75-84
11	Stewardship land: discussion on net conservation benefits – Mark Christensen	A/ D	C	85-96
12	Members' Environmental Scan	I	E	
13	Director-General's report – Lou Sanson	I	E	97-110
14	DOC's risk management framework – Christeen Mackenzie	A	I	111-112
15	Formation of a science committee – Ken Hughey	D	E/I	113-114
16	CMS monitoring and reporting	A	A/I	115-120
17	Seismic monitoring code review – Andrew Wright	A	G	121-188
-	Meeting adjourn for the day			
Day Two				
18	Tonga Island Special Protected Area	D	C	189-228
19	Broom gall mite – ratification of June decision	D	G	229-230
20	Conservation Board Chairs' meeting	D	J	231-232
21	Pike River follow-up – verbal update	I	C	
22	Canterbury (Waitaha) CMS – receive from the Canterbury Aoraki Conservation Board: Dr Mick Abbott Deputy Chair CACB and Barry Hanson, Eastern South Island Conservation Partnerships Director	D	A	233-258

23	Otago CMS – receive from the Otago Conservation Board: Vance Boyd Deputy Chair OCB and Barry Hanson: Eastern South Island Conservation Partnerships Director	D	A	259-280
24	Southland Murihiku CMS – receive from the Southland Conservation Board: John Whitehead Chair SCB and Barry Hanson, Eastern South Island Conservation Partnerships Director	D	A	281-302
25	Wilding Conifers Briefing – Allan Ross	A	F	303-308
26	Island Biosecurity update – Allan Ross	I	F	309-312
27	National Animal Welfare Advisory Committee – John Hellstrom	I	F	313-318
28	Representation and Liaison			
	28.1 Chair's report	I	J	319-320
	28.2 Conservation Board liaison reports	I	J	321-414
29	Correspondence – receive the inwards and approve the outwards correspondence	D	J	415-418
	Meeting close			

Strategic Priorities

A	Conservation Management Strategies
B	National Park Management Plans
C	Land Status change e.g. Stewardship land
D	Treaty of Waitangi
E	Strategic advice to the Minister and DG in the context of conservation in today's economy and strategic advice on public policy documents and legislation
F	Game Changers for Conservation: Pest control/biosecurity
G	Marine
H	Rivers and Freshwater
I	Effectiveness of the Department's conservation management
J	NZCA's performance

Meeting timetable

Monday 3 August

10.00	Meeting starts
12.30 – 1.00	Lunch
3.30 – 3.45	Afternoon tea
5.30	Meeting concludes for the day
6.30	Dinner at DOC 4 th floor – with Lou, Mervyn, Bruce, Ken, and Lucy

Tuesday 4 August

8.30	Meeting starts
10.00 – 10.15	Morning tea
1pm	Meeting concludes – lunch for those staying

